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THE PRO-REFORM MOVEMENT
LED BY
AVENIR DE LA LANGUE FRANCAISE:
A POINT OF LEVERAGE
IN THE
FRENCH POLITICAL PROCESS ?

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SUMMARY

The study examines factors influencing language planning decisions in contemporary France. It focuses upon the period 1992-1994, which witnessed the introduction of two major language policy measures, the first an amendment to the French Constitution, in 1992, proclaiming the language of the Republic as French, the second, in 1994, legislation to extend the ambit of the *loi Bas-Lauriol*, governing the use of the French language in France.

The thesis posits a significant role for the pro-reform movement led by the French language association *Avenir de la Langue Française* (ALF) in the introduction and formulation of the policy measures concerned. The movement is depicted as continuing the traditional pattern of intellectual involvement in language planning, whilst also marking the beginning of a highly proactive, and increasingly political approach. Detailed examination of the movement's activities reveals that contextual factors and strategic strength combined to facilitate access to the levers of power, and enabled those involved to exert an impact on policy initiation, formulation, and ultimately implementation.

However, ALF's decision to pursue the legislative route led to the expansion of the network of actors involved in language policymaking, and the development of counter-pressure from sectoral groups. It is suggested that this more interventionist approach destabilised the traditionally consensual language policy community, and called into question the quasi-monopoly of the intelligentsia in respect of language policymaking. It raised broader questions relating to freedom of expression and the permissible limits of language regulation in a democracy such as France. It also exposed ongoing ambiguities and inconsistencies in the interpretation of the tenets of language planning.

Key words: Language planning; France; Linguistic legislation; *Loi Toubon*.

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*"Entre le fort et le faible, le riche et le pauvre, entre le maître et le serviteur,
c'est la liberté qui opprime et c'est la loi qui affranchit"*

(Lacordaire)

INTRODUCTION: LANGUAGE, IDENTITY AND THE FRENCH NATION STATE

1. The focus and objectives of this research

Language has for centuries been a sensitive issue in France, one which has periodically given rise to excessive and overwrought emotions. Even so, when the group *Avenir de la Langue Française* (ALF) began to campaign for measures in support of the French language in March 1992, few could have anticipated that the proposals put forward would provoke a complex ideological debate at national level, which would only be resolved through a ruling by the Constitutional Council.

This research investigates the pro-reform movement in which ALF played a prominent role, and which led to the introduction of two major language planning measures. The first of these was an amendment to the French Constitution in June 1992. This proclaimed the language of the Republic as French, and was aimed specifically at enhancing the status of the national language. The second measure took the form of legislation to extend the ambit of the law of 31 December 1975, which governed the use of the French language in France¹. This revised legislation, promulgated in July 1994, was commonly referred to as the *loi Toubon*, after Jacques Toubon, the Minister responsible for its introduction². Its principal aims were to counter the effect on the French language of progressive globalisation of commercial and cultural exchange, and particularly the impact of the increasing incursion of English into France. It sought to achieve this by further defining the recently-acquired constitutional

¹ *Loi no. 75-1349 relative à l'emploi de la langue française.*

² In informal discussions, a Bill discussed in Parliament usually takes the name of the minister who has been most directly concerned with it, and who has presented it to Parliament, hence the designations *projet de loi Toubon*, and subsequently *loi Toubon*.

status of French, and asserting its supremacy as the language to be used on French territory.

Our particular interest in the language policy measures promulgated during the period 1992 and 1994 stems from a number of factors. First, the enactment of linguistic legislation in France is a rare occurrence, and consequently any such initiative constitutes a milestone in language planning. That the period under investigation should have witnessed the introduction of two substantial pieces of legislation in respect of the French language is therefore particularly noteworthy.

The two policy measures introduced between 1992 and 1994 are all the more significant because neither was in fact initiated by the French government. Both owed their origins to the self-professed pressure group ALF, which was specially constituted in March 1992 to campaign for language policy reform. Although there is in France a well-established tradition of French language protection associations, with literally hundreds of private and semi-private language protection organisations professing a mission to help protect and promote the French language, such groups previously had a relatively low profile. Only a few have ever acted as genuine pressure groups, actively militating in favour of policy measures in support of the national language. Indeed, as our literature review in the next chapter will reveal, the thrust of language pressure group activity has traditionally been concentrated in the regional sector. In contrast, in the 1990s, French language associations, and notably ALF, assumed greater prominence within the policymaking arena. Despite limited funding, and a certain amount of lampooning from the press, this association rapidly proved to be a proactive and committed political campaigner, enjoying a high profile for several years following its creation. This research investigates the evolution of the French language group from bystander to political activist. It considers the

language pressure group as a political force, and in so doing aims to provide further insights into the role of the intelligentsia in contemporary French society, and its relationship with both the State and the wider French public.

Owing to the controversial nature of many of the provisions of the legislative reform proposed, many other groups not normally concerned with linguistic issues also entered the debate. Counter pressure was exerted, particularly in the later stages of the legislative debate, by commercial and scientific groups, and by the Socialist groups in Parliament, all of whom sought to reduce the scope of the provisions. Indeed, in contrast to the constitutional amendment, which enjoyed a relatively uncomplicated passage through both houses of the French Parliament, much of the force of the *loi Toubon* was lost when, immediately after its enactment, the Constitutional Council annulled a number of its provisions. We would contend, however, that the restricted nature of the legislation which ultimately resulted in no way diminishes the interest of this measure for the purposes of this study. Rather, the censure itself is particularly noteworthy for the broader issues it raises regarding power and influence in the political arena.

The debates surrounding these policy measures are also significant because they raise issues relating to the conflict between the politics of reaction and principles of human rights, and provide insights into a number of ideological issues, concerning freedom of expression, equality of treatment, and the acceptable limits of language planning in contemporary France. Since 1789, the right to freedom of expression has been enshrined in both the *Déclaration des droits de l'homme et du citoyen* and the French Constitution. The Declaration³ established the right to equality of treatment (Article 1), to freedom of action, provided that this freedom does not impinge upon the rights of others (Articles 2 and 4), and,

³ For full text, see de Certeau, Julia and Revel (1975:181-185).

particularly significant in the context of the present study, the right to speak, write, and publish freely (Article 11):

La libre communication des pensées et des opinions est un des droits les plus précieux de l'Homme : tout citoyen peut donc parler, écrire, imprimer librement, sauf à répondre de l'abus de cette liberté dans les cas déterminés par la loi.

Furthermore, since the Revolution, successive French Constitutions have, in their preambles, proclaimed the right of French citizens to express themselves freely (*parler, écrire, imprimer librement*). The French language was not specifically mentioned in the Constitution prior to 1992, but its protection and wider diffusion in the world meant that French enjoyed virtual, if not actual constitutional status. Whereas there had therefore always been a potential for language planning initiatives to come into conflict with the broader ideological principles expounded in the Constitution and Declaration, such conflict had previously been associated with regional languages, rather than French. In contrast, in the 1990s, it was the question of the infringement of the rights of French speakers, who were being forced to speak French to the exclusion of other languages, which emerged as a crucial issue.

Because of the scope of the issues raised by the proposed linguistic measures, the debates, both inside and outside Parliament, were extensive and time-consuming. The parliamentary debate on the legislative reform alone totalled twenty-seven hours, five times the length of the debates on the 1975 legislation, and linguistic issues enjoyed a high profile in both the print and broadcasting media over the two-year period concerned. Equally, these were impassioned debates, which provide interesting insights into the limitations on language planning in contemporary France, and the factors which condition linguistic choice and influence language planning decisions in France in the 1990s. The

political and intellectual rhetoric surrounding the two policy measures is therefore examined, in an attempt to ascertain the relative importance of considerations of material well-being and traditional affective bonds in accounting for linguistic choice in contemporary France.

There has been considerable academic debate as to the relative importance of such ideological and pragmatic considerations as determining factors. Those who view language as rooted firmly in the economic order (Baron, 1990; Bourdieu, 1982; Coulmas, 1992; Dorian, 1982; Lapierre, 1988), suggest that pragmatic considerations about the material gains to be derived from the use of a particular language tend to over-ride considerations of an ideological nature, and may take precedence over more culturally based, affiliative ties. Baron (1990:xiv) maintains that language loyalty persists only as long as economic and social circumstances are conducive to it, and that "as a symbol, language is (...) an issue which is easily eclipsed by more pressing economic, social and political concerns". Similarly, Dorian (1982) suggests that whatever the strength of the bonds forged by language, the boundaries around a language group are maintained only because its members perceive an advantage in belonging to the group. Consequently, the language planner attempting to impose measures to maintain the use of a language viewed by its speakers as less economically attractive than another may encounter strong resistance. Fishman (1972a, 1972b, 1977), however, has long protested at such economic reductionism, maintaining that whilst linguistic choices *may* be motivated by rational considerations, the affective ties generated by language are so great that the overthrow of traditionally-established values for material ends may only be accomplished at great personal cost to the individual concerned.

Certainly in France, Anglo-American influences have been represented as both a "model and a menace" (Kuisel, 1993:13), and the source of a dilemma for the French speaker attempting to achieve socio-economic prosperity without sacrificing his or her uniquely French identity. Indeed, the relationship between French speakers and the English language has been described as a "tormented" love affair (de Saint-Robert, 1988, cited in Chatton and Bapst 1991:12), and as a "love-hate" relationship (Kuisel, 1993). It is both this dilemma on the part of the French speaker confronted with language choices, and its implications for the language planner, which are brought to the fore in the chapters to follow, as we seek to examine the extent to which it is possible for the language planner to override economic concerns, and successfully impose restrictive policy measures.

This study aims to offer a contemporary perspective both on language planning and on attitudes towards language, and to provide insights into the limitations of language planning in contemporary France, by carrying out in-depth examination of these two most recent language policy measures. However, for the absence of any constitutional recognition of French prior to the 1990s, and the rationale behind the particular language policy initiatives introduced between 1992 and 1994 to be fully appreciated, it is necessary to begin by considering the role of language in helping define and construct individual and group identity in France. The remainder of this introductory chapter is therefore devoted to an examination of traditional socio-political and cultural assumptions concerning the national language, and the way in which affiliative ties generated by language have traditionally been used by the French government to create and maintain a national identity. It is intended that this will shed light on contemporary attitudes and beliefs concerning the French language, and help explain our theoretical approach, outlined in Chapter 1.

2. Language and identity formation

Le Page and Tabouret-Keller suggest that linguistic behaviour represents a series of "acts of identity, in which people reveal both their personal identity and their search for social roles" (1985:14), and thereby acts as a means of asserting individual and group identity. As the fundamental medium for all human exchange, language is acknowledged to be the most powerful instrument of socialisation (Berger, 1967). It is considered to be more significant in determining the association of individuals into groups than physical features, family descent, race, culture, traditions and religion (Le Page and Tabouret-Keller, 1985), and is widely viewed as the central factor in the development of ethnocultural solidarity (Fishman 1972b, 1977; Edwards 1985; Humboldt, 1988).

By contributing to the creation and maintenance of integrative bonds (Fishman, 1972b), language provides a means of developing what Edwards describes as a "sense of groupness" (1985:10). Equally, by maintaining the cultural specificities of the group, and marking out territorial boundaries, whether physical or symbolic in nature, it operates simultaneously as a bonding and boundary mechanism⁴, helping establish what Fishman terms the "contrastive self-identification" of the group (1972:52); provided the boundary to the group is maintained, the distinctiveness of the group will also be preserved (Barth 1969).

It is these integrative and demarcatory characteristics of language which are of particular interest to the present study, since they both complicate and facilitate the task of the language planner, who attempts to regulate linguistic, and ultimately wider patterns of social behaviour. In the case of France, as the

⁴ This symbolic means of including or excluding individuals from a group has been described as the "solidarity" and "separating" function of language (Thomas, 1991:53).

following discussion will reveal, the powerful integrative and demarcatory bonds which existed at regional level prior to the sixteenth century, and which were maintained by the use of regional languages, represented an obstacle to the unity of the country. Gradually, however, through a process of language standardisation, a single language was imposed at national level, regional identities were deconstructed, and new integrative bonds forged. Thus, language became a powerful tool in the definition, creation and maintenance of the French nation-State, and ultimately the French language and nation came to be viewed as synonymous (Lafont, 1968; Braudel, 1986).

Four stages may be identified within the process of language standardisation (Haugen, 1966)⁵. The first two of these, namely the selection of a variety of language for use at official level and its subsequent codification, help establish administrative unity, and can contribute to the process which Grillo refers to as the "politicisation of ethnicity" (1980:7). By creating a relatively homogeneous speech community, these two stages of language standardisation may provide the basis for political stability, and help transform a collection of disparate "nations" into a unitary political structure, namely the State. The third and fourth stages of language standardisation, namely measures to ensure the acceptance of the chosen variety by the whole population, and its subsequent elaboration or modernisation, can be used to fulfil an "identity planning" function (Fasold, 1984:262). By contributing to the "ethnicisation of the polity" (Grillo, *op. cit.*), these later stages of language standardisation may be used to help transform the State into a nation-State.

The nature of the measures introduced within a language standardisation programme will change as the social and linguistic situation within a country

⁵ For specific discussion of the language standardisation process in France, see Lodge (1993) and Durand (1996).

evolves (Beer and Jacob, 1985), and will vary from country to country. This context specificity means that language planning initiatives may theoretically, and according to circumstances, range from a decision to introduce minor modifications to the spelling system of a country to an Orwellian campaign to obliterate linguistic diversity. Despite the diversity of the measures encompassed, it is nonetheless possible to classify most instances of language planning according to whether they concern the totality of the language, or concentrate on aspects of its form⁶. This distinction is based on the status/corpus dichotomy of language planning originally suggested by Kloss (1969:81), and which follows Saussure's *langue/parole* distinction⁷. Status planning is concerned principally with questions of *langue*, for example the selection of a language variety, and its imposition as a national language for official purposes. In contrast, corpus planning generally involves questions of *parole* (Fishman, 1977:36), such as initiatives designed to bring about conformity with the established norms of spelling, or to introduce new terms into the language. Cooper (1989) introduces a third category of language planning, namely acquisition planning, which encompasses all measures to improve the teaching and spread of a language.

All three types of initiative were instrumental in bringing about language standardisation in France, and form part of the ongoing attempts to maintain the French language and identity in contemporary France. In the following section, it is proposed to focus on the first three stages of the process of standardisation, and in particular on their contribution to the formation of French national identity. Although it is with the final stage of language standardisation (the

⁶ Neustupny (1974:39) terms the former "macroscopic", and the latter "microscopic" cultivation of a language.

⁷ This represents *langue* as the total linguistic system, in contrast to *parole* or *langage*, which refers to the system in use: "*La langue est pour nous le langage moins la parole. Elle est l'ensemble des habitudes linguistiques qui permettent à un sujet de comprendre et de se faire comprendre*". (Saussure [1916], 1966:112).

elaboration of the language), that the majority of the present research is concerned, an understanding of the formative influences of the past is essential if both language planning, and the intense emotion which surrounds linguistic issues in contemporary France, are to be fully understood.

3. Language standardisation and identity formation in France

By the sixteenth century, standardisation on one common variety of language was considered necessary in France because acquisitions, annexations, conquests and marriage alliances had gradually brought together under one ruler many linguistically and culturally diverse ethnic groups⁸. The heterogeneity of this nominal State provided a fertile environment for tensions and conflict - Calvet speaks of a "*champ de bataille*" (1987:153) and a "*guerre des tranchées*" (1987:246) - and consequently, the priority of central government was the progressive eradication of linguistic diversity and the creation of a single linguistic community as a means of unifying the country. The Edict of Villers-Cotterêts of 1539 officially established *francien* (hereafter referred to as French), the variety of the *langue d'oïl* spoken around Paris, as the official language for administrative and legal purposes⁹. This variety was subsequently codified by the *Académie Française*, whose role it was to provide definitive guidance on linguistic correctness, and to determine the form of the language to be officially recognised by the French State.

⁸ Germanic dialects were spoken in the Alsace/Lorraine region (these including both Haut and Bas Alémanique, and Francique), varieties of Breton (including Cornouaille, Léon, Trégor, and Vannetais), Occitan (including Provençal, Languedocien, Limousin and Auvergnat), Basque, Corsican, Flamand and Catalan. In addition to these, a variety of other territorially-based languages (such as Portuguese and Italian) were spoken by immigrants in France, as well as a number of non-territorial varieties, including Hebrew, Armenian, and Romany languages.

⁹ It should be noted, however, that this was by no means the first linguistic initiative in France. See Judge, A. in Sanders, C. (1993) for a detailed account of the decrees which preceded the Edict of Villers Cotterêts.

However, prior to the Revolution, the majority of citizens used French only for dealings with the State. Given that regional languages still provided the most widely used medium of exchange, it was with these, rather than the French language, that they identified¹⁰, and it was regional languages, rather than French, which were the source of integrative bonds for all but the higher echelons of French society. Equally, by maintaining a form of contrastive self-identification, regional languages also served to reinforce local, as opposed to national identities. Achieving widespread acceptance of the national language was therefore more complicated an operation than its selection and codification, because of the emotional ties which speakers continued to feel towards their respective varieties of language. It was not sufficient to proclaim French as the official language in order to make it a unifying force. If it were to replace regional varieties as the language of the entire French population, action had to be taken to endow it with a distinct and desirable identity, and generate perceptions that it was worthy of adoption.

Consequently, in addition to introducing further legislation to make French compulsory in education and in all public documents¹¹, the revolutionary government in France began to equate its use with patriotism, and linguistic diversity with counter-revolution (Calvet, 1974). The French language was widely portrayed as the vehicle for the universally-shared beliefs, values and practices which were expressed in the Declaration of Human Rights¹². In

¹⁰ It is estimated that, in 1792, at least 6 million out of the total population of 25 million still did not speak French (Grégoire [1794], cited in de Certeau, Julia and Revel, (1975) pp. 271-272).

¹¹ The Abbot Grégoire, in his report to the National Convention (*Rapport sur la nécessité et les moyens d'anéantir les patois et d'universaliser l'usage de la langue française*, reproduced in de Certeau et al (op.cit), maintained that "[pour] fondre tous les citoyens dans la masse nationale, simplifier les mécanismes et faciliter le jeu de la machine politique, il faut identité de langage". Between 1793 and 1794, the National Convention passed five pieces of legislation enforcing the use of French. These focused principally on language use in education and the judicial system, but also included a law banning the use of German in Alsace.

¹² Barère (1794) emphasised its role as a vehicle for the national values promoted by France, describing it as "*la plus belle langue d'Europe, celle qui la première a consacré les droits de l'homme et du citoyen*" (cited in de Certeau, Julia and Revel, 1975:291).

contrast, regional languages were represented as preventing access to the revolutionary principles of liberty, fraternity and equality (Schiffman, 1996). Since French provided a vehicle for the expression of these ideals, any rejection of the national language in favour of regional languages was declared to be a denial of French nationality and of the French heritage (Bourdieu 1982). Indeed, Battye and Hintze (1992:42) suggest that the use of French became mandatory after the Revolution for anyone wishing to be considered as a French citizen.

By stressing the virtues of linguistic homogeneity and conformity with a standardised norm, the government sought to impose a homogeneous perceptual framework on all citizens, and encourage them to engage in an active process of self-identification with the French language and, by extension, with the French nation. This combination of legislation and moral pressure was effective, in that, whilst regional languages were far from totally eradicated in France¹³, their use was progressively suppressed. Gradually, French became established as the dominant language of France¹⁴, and acquired a sacrosanct status. The maintenance of this status entailed the codification of the language by the *Académie Française*, and its ongoing cultivation, through both modernisation of the corpus and the exclusion of elements deemed to be undesirable. The means by which this was achieved are discussed in Chapter 2.

¹³ Current estimates suggest that regional languages are today spoken by only a small proportion of the total French population of some 56 million (Occitan: several million, Basque: 100,000 in France; Breton: 500,000; Catalan: 200,000 in France; Flemish: 200,000 in France; Corsican 150,000, and Alsatian dialects: 1,500,000, McDonald, 1986:3). There are reputedly few monolingual regional language speakers in France today; however, accurate figures are not available because the national census excludes any questions relating to language.

¹⁴ The pursuit of linguistic uniformity continued during the Napoleonic period with the establishment of an entirely French administrative and educational system, and the process was consolidated in the period following the first World War when, following four years in an almost exclusively French-speaking environment, conscripted soldiers were demobilised, and returned to their regions, where they continued to speak French.

4. The value position of the French language

As the language of State, French came to enjoy status and prestige¹⁵, and acquired what Gurr (1970) terms positive "power values"¹⁶. As the language of education and employment, it increasingly offered access to economic, social and political rewards within society, and as a result began to acquire positive "welfare values". Finally, as the language of ideational coherence, it provided a powerful source of integrative and demarcatory bonds amongst French speakers, thus acquiring positive "interpersonal values".

It is useful (following Gurr, 1970) to conceptualise the totality of the interpersonal, power and welfare values referred to above as constituting the "value position" of French at any given time. The value position may be measured by speakers against the position which French has traditionally occupied, and the values it has traditionally conveyed; these represent its "value expectations"¹⁷. In turn, the value position and value expectations may also be measured against the "value capabilities"¹⁸, or in other words its future potential. The notion of the value position of a language is an important concept in helping

¹⁵ Here we take the status of a language to mean its "rank or position relative to others, depending on both its actual and potential functional range", and its prestige to be the "subjective (my emphasis) stereotype evaluation of a language as being superior or inferior to others" (Mekacha, 1993:114).

¹⁶ Values have been variously categorised, but possibly the most useful typology for the purposes of the present study is that elaborated by Gurr (1970) based on research by Lasswell and Kaplan (1950). It divides values into three categories, namely power, welfare and interpersonal. Gurr defines welfare values as those factors "that contribute directly to physical well-being and self-realisation", power values as those "that determine the extent to which men can influence the action of others and avoid unwanted interference by others in their own actions", and interpersonal values as those relating to "the psychological satisfaction we seek in non-authoritative interactions with other individuals and groups"; Gurr includes amongst these latter the desire to "participate in stable, supportive groups, (...) and the sense of certainty that derives from shared adherence to beliefs about the nature of society and one's place in it" (1970:25).

¹⁷ Again following Gurr, who defines such expectations as "the goods or conditions of life to which people believe they are rightfully entitled" (1970:13), perceptions of entitlement generally deriving from a desire to perpetuate traditionally ascribed values (Hoselitz and Willner, 1962:363).

¹⁸ Defined by Gurr as the "goods or conditions which a people believe themselves capable of attaining in the future."

explain the revival of linguistic activism in France in the 1990s since, as subsequent chapters will reveal, perceptions about the value expectations, position and capabilities of the French language are all instrumental in determining the linguistic choices made by speakers. Furthermore, it is the desire to sustain the value expectations of the French language, and improve its value capabilities in relation to English, which has been the motivating force behind many language planning initiatives in modern France.

Given that, prior to the twentieth century, the values which French conveyed all bore positive connotations at a material and ideological level, its overall value position was high. Whilst the value position of the language was high, further language planning measures were not widely considered to be necessary¹⁹, and might even have antagonised regional factions²⁰. Expectations were that French was justifiably entitled to maintain or even improve its positive value position. However, as the following section reveals, although the value expectations concerning French remained constant, the value capabilities, and hence ultimately the value position, of the language did not.

5. The impact of external forces upon the value position of French

That it had proved possible to maintain the positive correlation between language and nation, and thereby sustain the mythical sanctity of French owed much to the fact that, during the two centuries following the Revolution, France enjoyed a dominant role in world politics, and the French language commanded

¹⁹ Speaking in the constitutional amendment debate in 1992, Gérard Gouzès, President of the National Assembly reporting committee stated that "*La langue française est (...) langue officielle depuis très longtemps. En conséquence, il ne nous avait pas semblé utile de l'inscrire dans la Constitution.*" (JO. AN. 12.5.92:1019).

²⁰ Debbasch (1992:459) suggests that, since the inclusion of a reference to the principles of *liberté, égalité and fraternité*, and to the national flag and anthem in the Constitution (Article 2) dates from 1946, a period when regional languages were in a more disadvantaged position than they are today, the omission of language from this list could have been a deliberate move to avoid causing antagonism amongst regionalists.

a prestigious position both in France and worldwide, as the language of culture and international relations. Inside Europe it was widely used by ruling elites, and even in the eighteenth century, France was considered to be the cultural centre of the universe, and French the language of diplomacy (Hayward, 1983:245). Outside Europe the development of the French colonial empire provided the opportunity for widespread dissemination of the French language and culture at international level, thereby helping perpetuate the notion of what Rivarol (1784) termed the "universality" of the French language and nation.

It seems a heavy irony, therefore, that just as language standardisation had been achieved in France, and the French language was at its zenith, increasing Anglo-American political, cultural and economic hegemony led to the expansion of English as the principal language of international exchange²¹. The international supremacy of English impacted upon all aspects of the French language, but initially the effect was felt on the power or deference values associated with the language. The drafting of the Treaty of Versailles in English in 1919 marked a symbolic turning point for the status of French, since it signalled the transition from the use of French to English as the principal language of international diplomatic relations; thereafter English gradually became the dominant language in almost all international institutions, both as a working and as an official language, and as a result some of the power values previously ascribed to French were transferred to English.

As the functional utility of English increased at international level, and that of French declined, so Anglo-American hegemony, initially a political phenomenon, began to assume a strong economic dimension. The resulting

²¹ The development of English as an international language has been the subject of extensive research: Cooper and Fishman (1977), Crystal (1985), Quirk and Widdowson (1985), Bailey and Gorlach (1972), Kachru (1982), and Phillipson (1992). The respective roles of English and French have been treated by Gordon (1978), Flaitz (1988), Truchot (1990, 1991).

predominance of English as the language of international exchange, particularly in the commercial and scientific sectors (Flaitz, 1988; Truchot 1990), further accentuated the loss of status and prestige of the French language outside France. English was increasingly required as a means of socio-economic mobility, and anglophones in France began to enjoy greater opportunities for economic advancement than non-anglophones. Indeed, by the 1990s, an increasing number of multinationals based in France had totally anglicised their communications networks at managerial level²², thereby denying employment opportunities to non-anglophones, and in so doing, also diminishing the welfare values previously associated with the French language.

In parallel with these changes, the supremacy of English as a vehicle for cultural exchange internationally began to increase (Pennycook, 1994), particularly in the period immediately following the Second World War. As large quantities of imported goods of Anglo-American origin (including computer technology, films, television serials) began to enter France, so the English terminology which accompanied them was frequently adopted, because it bore connotations of affluence and modernity. The ready and widespread acceptance of foreign cultural influences by the mass of the French population implied a dilution of the specifically French identity which previous language planning measures had sought to foster (Flaitz, 1988; Kuisel, 1993). As such, it represented a destabilising force on the interpersonal values associated with the French language. Furthermore, the vast socio-economic and cultural change which occurred in post-war France revealed that, despite the establishment, through centuries of language planning initiatives, of an apparently strong equation

²² GEC-Alsthom, for example, operates almost entirely in English at senior level, and Carnaud Metal Box uses English as the working language for internal communication throughout the company. (*Libération*, 19.5.92:15).

between language and identity, this link was far from unassailable, and that the boundaries surrounding the French language and culture were not impregnable.

It has been argued (Goldstein and Rayner, 1994:372) that it is because a nation-State is a partially invented entity, what Anderson (1983:16) terms an "imagined community", that it needs to be constantly monitored and redefined to maintain its identity and boundaries. Anthony Smith (1990:182) suggests that initiatives which relate to an "illustrious pedigree" are often taken to unite a nation, and preserve its identity in the face of what he terms "collective disintegration". Given the role which language has played in France in fostering a national consciousness, it was to language that politicians turned again during the post-war period. Attempts were made to restore the collective identity and constrastive self-identification of France through both language planning initiatives and supportive statements about the language. Detailed discussion of such actions is undertaken in Chapter 2 (which considers the protagonists involved in language policymaking in France), and Chapter 4 (which examines the particular inadequacies of the 1975 legislation, the forerunner to the legislation considered here). At this stage, it will suffice to note that the series of language planning initiatives did not succeed in reversing the trends towards the use of English, and had only limited success in enhancing the value position of the French language.

Indeed, it can be seen as indicative of the relative failure of existing measures that the decision was taken in the 1990s to formalise the position of French through the introduction of a constitutional amendment and a substantial piece of linguistic legislation, highly protectionist in its provisions. Moreover, the very fact that such defensive measures were considered necessary provides an interesting insight into the French national self-image in the early 1990s.

Indeed, given that a number of earlier attempts to introduce Bills to reform the *loi Bas-Lauriol* had failed²³, commitment to the pursuit of a legislative project in the 1990s suggests increasing levels of insecurity on the part of the proponents of the measures. It is all the more noteworthy that government resources should have been allocated to linguistic issues at a time when many other social and economic matters (such as unemployment, immigration, and social welfare) might have been judged more deserving of a place on the parliamentary agenda. The allocation of such resources may therefore point to the wider implications of the linguistic matters under consideration for broader social, political and economic issues in France.

Certainly, political commentators such as Silverman (1992) and Duhamel (1993)²⁴ argue that, at the beginning of the 1990s, France was facing a crisis of self-confidence, which had economic, social and political origins. The country was beset by internal socio-economic problems, including exceptionally high levels of unemployment (10.2% of the population²⁵). Furthermore, the number of immigrants in the French population stood at record levels (3.6 million or 6.3% of the total population in 1992²⁶), and immigrants of Arab and African origin were increasingly refusing cultural and linguistic assimilation, thus challenging traditional conceptions of French identity²⁷.

²³ In the 1984-5 parliamentary session, two Bills were submitted, one by Pierre Bas of the right wing RPR (*proposition de loi no. 798*, dated 11 February 1982), the other by Georges Sarre of the Socialist Party (*proposition de loi no. 2451*, dated 15 November 1984). Neither was debated in Parliament, electoral pressures forcing their indefinite deferral.

²⁴ For a detailed analysis of the social impact of the economic situation in France in 1992, see Duhamel *Les Peurs Françaises*, Paris: Flammarion (1993).

²⁵ Source: Eurostat, *Labour Force Survey*, 1992. European Commission. *Employment in Europe, 1994*. Luxembourg: Office for Official Publications of the EC. This figure was the third highest in Europe at the time, the two highest being Spain (17%) and Ireland (15%).

²⁶ Source: Stanger and Mabry, 1994. Figures referred to are those officially cited; however, illegal immigration has provided a particular source of anxiety in France.

²⁷ One salient example is the "*affaire des foulards*" in 1989. Three young girls of North African origin were expelled from a French school for refusing to remove their Islamic headscarfs in school in order to conform with the republican principle of secularism in education. The outbreak in 1990 of riots in the suburbs of Vaux-en-Velin (and other areas in France with a high concentration of immigrants) were interpreted not only as the expression of social malaise but

Equally, the climate of unease was heightened by the respective debates concerning the Uruguay Round of the GATT (General Agreement on Trade and Tariffs) negotiations, and the ratification of the Treaty of Maastricht. Under the provisions of the GATT, European countries would be obliged to reduce their subsidies on exports to countries outside the EU, open their markets to more American exports, and end quotas limiting the broadcasting of American television films and series. In France, these provisions were widely considered to be highly detrimental to the future of both the French economy and culture. The Treaty of Maastricht also had potentially wide-ranging repercussions for the French nation, particularly in respect of national sovereignty, since it was designed to transform the single market into a European Union, and in so doing grant increased decision-making powers to the European Commission. Moreover, reference was frequently made to the national language during each of these debates, and in turn the language debate operated as a platform for the expression of the wider socio-economic concerns which they raised regarding immigration, Europe, greater internationalisation, and perceptions that French exceptionalism was increasingly at risk.

This research examines the strength of the link between language and identity in the 1990s, and considers the extent to which it is still possible to use language planning initiatives as a "societal resource"²⁸, and thereby influence wider patterns of social behaviour in France, in the way that it was possible in the past. It investigates whether the various protagonists involved in the promotion of these two policy measures acted as genuine "points of leverage"²⁹ within the

also as a form of self-differentiation, by the forging of ethnic sub-cultures. This was interpreted in certain quarters as providing a further indication of immigrant subversion of the republican model (Silverman 1992; SOFRES, 1993 (opinion poll, p. 233); Hargreaves, 1995).

²⁸ The expression is that of Jernudd and Das Gupta (1971:66)

²⁹ Bauer (1968) defines a point of leverage as "a person, institution, issue, or subsystem of the overall system that has the capacity to effect a substantial influence on the output of the system"

political system, and as such exerted a real influence on the debates. In so doing, it addresses the following questions: Why did legislation concerning the French language, previously the province of the French government, become the object of pressure group interest? What were the precise demands of the various protagonists, and how successful were they in achieving their objectives? If such groups were able to influence both policy outcomes and public opinion to a significant extent, how was this possible? Why was the *loi Toubon* singled out for referral to the Constitutional Council? Who was instrumental in this referral, and in the subsequent revocation of some of its more contentious provisions? Finally, how did the involvement of additional political actors impact upon the traditional political structures governing language policymaking in France? In examining these questions, this research aims to make a contribution to the wider body of knowledge concerning language as both a social and political phenomenon.

6. The organisation of this thesis

The first chapter explains where our study fits into the existing body of research into both group/State interaction and language policymaking. It also introduces a number of key concepts, notably those relating to political subsystems, which will facilitate subsequent discussion of the type of network in operation, and the relationship between groups and State in France. Chapter 2 applies the policy network concepts to the French situation and investigates implications of type of network in operation on the initiatives introduced and management of language planning in France prior to 1992, in order to discover the factors which led to the emergence of ALF. Chapter 3 examines the constitutional amendment campaign of the pro-reform movement, and analyses its objectives and effectiveness. Chapter 4 discusses the impact of this maiden campaign in terms of the

(p.21). He gives preference to this term since it is "freer of excess semantic baggage than the term 'power'" (*idem.*)

evolution of the movement, and examines the means by which the pro-reform movement attempted to acquire the legitimacy necessary to establish itself as a valid interlocutor within the policymaking arena. Chapter 5 considers the reactions of two successive governments in terms of policy proposals, and compares these outcomes with the measures sought by the reform movement. The following three chapters examine the expansion of the debate, and the impact of the involvement of additional political actors, at Committee stage (Chapter 6), in Parliament (Chapter 7), and in the referral of the Bill to the Constitutional Council (Chapter 8). The final chapter draws together our findings and, in conclusion, considers the future of language planning, and the role of language in France, in the light of the decisions taken during the period 1992-94.

CHAPTER I. THEORETICAL AND METHODOLOGICAL ISSUES

This chapter reviews previous studies relating to language planning and language groups, in order to determine the extent to which they have broached the phenomenon under examination in this thesis, and whether they may directly or indirectly inform our research. It then considers the need for research into policymaking at the meso- (or sectoral) level, and outlines both the way in which our research has been carried out, and the theoretical framework within which this study is situated.

1 Review of existing literature

1.1 French language studies

As will be seen in Chapter 2, the language planning measures initiated by the French government from the mid-1980s onwards focused increasingly upon the wider French-speaking community¹. It is not surprising therefore that considerable attention has been devoted to evaluation of francophone policy. A significant number of studies have attempted to evaluate its strengths and weaknesses, particularly in the period immediately following the introduction of the francophone summits. Some are impartial academic studies (Chaudenson, 1989, 1991; Chatton and Bapst, 1991; Ager, 1996a), but many more are the work of individuals closely involved in the francophone movement (notably Léger, 1987; Tétu, 1988; Guillou and Littardi, 1988; Roy, 1989). Equally, francophone policy has been the main subject of reports by institutions concerned with linguistic issues in France and internationally, official bodies

¹ The creation of a "*commonwealth à la française*" (Guillou and Littardi: 1988:98) to enhance the international standing of the language had been suggested in 1962 by Presidents Senghor of Senegal and Bourguiba of Tunisia. Such an initiative would have been a logical complement to de Gaulle's foreign policy, which was underpinned by a desire to restore national pride, and extend the position of the French nation internationally. De Gaulle, however, chose not to attempt to institutionalise further the existing francophone community, fearing accusations of neo-imperialism.

such as the *Haut Conseil de la Francophonie* and the *Agence de Coopération Culturelle et Technique* publishing annual reports into the use of the French language worldwide.

Insofar as language planning initiatives and institutions at national level are concerned, the focus of commentators' attention has hitherto centred primarily on the activities of those operating inside the legislature and executive. Schiffman (1996), for example, focuses on the role of early language planners, such as Talleyrand, Barère, Grégoire and Robespierre, in shaping contemporary language planning in France. Whilst Schiffman does refer briefly to those involved in more contemporary planning initiatives, such as the spelling reform campaign of 1989, he does not discuss the campaigning activities of teachers and parents, whose influence contributed significantly to the debate on this particular policy issue. Similarly, the work of Bengtsson (1968) focuses on language quangos founded in France between 1937 and 1967, rather than on the activities of individuals operating outside the political arena (such as Etiemble and his contemporaries), who may have contributed to the introduction or implementation of language planning measures. Bengtsson's research is limited to an evaluation of the quality of the work carried out by the organisations concerned and the validity of their decisions, and does not extend to an examination of their role in the policy process. Moreover, whilst he provides a comprehensive overview of the actors during the period covered, his work predates the proliferation in France of the type of private language protection associations with which our study is concerned.

Salon (1983), however, provides an overview of both the public and private actors involved in linguistic (and other cultural) activities in the early 1980s, although again there is no discussion of the interaction of the protagonists. The

role of government advisory groups and interest groups within the policy process is, however, discussed by Ager (1996b), in the context of a comparative study of language policymaking in Britain and France, and the interaction which occurred in the spelling reform debate is considered in some detail.

Perhaps the most direct comparator with the present research is the research carried out by Offord (1993, 1994), who considers the nature and objectives of both government and private organisations in existence at the end of 1991. Offord's 1993 study, based on organisations listed in the 1992 edition of the *Répertoire* of French language associations published by the *Délégation Générale à la Langue Française*, provides a useful means of classifying the groups according to function. However, it does not purport to extend to detailed examination of the composition, organisational strength and strategies of such groups, nor of their influence on broader issues of policy and attitude formation within France.

The absence of research into the activities of French language groups can be explained to some extent by their relatively low profile prior to the 1990s, and to the fact that such associations have traditionally been supportive of government action, an issue discussed further in Chapter 2.

1.2 Regional language studies

In contrast to the consensual relationship between the French language groups and the State, that between regional language groups and the French authorities has been one of conflict, and regional language activism has been the subject of considerable investigation. Gwegen (1975), Lovecy (1982), Nicholas (1982; 1986), McDonald (1986) have focused on the Breton movement; Streicher (1982), Steiffer (1979), Phillips (1982), and Vassberg (1993) trace the

development of activism in Alsace; Lafont (1974) focuses on the Occitan movement; and Boyer (1991) and Leprêtre (1992) consider action to protect the Catalan language.

These analyses of regional language activism in France have accorded an important place to the activities of the various extra-governmental protagonists concerned. Such studies offer useful insights into the nature of the action taken by regionalists in their attempts to secure improved status for their languages, and provide information regarding the demands made and strategies adopted. They also help explain the hostile attitudes amongst language speakers whose traditional linguistic allegiances have been altered by the imposition of what is judged to be an 'alien identity' (Lafont, 1967, 1974; Calvet 1974, 1987; Giordan 1982, 1992; Bourdieu 1982; Beer and Jacob 1985). Furthermore, consideration of this body of research is instructive because it encourages us to look beyond strictly linguistic demands to the context in which they are made. As M. O'Caollai observes, "a language movement is not really a purely language movement. Its objectives are inextricably immersed in the objectives of movements for political independence, economic independence, and promotion of a more full degree of society" (cited in Gwengen, 1975:76).

However, although they do present a number of parallels with the present research, we would not wish to over-emphasise the similarity between studies into the ways in which mainstream and minority languages have traditionally been protected in France. Indeed, the measures demanded by the regional groups have, at least in the past, tended to be far more radical than those called for by the French language groups investigated in this research. Moreover, the tactics used by the two are very different, regionalists having on occasions adopted violent strategies, as illustrated by Corsican, Basque, and Breton

separatist movements. Consequently, regional groups have traditionally been considered a potential destabilising force in France, and rather than being incorporated into the policy process, they have tended to operate outside the immediate policy process arena.

1.3 Studies into group/State interaction in France

Supporters of French regionalist movements have not traditionally been the only groups considered to represent a threat in France. Indeed, the association of any individuals into groups was outlawed in France by the *loi le Chapelier* of 1791, as being likely to threaten the stability and unity of the newly-established Republic. The right to form trade unions in France was not granted until 1884, and other groups were not granted the right to associate until 1901, much later than elsewhere in Europe. Since this legitimisation, the role of the group within the political system has gradually increased. Although pressure groups were in their infancy during the Third Republic (1870-1940), and exerted little influence on policy issues (Thompson, 1946), the instability of the Fourth Republic favoured their emergence (Williams, 1971). In the contemporary context, they have become a recognised political force in France, as in other western democracies, and help maintain what de Gaulle referred to as France's "perpetual effervescence" (cited by Cerny 1982:vii). Nonetheless, they remain relatively under-investigated, analysts of the French political system having tended to focus their attention upon the political party and the trade union, rather than the pressure group.

The relatively late development of pressure groups in France helps explain the paucity of research in this area in comparison with that relating to other polities. With the exception of the classic macro-level studies into the organisation and operation of groups, by French political writers Lavau (1958), Meynaud (1958;

1962), Basso (1983), and American commentators Wilson (1987) and Suleiman (1987), literature into group intervention within the policy process in France remains limited, and has been described as "*un domaine (...) laissé largement en friche*" (Offerlé, 1994:12). Whilst some studies have been carried out within particular issue sectors in France², these are relatively few in number. Offerlé describes the research at the meso-level in similar terms to that carried out at the macro-level, as "*un domaine déserté, marginal et marginalisé*" (1994: 13).

Wilson (1987) also points to the inadequacy of existing knowledge of the role of the group and its means of action within the policy process in contemporary France, and suggests that more research is required into interaction between government and groups, focusing on the points of access to the political process, group strategies, and methods of wielding influence. Wilson's view is reiterated by analysts of pressure group activity in countries other than France. Pross, (1992), for example, regrets the fact that there have been few analytical studies in any discipline which have systematically applied existing theoretical perspectives to the pressure groups described, and both Martin Smith (1993) and McAuley criticise the tendency of the pressure group researcher to favour description over analysis and to "concentrate on *what* happens, *how* things are done, rather than asking, in some broader sense, *why* political activities and relationships take the form that they do" (McAuley (1977:163). With specific reference to language as an issue sector, Cooper (1989) observes that the points of leverage within the political system require further exploration, since they are still a matter of conjecture.

² The issue sectors which have been investigated include education (Franceschi, 1964; Duclaud-Williams, 1983; Aubert, 1985; Baumgartner, 1989, Zirakzadeh, 1989); agriculture (Berger, 1975); abortion reform (Lupatelli 1974; Jensen, 1985); lorry drivers (Courty, 1993).

The existing studies which do investigate group-State relations in France have focused on patterns of political interaction at the macro-level. This research has given rise to a number of competing theoretical perspectives, which display widely differing characteristics, and, in certain respects diametrically opposing viewpoints. Policymaking in France has been envisaged variously as neo-pluralist or elitist³ (Debré 1957; Crozier 1963, 1970; Ritchie 1992), neo-corporatist⁴ (Berger 1981; Sokoloff, 1985), and protest-driven⁵ (Brown, 1963; Hoffman, 1974; Wright, 1983; Tarrow, 1993). Few depict France as pluralist⁶, although Hall (1993) considers that French politics is becoming increasingly centred on the interests of civil society. Such theories provide indicators of the way in which interest groups are perceived as political actors, and thus the ease with which they are likely to be able to gain access to the levers of power. However, although the proponents of global models of public policy often present them as an accurate representation of the system operating within a given polity, they are, as Wilson (1987) reminds us, only "ideal types", and the reality of the decision-making process is highly complex. Furthermore, whilst they may help explain the distribution of power within policymaking at national

³ The neo-pluralist approach (Michels, 1915; Pareto, 1935; Mosca, 1939; Lijphart, 1969; Presthus, 1973) maintains that power is not equally accessible to all, and that it is concentrated in the hands of an oligarchic leadership, comprising those officially exercising power and those who hold positions of authority within society (Ham and Hill, 1993:26).

⁴ Corporatists, such as Ehrmann (1961), Cawson (1986) and neo-corporatists, such as Schmitter (1974) also conceive a significant role for the group in the exercise of power, but in contrast to the pluralist situation, corporatism characterises policymaking as a form of continuous liaison between government agencies and a limited number of groups who have salient roles as a result of their particular interest in the development of specific aspects of policy. Like the elite approach, corporatism emphasises the role of the State in determining the extent to which groups participate and the form this participation takes.

⁵ The protest model (Crozier, 1963; Hoffman, 1974; Tarrow, 1993) views group/State relations as characterised by alternating bouts of order and crisis, the latter occurring when the normal bureaucratic system of organisation breaks down and fails to bring desired change.

⁶ Analysts of pluralism (Bentley 1967; Dahl, 1961; Polsby, 1963, 1971; Truman, 1971; Dahl and Lindblom, 1976) represent policymaking as attempts by government to maintain an equilibrium between weak, fragmented and diffused groups by constantly responding to group pressures (Dye, 1975:21). Whilst not suggesting that all power is equally distributed, pluralist theory holds that all groups have an equal chance of exercising power if they are sufficiently determined.

level, the absence of consensus regarding the existence of a universally-acceptable model, one which could be applied to all instances of group-State interaction in France, suggests that different models may be appropriate to different time periods and issue sectors.

Baumgartner (1989) suggests that the application of a single model to a national situation leads to generalisations which do not greatly advance our knowledge of variation in levels of participation and public awareness. Furthermore, Keeler (1985) and Meny (1989) both criticise as simplistic any attempts to apply a single model to one country since each interest sector may be organised differently and enjoy its own particular relations with the State⁷. Keeler (1985) suggests that rather than attempting to situate France in an undifferentiated manner on the pluralist-corporatist continuum, the variance across sectors should be acknowledged. Baumgartner also questions whether the country is an appropriate unit of analysis for this phenomenon, given that analysis by issue sector can identify and help explain variations within a nation. He favours a lower unit of analysis than the country, maintaining that it is only by systematic comparison of a series of specific cases within a single area within a single country that the researcher can eliminate variables which inevitably occur between country and issue type. Certainly, the contrast between the militancy of groups campaigning in support of regional languages, and the relative absence of activism amongst French-language groups serves to illustrate the variation which can occur within a single issue sector (in this instance language), and emphasises the need for discrete issue-related studies within policy sectors.

⁷ Indeed, Mény (1986:103) considers that the neo-corporatist view survives because so many variations have been introduced to accommodate it to particular countries and issue types, and Grant Jordan (1993:49) argues in the same vein about pluralism, pointing to the existence of a "pluralism of pluralisms", which renders the concept vague and difficult to identify.

From the foregoing review of existing related studies, it would appear that there have been few meso-level studies into group intervention. Furthermore, since the concept of organised mobilisation and concerted action in support of the French language is relatively novel, it has yet to be addressed in detail by researchers. Although there are extensive bodies of literature relating to linguistic issues and also to patterns of political interaction in France, the link between these two domains has still to be adequately investigated. By adopting the single sector approach advocated by Baumgartner and Keeler, whilst drawing upon previous macro-level studies into interest group/State relations, this research seeks to bridge that gap. In so doing, it attempts to apply existing theory to the reality of group activism in respect of language policymaking.

2. Empirical Research

The aim of the first phase of this research was to discover more about the pro-reform movement, the motivations of the various protagonists concerned, and the functioning of their organisations. In the first instance, contact was established, by personal visit, with French language and regional language pressure groups, to explain the objectives of this research project and enlist support. This was followed by interviews with representatives from these groups, government officials and representatives from government agencies. Full details of these are contained in the bibliographical and source reference section at the end of the thesis (p.338).

The majority of the interviews were effected by personal visit during the period when the policy initiative which provided the main focus for this research was in the early stages of the legislative process, and for as long as there were relatively few different actors involved. However, as the issue progressed further through the legislative process, an increasing number of protagonists became involved,

to a greater or lesser degree. Consequently, although some of the data concerning the later stages of the legislative process was obtained by face-to-face interview, the majority was confined to telephone or written communication with the bodies concerned.

The fieldwork was carried out in Paris, and involved direct observation at language pressure group Annual General Meetings, where I made my presence known to the groups concerned and then confined myself to the role of observer. Observation and recording of proceedings was subsequently complemented by interviews, not only with executive committee members but also with rank-and-file participants. These face-to-face interviews yielded a high level of information, and made it possible to probe into the attitudes and motivations of pressure group members, and draw conclusions as to the overall psychological processes at work. I owe a particular debt of gratitude to Thierry Priestley, one of the founder members of the ALF, with whom I spent many hours discussing the problems facing the French language, and the activities of the pro-reform movement. In addition, I was permitted access to the committee minutes, strategic plans, and self-evaluation documentation of the group ALF, and was fortunate to enjoy a very high level of cooperation. Although I was jocularly introduced at AGMs and other gatherings as *l'espionne anglaise*, there was considerable curiosity to discover my own views on the activities of the various groups, and on French language policy in general. On only one occasion was a pressure group member reluctant to be identified and speak "on the record", although this was nearly always the case for government officials and agencies, who preferred not to have interviews recorded, and who invariably tried to steer the discussions away from issues of national language policy and towards less contentious issues of francophone policy.

In the second phase of the investigation, official documentation relating to the language policy measures during the period 1992-1994 was assembled, and analysed in conjunction with the qualitative and quantitative findings from the primary research. The *Journal officiel* provided a prime source of information on the activities of the legislature, since it contains verbatim reports of oral and written questions, and of debates in both the National Assembly and Senate. Although Committee deliberations are never published in verbatim form, two categories of Committee report are made public, namely *rapports*, which are issued by the main Committee to which a Bill is referred for examination, and *avis*, which are produced by any other Committees to which a Bill is referred. The reports produced by the *Commission des affaires culturelles*, the *Commission des affaires culturelles, familiales et sociales*, and the *Commission des affaires étrangères* provided a valuable source of information regarding the activities of the subgovernment.

Documentation supplied to me by the various extra-parliamentary actors involved in the debate and the governmental publications referred to above were used in conjunction with newspaper articles published in the French press during the period under investigation. As minutes of Committee consultations are not available for public consultation, I interviewed the reporter for the *Commission des affaires culturelles*, and made contact, during the course of this enquiry, by letter, telephone or personal visit, with representatives from all of the bodies auditioned by this Committee, and also with representatives of the regional language groups, who were not consulted. The nature of the response received varied: with the exception of the *Académie Française*, the members of the subgovernment did not respond. In contrast, the members of the attentive public were much more accommodating: some forwarded copies of correspondence sent to ministers, others copies of documentation which gave clear indications of

the stance adopted by the body to which they belonged, and details of the actions which they undertook. It could have been expected that groups might have used these discussions as opportunities for self-promotion, and that consequently there might have been some exaggeration of their activity. However, often the reverse appeared to be the case, and most of the groups contacted acknowledged the insufficiency of their achievements.

In investigating the language-related movements of the 1990s, it is our intention not only to identify the factors which account for their emergence, but also to explain their relative success and failures, and to assess, as far as this is possible, the impact which they had both on policy outputs (specific policy actions) and policy outcomes (the impact on the policy process and social values)⁸. The assessment of the true influence that any political actor exerts on the policy process is fraught with difficulties, and as a result it is one of the least researched aspects of the study of group activity. As Thomas reminds us, it is not easy to determine the effect of intervention "when this very intervention obliterates the traces of what would have happened without it" (1991:162). Furthermore, the extent to which the intervention of any one particular protagonist exerted an influence is not easily quantifiable. Ball and Millard (1986) suggest that studies of outcomes can be used to postulate influence, and that *generally* a group or organisation whose preferences seem to prevail may be regarded as influential. However, as Grant observes (1995:129), it is rare that one single group is active on any particular issue. Even where this is the case, the group may have allies within government departments, who apply pressure

⁸ It is important to note that policy is not limited to legislation, but may also take the form of ministerial orders, actions by authorised individuals, or a particular stance in political discourse. Furthermore, the distinction should be noted between policy outputs, in the sense of specific actions, and policy outcomes, which constitute the more long term effects. These latter are particularly significant in relation to the long term behavioural changes which may take place as a result of language planning measures

on its behalf. Furthermore, many other political and social factors may have been involved, as may other protagonists working in the same direction. Consequently the influence of a specific group or individual may be indirect or difficult to trace.

The scope of the language planning initiatives proposed during the period under investigation was such that numerous groups and individuals were involved at some stage of the policy process, thereby complicating any attempt to evaluate the impact of those who initiated the movement for reform. Nevertheless, it will be argued that there is sufficient empirical evidence available (both publicly available material, such as draft Bills, reports of parliamentary debates, Committee reports, and that obtained directly from the groups involved) to establish direct causal links between the inputs of specific political actors, and immediate political outputs at various stages of the policy process. The concept of inputs and outputs is expanded upon in Section 3.2 of this chapter, while further discussion of impact analysis is deferred until Chapter 3.

3. Theoretical approaches

It might have been expected that a language planning paradigm (see 3.1 below) would offer the most appropriate theoretical framework in which to situate research into language policy and planning. However, although the issue sector under investigation is that of language, and one of our objectives is to shed light on the acceptable limits of language planning in contemporary France, there is as yet no generally accepted critical theory of language planning which might have facilitated our research. Moreover, Cooper suggests that, given the complexity of the phenomenon and the numerous objectives which it serves, such a theory is "as far from our grasp as the philosopher's stone and the elixir of youth" (1989:182)!

3.1 Accounting framework

Although he expresses pessimism regarding the possibility of a comprehensive theory of language planning, Cooper (1989:98) does propose what he terms an "accounting framework" for the investigation of language planning. In this he advocates consideration of the conditions under which language planning takes place, the actors involved, the behaviours they attempt to influence, their targets and objectives, the means which they employ, the decision-making process which applies, and the effects of their actions. However, the major limitation of Cooper's model for the purposes of this analysis is that it does not address in sufficient detail the workings of the political process, because it is a model of language *planning*, and not policy, a distinction which is clarified later in this chapter. Given that this investigation focuses upon attempts to influence the course of language policymaking, it is clear that account must be taken throughout not only of the social dynamics at work within this process, but also of the legitimacy or competence of the language planners concerned, and the political strategies used by all of the protagonists to access the political system.

Since this study lies at the intersection of a number of distinct domains of research, namely sociolinguistics, sociology, language planning, public policy, and pressure group activity, critical approaches from any one of the disciplines involved would, if used in isolation, be inadequate to account for and analyse language pressure group activity and its effect on policymaking. Moreover, the significance of any political action resides not only in what is actually achieved (or not achieved), but also in what it reveals about the structure of the society concerned. Consequently, our analysis proceeds at two discrete but inter-related levels. The first concerns the renaissance of activity in support of the French language, and examines the structure and functioning of the language reform

movement, with particular reference to the programme elaborated by ALF. The second level of analysis situates this activity within the framework of French political institutions, and the broader socio-cultural system.

Thus, in order to ensure the adequacy of our approach, theoretical frameworks and descriptive models from a number of different disciplines are used in complementarity. Reference will be made at a later stage to a number of pressure group concepts, which are intended to help explain the origins and dynamics of social movements. However, to avoid overburdening this section of the thesis, discussion of some of the theories and models relating solely to the analysis of specific phenomena is deferred until the relevant chapters. In the following two sections, complementary theoretical approaches and models which will help situate the activity of the pro-reformists within the framework of the political system and the broader socio-cultural system in France are considered, in order to determine their applicability to the present study.

3.2 The systems approach

Within the two year period under discussion in this study, two major timeframes may be identified. The first of these, which spans the period from March 1992 to the end of 1993, and includes the debate on the constitutional amendment, culminated in the presentation by Jacques Toubon of his Bill to Parliament. Until then, the pressure applied was essentially advocacy pressure, the campaigns by those seeking to introduce language policy measures being exerted primarily, although not exclusively, by French language groups. In contrast, the second timeframe, covering the remaining period to August 1994, witnessed the entry into the political arena of groups hostile to the proposed measures. It also saw the gradual appropriation of the debate by essentially non-

linguistic interests during the course of the parliamentary debates and the subsequent referral of the legislation to the Constitutional Council.

In the following chapters, the events unfolding in the period 1992-94 will be analysed in chronological order, so as to permit identification of the stage(s) at which particular political actors appeared to intervene successfully in the policy process, as well as those where they failed to gain access to crucial arenas of influence. It is intended that use of a chronological approach will help determine the extent to which the pro-reform movement did act as a genuine point of leverage within the political system, where leverage was exerted to best effect, and the factors which accounted for this⁹.

Some theoretical representations of the policy process show it as an ordered and linear process, involving a series of stages through which, theoretically, an issue must pass. Lasswell (1963), for example, lists seven stages: initiation, information, consideration, decision, implementation, evaluation and termination, whilst Hogwood and Gunn (1984) list nine: agenda setting; issue filtration; issue definition; forecasting; setting objectives or priorities; option analysis; policy implementation; monitoring and control; evaluation and review; policy maintenance, succession or termination¹⁰. Such a subdivision into discrete phases serves to emphasise the complexity of the process, and the number of separate hurdles at which a potential policy initiative may fall. Furthermore, the linear model facilitates identification of the possible stages at which different protagonists may intervene in respect of a policy issue. We shall therefore return to Lasswell's model, as the simpler of the two, in our concluding chapter. However, most policy analysts acknowledge that the reality of

⁹ The chronology of events is presented in Appendix I.

¹⁰ To this list, Hawes (1993) adds a tenth stage, namely feedback.

policymaking is less orderly. In practice, few policy issues pass chronologically through all of the stages, and account must be taken of both the dynamics and fluidity of the policy process, and the importance of environmental variables on the operation of the political system and the decision-making process. Since the contextual factors surrounding language policy are probably more wide-ranging than in any other policy sector, neither language planning nor language pressure group activity can be viewed in isolation from their social or ideological context; conversely, these social and ideological factors cannot be isolated from the overall political system.

This emphasis on contextual considerations is echoed in studies relating to pressure groups, public policy and language planning. Pressure group analysts, Martin Smith (1993) and Grant (1995) both advocate that in studies of interaction between groups and government, attention should be paid not only to the role of the group within the policy process, but also to the broad context in which groups operate. As noted earlier, Cooper also argues that language cannot be understood apart from its social or historical contexts (1989:185). Furthermore, Easton (1965), in his systems model, a broadly-based model of input-output analysis, argues that the activities of groups, parties and individuals within the political process represent a response to environmental factors or "social outputs"¹¹, which feed back into the political system (the complex rules and procedures which Easton refers to as a "black box"). There they are subject to the influence of institutions, structures, processes and behaviour, and subsequently emerge as outputs, in the form of policy decisions¹². These may in turn give rise to a renewal of the cycle of political activity, and return to the political system as inputs, and in this respect, the systems approach can be

¹¹ The expression is that of Dion: "*les outputs sociaux*" (1972:77).

¹² These may be positive or negative, since proposals may be adopted or rejected (Caputo, 1977:4).

described as a feedback model. During the course of this study, particular attention will be paid to the way in which the activities of one set of activists brought about fresh inputs from other protagonists, and the impact which this process had on policy decisions and on the policy network governing language.

In its classic "inputs - black box - outputs" form, however, the systems model may be subjected to the same criticisms as those made of Cooper's framework, in that it too neglects the interaction of the various participants in the "black box" of decision-making, wherein negotiation and compromise take place. Indeed, Hogwood (1987:11) describes the systems approach as a "sausage machine" receiving inputs and producing outputs, but taking no account of the protagonists involved. This view is endorsed by Ham and Hill (1993:16), who, whilst favouring the systems model, consider that it is deceptively simple, as it understates the problems which arise in trying to penetrate the black box. In order to avoid the pitfalls inherent in the input-output approach of the systems model, and shed further light on the interaction occurring within the "black box" of policymaking, this research also draws selectively on further, more recent concepts, based on the notion of the policy network, which have been developed from research into political subsystems.

3.3 The policy network approach

Whereas the systems approach is events oriented, the policy network approach focuses upon the protagonists involved and therefore provides useful concepts for the discussion of the interaction occurring between groups and policymakers, and the positioning of the various protagonists within the political system.

The policy network model has its origins in the segmentation of policymaking into specialised subsystems, comprising State and interest groups, which has

become a feature of many western democracies (Richardson and Jordan, 1979). These subsystems comprise relatively small groups of participants with interests in a particular set of issues of concern, or potential concern, to central government (Laffin, 1986), and share certain assumptions about policy objectives and procedures (Schubert and Jordan, 1992). Their development is seen to be the result of the increase in the scope, volume and complexity of policymaking and policy implementation (Pross, 1992; Richardson, 1993; Martin Smith, 1993).

Gradually, research has identified a number of different types of relationship between group and State, and the idea of the policy network is now both commonplace in studies of policymaking, and widely viewed as a useful descriptive and explanatory tool. However, the literature in this field has developed rapidly over recent years, with the result that not only is the terminology unnecessarily varied and prolific (Raab, 1992; Schubert and Jordan, 1992), but also it has developed inconsistently. On the one hand, numerous expressions have been coined to refer to the same phenomena; these subsystems are variously referred to as "policy communities" (Laffin 1986; Grant 1989; Pross, 1992), "policy coalitions" (Sabatier and Jenkins-Smith, 1993), "policy clusters" (Benson, 1982; Jordan, 1990) and "policy networks" (Marsh and Rhodes, 1992). On the other hand, and more confusing still, identical terms are often used by different researchers to refer to different phenomena¹³, and consequently it is necessary to begin by clarifying our use of the concepts concerned. Since this research attempts to chart, and account for an evolution in the political structures governing language policymaking, a clear understanding

¹³ Furthermore, the terms "policy network" and "policy community" are often used interchangeably (Josselin (1996) and Pross (1992), for example).

of the types of policy network which may develop, and of the precise terminology to be used in this study, is crucial.

In this research, it is proposed to use the expression "policy network" as a generic term to embrace the whole range of policy subsystems involving State and groups. Whilst it is not possible to establish discrete boundaries around the different types of network subsystems in existence, Marsh and Rhodes (1992) have established a continuum along which they may be situated (Figure I). Networks are differentiated according to factors such as membership (for example, the number of participants they contain, the extent to which the network is open or closed to new participants, and the scope of policymaking encompassed); the degree of integration between participants (for example, the nature of the interest involved, the degree of ideological consensus, the frequency of interaction, and the level of stability); and the resources available to the participants. At one end of the continuum is situated the policy community, which represents a tightly-knit, consensual group. At the other extreme is the issue network, a much looser configuration, which Jordan describes as exemplifying "the politics of the *ad hoc* and irregular" (1990:329). Mény (1989b:395) maintains that the stability of a particular network depends on the unchanging character of its members, and consequently any transformation taking place in the type of policy network in operation is the result of a disturbance to the relationships within the network, which displaces the centre of decision-making. In this research, Mény's hypothesis is tested by examining the nature of the policy network governing language both before and after the events of 1992-1994.

The continuum of networks provides a useful means of categorising the relationships between State and groups at any given time, thereby enabling

Figure I

The Characteristics of Policy Networks

Table 1 The characteristics of policy networks

Dimension	Policy community	Issue network
<i>Membership</i>		
Number of participants	Very limited, some conscious exclusion	Large
Type of interest	Economic/professional	Wide range of groups
<i>Integration</i>		
Frequency of interaction	Frequent, high quality	Contacts fluctuate
Continuity	Membership, values, outcomes persistent	Fluctuating access
Consensus	All participants share basic values	A degree of agreement but conflict present
<i>Resources</i>		
Distribution of resources within network	All participants have resources. Relationship is one of exchange	Some participants have resources, but limited
Distribution of resources within participating organisations	Hierarchical leaders can deliver members	Varied and variable distribution and capacity to regulate members
<i>Power</i>	There is a balance among members. One group may be dominant but power is positive-sum	Unequal power. Power zero-sum

Source: Marsh and Rhodes (1992).

conclusions to be drawn regarding the nature of the language policy network in operation. It also provides a means of charting the evolution of such networks within a policy sector, and thus helps explain continuity and change in policy outcomes. Marsh and Rhodes (1992) maintain that the concept of the policy network is best applied at the meso-level of analysis, and it would therefore appear to offer an appropriate descriptive and explanatory mechanism for the purposes of this sectoral investigation. It is intended that its use will help identify the particular type of policy network which prevails in contemporary France, and permit comparisons with those which have traditionally operated. These comparisons will, in turn, help determine whether, as Mény's hypothesis suggests, changes in the composition of the policy structures governing this issue sector have impacted substantially upon both the nature of the structure itself, and on its outputs.

The policy network approach has, however, been criticised (Baggott, 1995) for failing to explain how networks emerge, and how they evolve, and for tending to disregard the wider social and political environment. This study aims to avoid such criticism by marrying a socio-cultural and socio-economic approach with a political perspective. The composite approach to policy analysis is favoured by Wildavsky, who maintains that "[p]olicy analysis is an applied sub-field whose content cannot be determined by disciplinary boundaries, but by whatever appears appropriate to the circumstances of the time and the nature of the problem" (1979:15). Similarly, Dye (1984) stresses that in studies of policy, a number of analytical frameworks may usefully be combined to complement each other, and to provide a different focus on political life. Equally, use of a multi-theoretic approach will also reveal the adequacy or inadequacy of the various models as explanatory tools in respect of the working of the French political system, and in particular the process of language policy formation.

4. Power, authority and influence in policymaking

As a preliminary to our discussion of the evolution of the language policy network in France, and in order to relate the concept of the policy network more specifically to language, it is useful to conclude this chapter by establishing a distinction between planning and policymaking and more specifically, between language planning and language policymaking. Clarification of our use of the expressions "language planning" and "language policy" is particularly important if we are to understand how, and by whom *plans* concerning language are converted into *policy* measures, and who is able to exert an influence within the political arena, and why this is.

4.1 Planners versus policymakers

Neither planning nor policy are easy concepts to circumscribe, whether in relation to language or other issue sectors. As Ham observes, it is difficult to determine precisely what constitutes policy, and even more difficult to determine when, where and by whom it is made (Ham and Hill, 1993:11-12). The term "planning" is even more nebulous, since it may encompass policy (Tauli, 1974). In his now classic definition of policy, Easton uses the term "policy" to refer to the "*authoritative* (my emphasis) allocation of values for the whole of society" (1953:129). Birch holds that the authority involved in policymaking comprises both political power and legitimacy, where power is "the ability to get things done" and legitimacy "the quality of ascribed entitlement to exercise that power" (1993:32)¹⁴. In defining language policy as "language planning done by governments", Tollefson (1991:16) respects

¹⁴ Again, this follows Easton, and also Jenkins (1978:11), who defines public policy as "a set of interrelated decisions taken by a political actor or group of actors concerning the selection of goals and the means of achieving them *where these decisions should, in principle, be within the power of these actors to achieve*" (my emphasis).

Easton's requirement for "authoritative allocation", and also Birch's requirement for both political power and legitimacy. It would therefore appear that there is agreement that, whereas anyone may identify policy needs, elaborate a plan of action, and attempt to influence authorities to act, only a competent authority can actually make a policy decision, and authorise its implementation.

In contrast, whilst only those with authority or competence to act within the political arena may take a language *policy* decision and authorise its implementation, this is not the case for *planning* decisions, as the following definitions of language planning reveal. Haugen, the originator of the expression "language planning", used it simply to refer to "the *normative* work of language academies and committees" (again my emphasis); Weinstein subsequently used it to refer to the implementation of linguistic measures which were "government authorised" (1980:55), and more recently, Cooper proposed an even broader definition of language planning as the "deliberate efforts to influence the behaviour of others with respect to the acquisition, structure, or functional allocation of their language codes" (1989:45). Following this definition, it is possible to describe as a language planner anyone who engages actively in the pursuit of solutions to language problems; indeed it encompasses all the members of the language policy network. Whilst such a definition is arguably too broad to be useful, it does ensure that there is no *a priori* exclusion from consideration of any potential protagonists seeking to introduce planning initiatives. However, to enable us to distinguish between the various protagonists, and learn more about their relative involvement and authority within the policy network, and thus their potential for influence, it is instructive to consider the way in which such a political structure is composed.

4.2 The composition of the policy network

In studying policymaking, it is important to remember that no policy sector operates independently, and that all sectoral policies are elaborated within the context of national policy. Consequently, public officials involved primarily in policymaking in one sector may contribute to policymaking in other sectors, although the extent of this participation may vary. Insofar as language is concerned, the impact of policy initiatives can be so wide-ranging that their introduction may attract intervention from numerous and diverse political actors who are not normally associated specifically with linguistic issues. Certain sectors, such as education, may be permanently represented within the official linguistic infrastructure¹⁵, whilst participation in respect of other issue sectors, such as immigration and technology, is dependent on the issue concerned. Furthermore, if, as in the cases studied in this research, the policy measures involve legislative or constitutional amendment, interaction must take place within the wider, national-level policymaking arena (and thus encompass negotiations with *députés*, *sénateurs*, *cabinets ministériels*, *rapporteurs* etc.). Relationships within this wider policymaking environment are investigated in more detail in the chapters to follow.

At this stage, however, our focus is upon the more immediate policy networks which are concerned with particular issue sectors. Pross (1993) suggests that such policy structures (he uses the term "community") may be subdivided into two broad sectors, namely the "subgovernment"¹⁶, and the "attentive public". His representation of a typical policy network is reproduced as Figure II.

¹⁵ The Minister for Education is, by right, a member of the *Conseil Supérieur de la Langue Française*.

¹⁶ A term originally popularised by Richardson and Jordan (1979)

Figure II.

The Policy Community



Source: A. Paul Pross, 'Pressure Groups: Talking Chameleons', in G. Williams and M.S. Whittington, *Canada in the 1980s* (Methuen Publications, Toronto, 1985).

The subgovernment includes (but does not comprise exclusively) the policy-making body of each network, and thus represents its most influential sector. It encompasses cabinet and central government policy structures, and government-authorised agencies directly engaged in setting policy in a particular area. Equally, it may comprise institutionalised pressure and other interest groups (generally associations but occasionally major corporations, as we will see in the course of this study) whose power and expert knowledge guarantee them the right to be consulted and to have a place at the policymaking table. Those groups which have developed a consultative relationship within the State, and are thus incorporated and integrated into the subgovernment, enjoy what Pross (1992) designates "institutional status", and which Grant (1989) terms "insider" status.

In contrast, the attentive public is defined by Pross as those "who are affected by, or interested in, the politics of specific agencies, and who follow and attempt to influence, those policies, but do not participate in policymaking on a regular basis" (Pross 1992:121). This definition is somewhat restrictive, since any group which follows and actively attempts to influence policy is no longer merely attentive, but participatory. Lowe and Goyder (1983), in a study of environmental pressure groups, adopt a much broader definition of the attentive public, defining it as "those people who, though they do not belong to any of the groups, share their values" (1983:9). Given that any member of a speech community may share the values conveyed by a language, this is arguably too broad a definition for our purposes. As a working definition, the attentive public may therefore be considered to be "those groups and individuals who, by their actions, actively express interest in, or support for the language"; this enables us to include private institutions, non-institutionalised pressure groups, and

individuals, such as journalists and academics, all of whom may exert a considerable influence on policymaking.

Pross's diagrammatical representation shows major pressure groups as situated on the boundary between the subgovernment and the attentive public, and this serves to highlight the fact that a group's authority may vary from issue to issue: groups which have played a significant role in respect of one policy issue may exert less influence, or not be consulted on other issues, because they have less expertise in that domain. Thus, whilst this neat categorisation into subgovernment and attentive public provides a theoretical framework for discussion of the language policy community in France, it should nonetheless be remembered that in practice the boundaries between the two are less clear, and that there are frequently instances of overlapping membership.

This chapter has provided an indication of the types of interaction which may occur between groups and the State, and indeed of the complexity of policymaking both as a process and an object of research. The concepts outlined are now used to relate our discussion specifically to the case of France and to circumscribe the policy structures governing language in 1992, the year which witnessed the formation of *Avenir de la Langue Française*.

CHAPTER 2. LANGUAGE PLANNING PRIOR TO 1992: INITIATIVES AND PROTAGONISTS

This chapter begins by considering patterns of individual and group involvement in linguistic issues, and in particular the role played by the French intelligentsia. An understanding of the close relationship which has developed between intellectuals and the State in this domain is crucial to our understanding of the particular legitimacy enjoyed by French language groups in contemporary France, and thus the relative authority which they enjoy, and their potential for influence within the political arena. Marsh and Rhodes' policy network model, elaborated in the previous chapter, is applied to the language policy network in France in the early 1990s, so that conclusions may be drawn about the type of network in operation prior to the emergence of the pro-reform movement led by the group *Avenir de la langue française*. Perceptions of inadequacies in both the language planning measures in force and the management of the official and unofficial infrastructure underpinning these measures are then examined, and posited as one explanatory factor for the calls for further policy measures during the period under investigation.

1. Patterns of intellectual involvement in linguistic issues

1.1 Tradition of elite guardianship of the French language

The importance of the language standardisation programme as part of a long term government strategy to unite the country, and instil and sustain a sense of collective identity throughout French society has already been established in our introduction. Of particular significance in the context of the present study is the fact that support was forthcoming from the intelligentsia at every stage of

this programme. Indeed interest in linguistic issues on the part of French intellectuals can be traced back to the fifteenth century (Longeon, 1988)¹.

With the creation in 1635 of the *Académie Française*, responsibility for determining the rules governing French was delegated to the most eminent men of letters in France. The principal role of the *Académie* was to codify the language², and its work was, and continues to be, carried out by forty distinguished individuals, known collectively as *Immortels*. The existence of a prestigious body to act as guardian of linguistic norms served to enhance the status and prestige of the language, and further legitimated intellectual involvement in linguistic issues³. Furthermore, the elitist composition of the *Académie* meant that involvement in decisions concerning the national language acquired considerable exclusivity, and this in turn increased the appeal of linguistic issues amongst other intellectuals outside the privileged arena of the *Coupole*.

In the centuries following the creation of the *Académie Française*, the intellectual strata of French society gradually assumed a collective responsibility for maintaining the quality and distinctiveness of the national language, and sustaining the positive values which it had acquired. Thus, although language planning in France was essentially government-driven prior to the twentieth century, the intelligentsia (and indeed the French educational

¹ In the period leading up to the passing of the Edict of Villers-Cotterêts, individual writers such as Lemaistre (1487) and Tory (1529) pleaded for the use of French rather than Latin. Whilst no empirical evidence exists to associate particular individuals with the introduction of the edict, it is possible that such appeals may have acted as a catalyst to government action.

² Article 24 of the Academy's Statutes state that "*La principale fonction de l'Académie sera de travailler avec tout le soin et toute la diligence possible à donner des règles certaines à notre langue, et à la rendre pure, éloquente et capable de traiter les arts et les sciences*" (Caput, 1986:11).

³ Since 1795, the *Académie Française*, along with the *Académie des Inscriptions et Belles-Lettres*, and the *Académie des Beaux-Arts*, has formed part of the *Institut de France*, whose mission, as specified in Article 298 of the Constitution of 22.8.1795, was to "*recueillir les découvertes, de perfectionner les arts et les sciences*" (Caput, 1986:103).

system⁴) played varied, but significant roles in the standardisation process. Some individuals were directly involved in the implementation of planning initiatives: the *Académiciens*, for example, who were responsible for the codification of French, and members of the *Alliance Française*, responsible for the teaching of French overseas; others, such as Rivarol (1784), who praised the beauty, clarity and logic of French⁵, played a more peripheral, but nonetheless supportive role through their writings.

1.2 Tradition of critical appraisal of language planning

During the twentieth century, elite guardianship of French continued to be exercised through the work of grammarians such as Littré and Grevisse, historians such as Brunot, and many thousands of distinguished writers. However, intellectual support for language planning initiatives has increasingly been accompanied by concern at the ineffectiveness of the measures taken to redress the value position of the language. Indeed, the attentive public has often been ahead of the French State in identifying and signalling the discrepancy between the value expectations and value capabilities of the French language. As early as 1879, Améro expressed concern at the ready acceptance by the French population of external linguistic and cultural influences, denouncing what he termed "*anglomanie*"⁶. Similarly, in 1911, shortly after the ban on associations was lifted, there came into being an association whose self-explanatory, if somewhat lengthy title, namely the *Société nationale pour la défense du génie français et la protection de la langue française contre les mots*

⁴ The prestige associated with the national language was further perpetuated and consecrated through the French educational system. A high level of competence in French is essential to ensure success in the *baccalauréat*, and in the *concours* for the *grandes écoles*, which guarantee entry to the most prestigious careers in France, and thus competence in French has long acted as a form of "cultural capital" (Bourdieu and Passeron, 1977:71), serving to restrict socio-economic mobility to the French *bourgeoisie*.

⁵ See Swiggers, (1990) for a full discussion of the development of the concept of the clarity of French.

⁶ *L'Anglomanie dans le français*, 1879, (cited by Trescases, 1982:55).

étrangers, les néologismes inutiles et toutes les déformations qui la menacent, clearly reveals the concern of its members⁷.

It might have been anticipated that, since its ongoing work was corpus-based, the *Académie Française* could have provided French alternatives to replace lexical borrowings, and so help regulate the influx of foreign terminology referred to in our introductory chapter. However, at the beginning of the twentieth century, the *Académie* was the single actor of any consequence involved in the implementation of language planning. Moreover, its work proceeded extremely slowly, members meeting only once a week, and deliberations on the acceptability of a single word could take several sessions⁸. Whilst this type of controlled evolution of the language offered officially sanctioned linguistic choices to speakers, the influx of lexical imports had accelerated dramatically during the course of the century⁹, and far exceeded the outputs of the *Académie Française*¹⁰. Furthermore, the *Académie* was neither equipped nor empowered to act in respect of the parallel acceleration of status-based change.

Intellectual concern at the widespread acceptance of cultural change in France became more frequent and more voluble during the period following the

⁷ It should perhaps be noted that there was evidence of concerted intellectual protest prior to the twentieth century, although this was directed against Italian. As early as the sixteenth century, outrage was expressed at the alleged linguistic corruption resulting from the adoption of italianisms, for example the denunciation of italianisms by Henri Estienne, in his work *Deux dialogues du nouveau langage françois italianisé, et autrement desguizé, principalement entre les courtisans de ce temps* (1578).

⁸ The first edition of the Dictionary was not produced until 1694, and the Grammar did not appear until 1932 (Caput, 1986:80).

⁹ There is no precise means of determining the number of foreign borrowings into the French language, although Pergnier (1989) estimates that English language borrowings represent 2.5% of the French lexis.

¹⁰ Several minor institutions were created by the French government to help supplement the work of the *Académie*, but their contribution was limited in comparison with the vast scope of the problem to be addressed. Moreover, their work was disrupted by the outbreak of war; the *Office de la Langue Française*, for example, was founded in 1937, and disbanded in 1939, and not re-established (in the form of the *Office du Vocabulaire Français*) until 1959.

Second World War, André Moufflet and his contemporaries¹¹ referring to the Anglo-American cultural presence in France as a "cancer", a "peril", and a "germ". However, despite the vigorous and often vitriolic nature of the attacks on the cultural transformation taking place, they elicited no significant reaction on the part of the State. In contrast, through his publication *Parlez-vous franglais ?* (1964), Parisian university lecturer René Etiemble enjoyed more success in raising government awareness as to the extent of the problems facing the national language. Etiemble, like his predecessors, portrayed the English language as the vehicle for a range of evils, including "*l'antisémitisme larvé, le racisme virulent, la tartufferie sexuelle, la dévotion au dollar, les superstitions scientiste et chrétienne-scientiste*" (1964:323), and parodied the possible future of French if English were allowed to continue to infiltrate the language. Furthermore, he established a direct link between linguistic change and ideological domination¹².

It is noteworthy that it was not until the publication of *Parlez-vous franglais ?* that the problems identified by the attentive public began to be taken seriously, and that government action was finally taken. Whilst there is no empirical evidence to establish a direct link between the language planning initiatives subsequently introduced and the writings of Etiemble, he is widely acknowledged (Trescases, 1982; Boswell, 1986; Ball, 1988; Kuisel, 1993) to have acted as a catalyst to the creation of the *Haut Comité pour la Défense et l'Expansion de la Langue Française* in 1966, and to the proliferation of groups

¹¹ For example, Duhamel and Dandier, who wrote respectively *of America the Menace and Le Cancer Américain* (Kuisel, 1993:13). See Kibbee (1993) for detailed discussion of the imagery used by these, and other writers.

¹² This publication was written in a highly exaggerated style, using *franglais* (a composite of French and English) throughout. Etiemble argued that the French language would be incapable of assimilating foreign influences without sacrificing French identity, and highlighted what he saw as the danger of an insidious form of colonisation: "*Il est trop facile d'accuser de chauvinisme ceux qui refusent d'être colonisés langagièrement, parce qu'ils le seront ensuite politiquement, sans même s'en apercevoir : sous anesthésie générale*" (1964:354).

whose stated objective was the promotion and protection of the French language.

Although a tradition of critical appraisal of the management of language planning can be seen to have developed amongst the intelligentsia during the twentieth century, the perception that a more proactive stance was needed in no way diminished the traditionally supportive role played by this sector of society. Rather, it was a consequence of the intense commitment to the national language that intellectuals such as Etiemble set themselves up as the guardians of French. Furthermore, this proactive approach does not appear to have exerted a negative effect on the harmonious relationship between the intelligentsia and the State, as witnessed by the influence which Etiemble appears to have exerted. Moreover, as the next section will show, in the post-60s period, language groups came to play a significant role in the implementation of language planning initiatives.

1.3 Collaborative efforts to redress the value position of French

Following Etiemble's campaign, legislation was not introduced as a first resort. Instead, the *Haut Comité* was established to ensure the integrity of the language, and promote its dissemination¹³. At a symbolic level, the creation of this body (situated in the Rue de Babylone, and occupying plush offices directly under those of the Prime Minister), indicated a commitment on the part of the French government to tackle the problems facing the national language. At a practical level, it provided a framework within which further initiatives could be elaborated.

¹³ Décret no. 66-203 du 31 mars 1966, portant sur la création d'un haut comité pour la défense et l'expansion de la langue française. *Journal Officiel, Lois et Décrets*, 7.4.1966. See also Décret no. 80-414 du 11 juin 1980, which modified this decree.

The first of these was the establishment of a series of Terminology Committees, attached to each government ministry¹⁴. This was an attempt to identify deficiencies in the French language and create French terminology where no equivalent to a foreign term existed. The use of terms proposed by the Committee and approved by the *Académie Française* was obligatory in all documentation issued by government offices, including correspondence, ministerial circulars, commercial texts to which the State is a party, and from 1983 the compulsory use of approved neologisms was extended¹⁵ to all organisations acting on behalf of the Republic (Guenier 1985:10-11).

These Committees comprised representatives from the Ministry concerned, and from the *Délégation Générale à la Langue Française*¹⁶, with practical support from experts from the relevant industrial sectors, and sectoral language groups. A number of these latter had been formed in the early 1980s, encouraged by François Mitterrand's pre-electoral promises to make language a priority if he were elected. Although drawn together primarily by professional links, all were concerned at the decline in the use of French at international level within the scientific and commercial sector, and its impact upon the status and economic wellbeing of their members. Amongst these groups were the *Association des Informaticiens de langue française* (AILF, established in 1981) and *Actions pour promouvoir le français des affaires* (APFA, established in 1984). Both worked in close collaboration with the Terminology Committees attached to the Ministry of Industry, and the Ministry for Scientific and Industrial Development, and contributed to the drafting of *arrêtés* concerning computer and business-related terminology, and subsequently to the diffusion of the official neologisms through their own publications. Clearly, the extent to

¹⁴ The first of these was instituted in 1970, although they were not consecrated by decree until 1972 (*Décret no. 72-19 du 7 janvier, 1972 relatif à l'enrichissement de la langue française*).

¹⁵ *Décret no. 83-243 du 25 mars 1983 relatif à l'enrichissement de la langue française*.

¹⁶ This body replaced the *Commissariat Général de la Langue Française* in 1989.

which such groups were consulted varied: some were consulted on a regular basis, whilst others found that their expertise was called on only periodically. The AILF was singled out for particular praise by Philippe de Saint-Robert, first *Commissaire de la Langue Française*, who noted the loyalty of its members to the French language:

Les informaticiens ont été des gens exemplaires. Placés à la pointe d'un progrès dont ils auraient pu s'autoriser comme tant d'autres pour revendiquer le droit de parler américain, ils ont au contraire demandé qu'on leur fournisse le moyen de développer en français leurs connaissances et leur technique ; ils ont ensuite assuré dans leur milieu professionnel la diffusion du vocabulaire ainsi créé. (1986:36).

In an attempt to extend the prohibition of foreign terms to a wider range of situations, legislation was introduced in 1975 (*loi no. 75-1134 relative à l'emploi de la langue française*)¹⁷. This prohibited the use of a foreign expression, where a French equivalent term already existed¹⁸, in a number of specified cases (including advertisements, the promotion of goods and services, offers of employment and work contracts, public notices, and radio and television programmes).

Following the introduction of this legislation, language associations became further incorporated into the policy process. When the law was promulgated, it had originally been intended that two official bodies, namely the *Direction générale de la concurrence, de la consommation et de la répression des fraudes* (DGCCRF) and the *Direction des Douanes* should undertake prosecutions, since non-compliance with the law was classified as fraud, under the provisions of the 1905 consumer protection legislation. However, given the minimal

¹⁷ Commonly referred to as the *loi Bas-Lauriol*, after Pierre Bas and Marc Lauriol, the ministers responsible for its introduction.

¹⁸ Article 1 stipulated that "*le recours à tout terme étranger ou à toute expression étrangère est prohibé lorsqu'il existe une expression ou un terme approuvés dans les conditions prévues par le décret (...) relatif à l'enrichissement de la langue française*".

nature of the fines which could be imposed¹⁹, they rarely chose to prosecute, and consequently it fell to the private language groups to signal contraventions of the legislation, and subsequently to the *Association générale des usagers de langue française* (AGULF), established in 1977 and government funded, to carry out prosecutions. It should, however, be noted that this group only carried out approximately forty successful prosecutions between 1977 and 1989 (Slone, 1992:112).

Group involvement in nationally-focused language planning initiatives continued throughout the following decade. However, during the 1980s, language planning increasingly assumed a francophone dimension, as the promotion of French at international level, rather than its defence at national level, became the central pivot of President Mitterrand's linguistic policy, and the development of francophone relations assumed a key role in French foreign policy. The increasing importance of the francophone programme is clear from the substantial enhancement of the budgetary allocation in this area²⁰. As a consequence of this reorientation of the language planning programme, towards an international, and increasingly socio-economic²¹ rather than cultural focus, language groups were somewhat less directly involved in the implementation of language planning initiatives than they had been in respect of measures relating more specifically to France. Indeed, in 1983, the HCLF was disbanded, and a

¹⁹ The case of Technicon provides an example of particularly derisory sanctions, where two fines of 3 FF each plus 1000 FF costs were imposed in 1982 when the company published offers of employment exclusively in English.

²⁰ In 1984, the budget supporting the linguistic infrastructure and its initiatives stood at only 5 million francs (de Saint Robert, 1986:84). By 1992, the budget allocated to language planning initiatives inside France stood at 49 million francs (*Avis* 57, 1994:5), with an additional 278,178 million francs for the implementation of summit decisions (*ibid*, p. 9). If the overall budget in 1992 was substantial, the distribution between funding for francophone initiatives and those inside France reveals considerable imbalance of resourcing between the two areas (Legendre, *Avis*, no. 102, 1993:21).

²¹ Four major francophone summit meetings were organised between 1986 and 1991, bringing together the heads of over 40 francophone countries or regions. An evolution is discernible in the ideology underlying these summits, notably a change of focus from cultural to economic issues, and from cultural/language transfer to economic/technology transfer.

new, apparently comprehensive infrastructure, comprising three new regulatory bodies, was created and given responsibility for linguistic affairs; two of these, namely the *Haut Conseil de la Francophonie* and the *Comité Consultatif de la Langue Française* were dedicated to the promotion of French in the wider francophone world²². Gradually, however, quasi-government groups (including the *Association française de solidarité avec les peuples de langue française*, 1986, the *Union culturelle franco-libanaise*, 1991, and the *Association pour l'école francophone au proche-orient*, 1988) were formed to support relations between various francophone states, and in practice it fell to the *Association francophone d'amitié et de liaison* (AFAL) to co-ordinate their activities.

1.4 Support from language groups outside the subgovernment

In addition to the groups which interacted closely with the subgovernment, there were literally hundreds of non-institutionalised associations which enjoyed a lower profile, but which nonetheless played a complementary and supportive role in respect of both francophone and nationally-based language planning initiatives. Indeed, the 1992 edition of the *Répertoire d'Organisations et Associations Francophones*, an occasional directory of language organisations published by the DGLF, lists no fewer than 373 associations²³ professing a mission to promote the use of French in cultural, technical or scientific fields. Moreover, it should be noted that the DGLF directory does not purport to be exhaustive: whilst all groups based in France must register with the *Ministère de l'Intérieur* if they are to acquire legal status (and thus be able to open a bank account, etc.), there is no obligation upon language groups to register with the DGLF. Some groups, constituted on an *ad hoc* basis to

²² The third body was the *Commissariat Général de la Langue Française*, later to become the *Délégation Générale à la Langue Française*.

²³ It should be noted that this figure represents both institutionalised and semi-institutionalised groups which worked in collaboration with the official infrastructure within the subgovernment, and the groups which combined to make up the attentive public.

address a specific question but which are subsequently dissolved, may never appear in the *Répertoire*, yet may have been highly influential in bringing about action on particular issues. One example of this is the spelling debate of 1989 (examined in more detail later in this chapter), which spawned *Le français libre*, a group which disappeared soon after the debate had subsided.

French language groups may be subdivided into five broad categories (Offord, 1993:169): those concerned with providing terminologies and teaching the language; those with a political orientation; those with links to the wider francophone community; those devoted to preserving the integrity of the French language and increasing its use worldwide; and those with a professional or religious base²⁴. It can be seen that the French language groups in existence in the early 1990s covered a wide spectrum of activities, and thereby ensured the accommodation of many different interests associated with the French language. Even though the majority of these groups were not politically active, they were nonetheless significant within the language policy arena, since their interest in linguistic issues could be channelled into support for policy measures by the subgovernment, or (as was to happen in the case of the *loi Toubon*) harnessed by other more militant groups, and directed towards pressure for further policy initiatives.

It should be noted that although no reference has yet been made to regional language groups in France, such groups do constitute part of the language policy network, and have traditionally campaigned actively for measures to support their own languages. Nonetheless, discussion of the role of these

²⁴ However, Offord points out that no classification is adequate to encompass the range of activities of these groups, as one group may fit into several categories. He points, for example, to the difficulty of "squeezing" a group such as the *Association internationale des universitaires, écrivains et artistes de langue française* into one of the above categories for the sake of convenience.

groups is not proposed at this stage, since our interest in this chapter resides in the factors giving rise to the resurgence of linguistic mobilisation in support of the French language. The relationship of the regional groups with the French State is an issue which is developed in the following chapters, when considering their reaction to the measures proposed in support of the French language.

1.5 The nature of the policy network governing language prior to the 1990s

Having considered the composition and activities of some of the principal protagonists within both the subgovernment and the attentive public before ALF arrived on the political scene, it is instructive to consider the language policy network in France in the early 1990s in the context of Marsh and Rhodes' policy network continuum discussed in Chapter 1. An appreciation of the structure in force prior to ALF's formation will help determine whether any evolution took place in the network as a result of the conflicting pressures which were exerted upon it during the period under investigation.

Perhaps the most striking feature to emerge from the preceding overview of the language network in France in the early 1990s is that it was significant both in terms of its size and the range of its activities. Furthermore, policy was essentially government-driven, with government controlling the distribution of resources, and thus access to the network. These two features would, according to Marsh and Rhodes, suggest the existence of an issue network rather than a policy community. Nevertheless, although the language policy network in France was vast, it owed its size to the nature of the issue concerned, namely language, arguably the most broadly based of policy issues, and the very scope

of language planning led to the development of a diverse and sizeable infrastructure.

However, within each subsector of the planning process, the protagonists involved were relatively limited in number: groups were co-opted into the subgovernment on a consultative basis, and the majority of these did not seek to participate directly in the process of language planning; equally, few of the French language groups in the attentive public aspired to institutionalised status, and their role within the policy process was essentially a peripheral, complementary one. Consequently, despite the apparently large number of participants in the network, policymaking was in fact limited to a fairly small group of key protagonists. The relationship between these and the French State was characterised by an element of symbiosis, the French State exchanging some degree of access and legitimacy for collaboration.

Indeed, this was in some respects a restricted network, since the participation of regional language groups was not actively encouraged. This is not to imply that regional language groups in France continue to be regarded with the same mistrust as they were in the past. However, the *Comité français du bureau européen pour les langues minorisées* maintains that it has been virtually excluded from consultation on linguistic issues, and that its meetings with the government effectively ceased in 1986²⁵. Moreover, as later chapters reveal, the demands made by the regionalist groups in respect of the European Charter for Lesser Used Languages have repeatedly been ignored by central government.

The relatively closed nature of the network governing language policy suggests the existence of a policy community, rather than an issue network. Further

²⁵ Source: Personal interview with Jean Dorandeu, Vice-President of the Committee, December 1993.

characteristics which point to the policy community are the consensual nature and stability of the relationships in question. These attributes derived in part from the fact that many of the French language groups had earned legitimacy through their collaborative involvement, a series of formalised contacts having gradually been built up between groups and government. Consensus also resulted from the fact that the participants in the network were primarily linguistic in their orientation, and shared common aims and values. Even those which we have designated as sectoral groups generally had a strong linguistic orientation, and were supportive of the use of French in their respective sectors, and of the values conveyed by the language. Thus, whilst the policy network in place in the early 1990s did exhibit some of the characteristics of the issue network, in the light of the consensus and stability displayed, it would appear more appropriate to classify it towards the policy community end of Marsh and Rhodes' continuum.

2. Analysis of the effectiveness of the policy structures governing language prior to the 1990s

Whilst consensus and stability may facilitate group/State interaction, these same characteristics may also result in a degree of complacency and inertia, and encourage the maintenance of the status quo, rather than the introduction of new initiatives. The series of language planning initiatives discussed earlier in this chapter gives the impression that, prior to the 1990s, France had a highly proactive language policy. Indeed, it might have been expected that the combination of initiatives introduced, and a high degree of commitment on the part of members of the language policy community would have ensured that the problems facing the French language were adequately addressed. However, closer examination of the measures in force reveals that the majority of them, and particularly those aimed at the use of French in France, were not as

effective as their instigators had anticipated. The following sections attempt to explain this by reference to the limitations of the particular language planning measures introduced, the management of the official and unofficial linguistic infrastructure which underpinned them, and the difficulties inherent in regulating any linguistic behaviour.

2.1 The impact of the measures implemented on the value position of French

The first of the major initiatives, the introduction of the Terminology Committees, demonstrated the capacity of the French language for creativity, but use of the lists of official neologisms was only obligatory in restricted contexts, and could not be imposed on the general public. Consequently, their impact was necessarily limited, and did not tackle the wider issue of dissemination of foreign terms by the mass media, or their use in commerce, science or technology. It is perhaps noteworthy that even before the neology programme was underway, Quémada criticised it as potentially "*restrictive*" and "*autoritaire*" (1971:150).

Furthermore, by the end of 1991, the various Terminology Committees had published only thirty-seven approved vocabulary lists, with a further ten being added by the end of 1994. Production of these lists, which took the form of *arrêtés* (ministerial orders), was unsystematic, and the lengthy discussions and deliberations of the early Committees meant that alternatives were often proposed and publicised long after the foreign equivalents had become firmly implanted in the French language. In 1980, the French government did establish a terminology database (FRANTERM), in order to centralise the results of terminological decisions, and help increase the speed of their circulation, but even in the specialised sectors affected by the rulings, usage

was limited; indeed, Joscelyne maintains that "the international convention that scientists publish in English or perish seems to eliminate the very need to even seek terminological equivalents" (1986:30).

The 1975 legislation, like the Terminology Committees, was also of limited success in helping redress the overall value position of the French language. Described by Michel Fichet, former President of AGULF, as "*l'unique garde-fou linguistique*" (Slone, 1992:109), its provisions covered a wide variety of situations, but in practice prosecutions were few in comparison with the number of apparent contraventions; for example in 1990, two hundred and eighty cases of non-compliance were reported, but only five prosecutions resulted. Indeed, in many instances where there appeared to be a contravention, it was not possible to prosecute because the law contained numerous areas of imprecision (J.O. *Avis no. 57*, 1992:25).

Furthermore, it appeared that the successful prosecution of a company did not necessarily serve to deter others from contravening the legislation²⁶. Where prosecutions were successful, the minimal fines were less than dissuasive, and those prosecuted often chose to pay the fine and continue to use the foreign (usually English) expression, which they considered financially more rewarding than its French equivalent (Renouvin, 1989:9). Furthermore, the law did not apply to commercial signs and trademarks, both of which represented a highly visible means of giving widespread diffusion to lexical borrowings, nor did its provisions effectively regulate the use of language in the workplace, where the presence of English was also increasing. The legislation was heavily criticised by Philippe de Saint-Robert, who called for linguistic legislation worthy of the

²⁶ Even after the successful prosecution of British Airways in 1978 for printing its tickets exclusively in English, TWA continued to issue their tickets for French departures only in English, and were duly prosecuted in 1981. However, the fine amounted to only 500FF plus 500FF costs (*Le Monde*, 23.3.78:36).

name: "un projet de loi qui en soit un, c'est-à-dire qui cesse de se cacher derrière la défense du consommateur" (1986:32).

As a means of enhancing the status of French, and thus the power values associated with the language, the 1975 legislation did represent a symbolic stance against English, although only within the boundaries of France. In practical terms, there was little it could do to enhance the prestige enjoyed by French in international institutions. The Renouvin report published in 1989 by the French Economic and Social Council, on the overall economic utility of the French language, found that French increasingly enjoyed only nominal, rather than actual parity with English in a wide variety of situations, from its use in international institutions to that in scientific publications²⁷. This was confirmed in 1991 by a more detailed survey, undertaken by the HCF, into the status and application of the French language (1991:245-264)²⁸. This concluded that whilst French is present and officially promoted in many international and European institutions, practice would suggest that this is the result of legal obligations, rather than because it is judged to be prestigious. Nonetheless, whilst it was not possible for French legislation to impact significantly upon the use of French in international institutions, it is perhaps surprising that the law made no attempt to prohibit institutions in France from operating in English,

²⁷ As far as international institutions were concerned, the Renouvin report (1989) concluded that *Dans les faits (...) non seulement le français ne bénéficie pas, au sein des organisations internationales, d'un statut unique, homogène et stabilisé, mais de nombreuses atteintes ont entamé la parité théorique du français par rapport à l'anglais*", p.7. Similarly, domination by anglo-saxon publications, and by English-language databases was confirmed by the Renouvin report which claimed (p.40) that 65% of all scientific papers are written in English, 12% in Russian, 9.8% in French, and 7.6% in German.

²⁸ In nearly all 57 institutions studied, commitment was expressed to providing sufficient resources for translation and interpreting into French, but the HCF discovered that a rise in informal debates, in which it is not obligatory to use official languages, meant that in practice its official status was not respected and English predominated. It also found that, even in those institutions where French was an official language, documentation was generally produced firstly in English with the French version often appearing much later. The *Haut Conseil de la Francophonie* concluded that the position of French as a working language in international institutions was significantly inferior to that of English (*Haut Conseil de la Francophonie, Etat de la francophonie dans le monde*, 1991:253).

nor did its provisions apply to conferences or colloquia held in France, which were increasingly dominated by the English language²⁹.

The terminological decrees and the 1975 legislation constituted the only significant policy measures designed specifically to protect the French language in France. However, it is clear that much of the potential offered by each of these was lost as a result of their particular shortcomings and limited application. In the words of Senator Legendre, the measures in force in the early 1990s represented an "*arsenal imparfait*" (1994:32) against the pressures, notably anglophone, acting on the French language.

Whilst the initiatives discussed above did little to enhance the overall value position of the French language, most authorities concur that, in contrast, the francophone policy of promoting French as a *lingua franca* has had positive repercussions in this respect (Guillou & Littardi, 1986, 1988; Tétu, 1988; Chaudenson, 1989, 1992; Guillou, 1993). By helping raise the profile of the language at international level, and providing a framework for the development of cultural and trading partnerships between member states³⁰, the francophone summits showed French to be a language capable of uniting nearly fifty countries, bridging traditional north-south and east-west divides, refusing the hegemony of Anglo-American, and acting as a forum for debate outside the meetings of the Superpowers.

There is also agreement amongst academics (Bostock, 1988; Tétu, 1988; Ager, 1996a;) that development of the francophone community has served to reinforce the bonds between French speakers and create a degree of

²⁹For further details see Kibee (1993).

³⁰ For detailed analysis of the objectives and outcomes of these summits (held in Paris 1986; Quebec 1987; Dakar 1989; Paris 1991), see in particular Tétu (1988), Guillou & Littardi (1988) and Guillou (1993).

francophone solidarity at international level, thus reinforcing the interpersonal values associated with the language. These views are confirmed by opinion polls in France: in May 1986 an IPSOS poll revealed that 33% of those questioned felt that they belonged to a francophone community, whereas this figure had risen to 41% in January 1993, revealing an increased awareness of francophone issues following the summits (IPSOS, 1986; 1993). However, these results may simply indicate an increased awareness of the existence of the francophone community as a wider entity, rather than the development of affiliative bonds. Furthermore, Durand regards the questionnaires used in these opinion polls as suspect, and suggests "the manufacture or engineering of consent" (1996:86).

Whatever the true impact of the francophone summits, the major threats to the power and welfare values associated with French emanated not from within the French-speaking community but from anglophone pressures acting upon the language. From a commercial point of view, whilst the summit agreements did generate a number of trading partnerships between member states, these only enhanced socio-economic opportunities within the francophone community, not links to the anglophone world. Since trade conducted between francophone member states in 1992 constituted only 2.8% of the total figure for commerce internationally (Guillou 1993:106)³¹, their influence was limited. The practical importance of the francophone initiatives depended very much, however, upon the extent to which they could succeed in maintaining French as a prestige norm, and as a genuine alternative to English, both inside and outside France. Although the presidency of the francophone community reflected prestige on

³¹ Moreover, although trade with its francophone partners represent 20% of France's total overseas trade, 80% of transactions are carried out with Canada, Belgium and Switzerland (Guillou, 1993:13-14). Since many of the francophone countries are underdeveloped, these latter tend to benefit from francophone aid, rather than act as trading partners, and to this extent, use of the French language provides access to increased socio-economic rewards for these nations rather than providing direct benefits to France.

France (Guillou, 1993), the measures taken did not impact to any significant extent upon the status of French within international institutions. Furthermore, francophone initiatives did little to improve the position of French in those sectors, notably scientific, technological and commercial, where, as already noted, the language was increasingly losing ground to English both internationally and in France³².

Clearly, the overall failure of the initiatives taken must be attributed largely to the vast scope of the problems to be addressed, to the speed of linguistic change, and to the inherent difficulties of attempting to regulate so sensitive an area as language. Equally, however, some responsibility must lie with those charged with the management of language planning initiatives, and the human resources at their disposal. It is therefore instructive to consider in more detail the functioning and management of the language policy community, and the criticisms made of it.

2.2 Perceptions of inadequacy in the management of language planning

The official linguistic infrastructure underpinning language planning in France in 1992 is perhaps best illustrated in the form of the organisational charts shown as Figures III and IV. These indicate the most prominent of the protagonists within the subgovernment who were concerned with mainstream language planning initiatives prior to the launch of the campaign for further measures.

³² This in turn had repercussions on the extent to which English was selected as a second language in preference to French in those francophone countries where French was not the principal language. Despite measures to promote the teaching of French within the francophone world, the HCF report (*Etat de la Francophonie*, 1991:55-82) concluded that the French-language teaching situation in francophone Africa, and particularly Burkino Faso, the Congo, Senegal and Zaire, was "*catastrophique*" (*ibid.* p.74).

Figure III

The infrastructure governing linguistic issues in France in 1992
 (Synthesis of various sources)

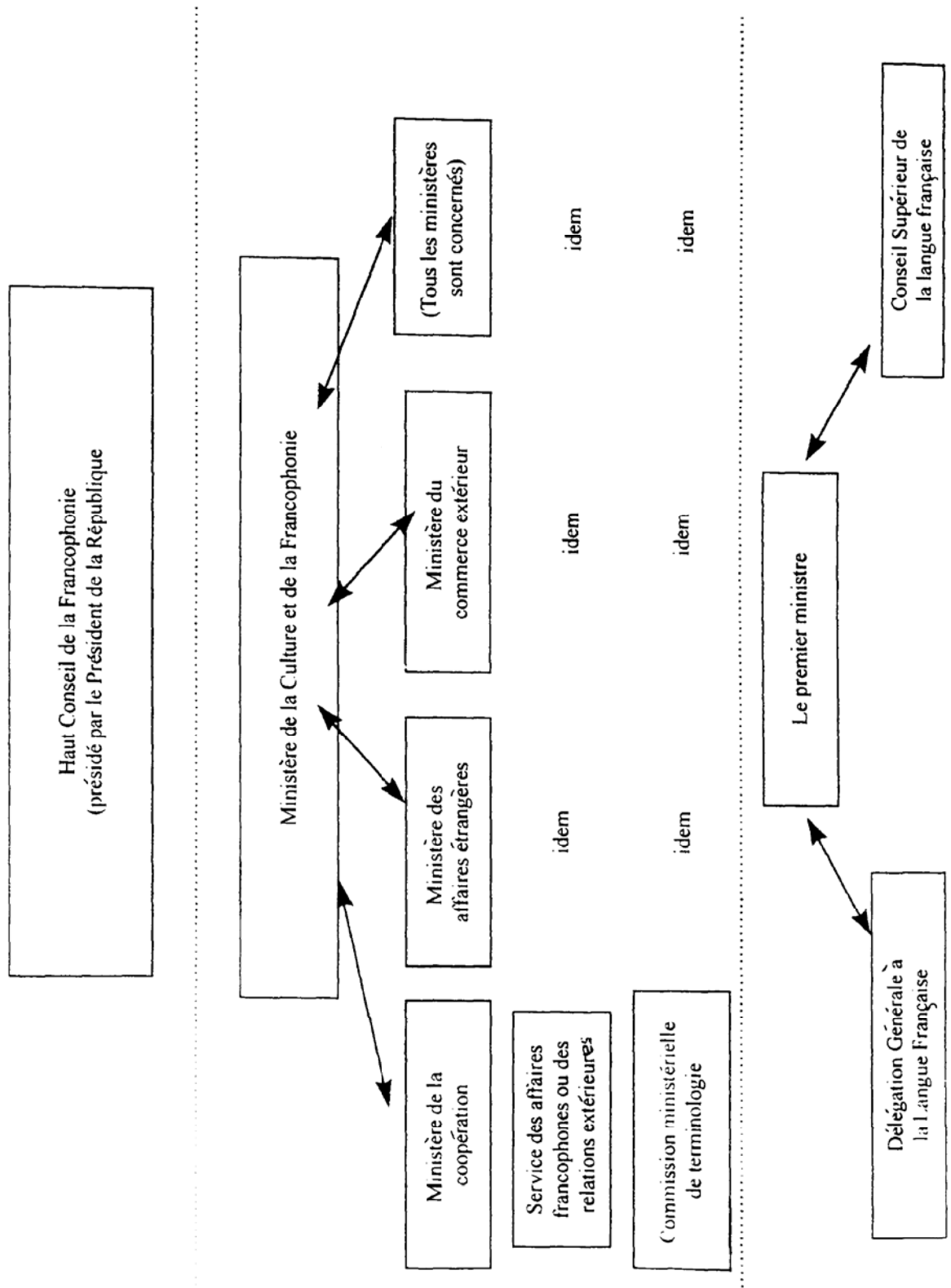
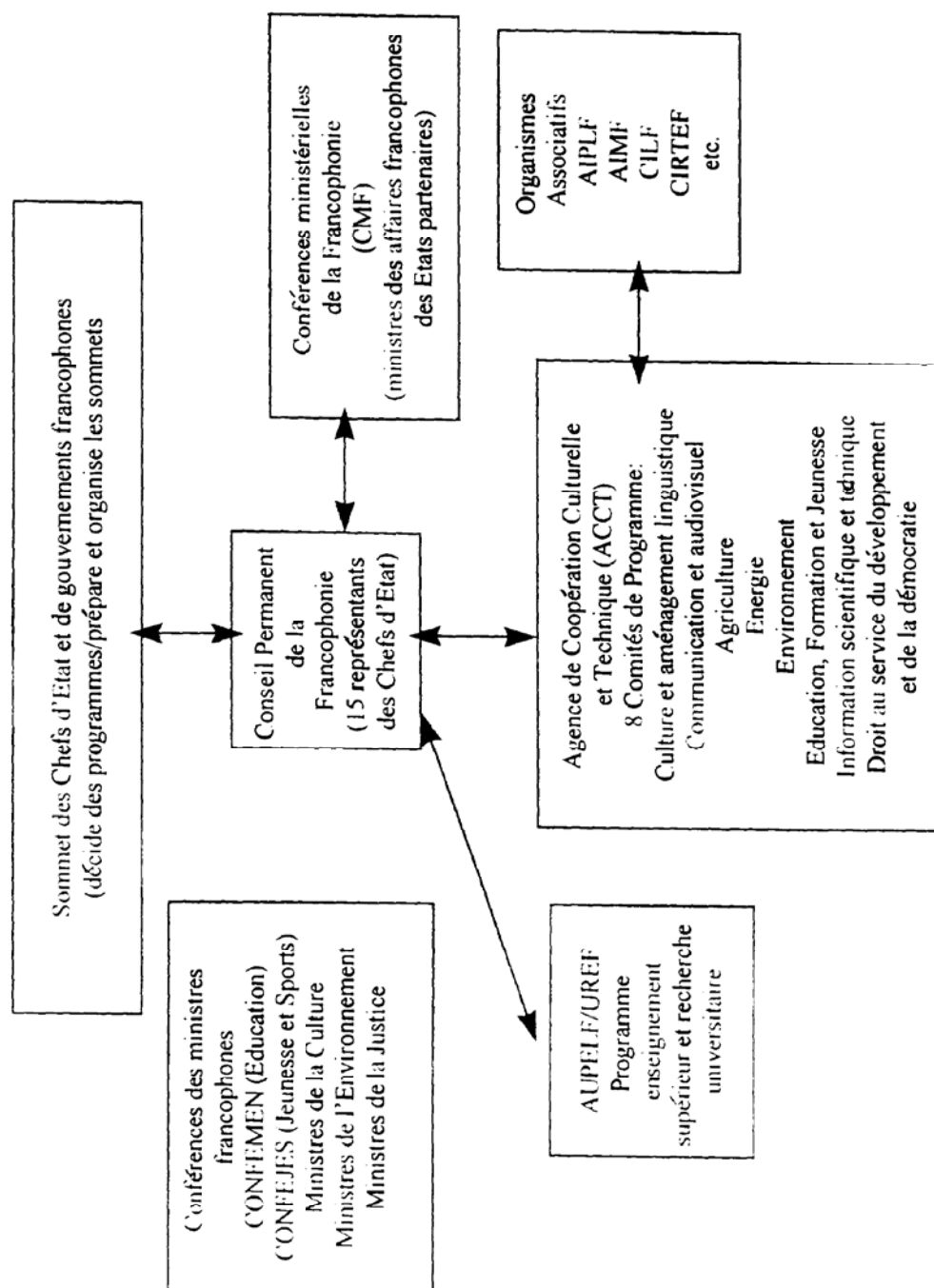


Figure IV

The infrastructure governing francophone issues in 1992

(Synthesis of various sources)



With the exception of the *Haut Conseil de la Francophonie* (HCF), which is concerned with the promotion of French within the wider francophone community, the institutions detailed in Figure III are concerned principally with linguistic issues inside France. Figure IV provides an indication of the labyrinth of institutions devoted to the promotion of francophone affairs at international level. Some of the organisations shown are regulatory bodies, others consultative, but all express a mission to protect and promote the French language, even if the precise remit varies from institution to institution.

Co-ordinating the implementation of language planning initiatives is the Ministry for Francophone Affairs. This developed from the post of Secretary of State for Francophone Affairs, created in 1986 and attached to the Ministry for Foreign Affairs. In 1989, this office was transformed into a fully-fledged ministerial position, thereby indicating the Socialist government's intention to accord a higher profile to language planning initiatives than had previously been the case. In 1992, which is the point of reference for this overview, the Minister concerned was Catherine Tasca, who held the post until the change to a right-wing government in March 1993.

The *Conseil Supérieur de la langue française* (CSLF) and the *Délégation générale à la langue française* (DGLF) both evolved directly from the HCLF established by de Gaulle. The former, the CSLF, provides advice to policymakers on any matter concerning francophone affairs, and engages in studies into both language usage and evolution, and as such is concerned with such issues as spelling reform and questions of terminology. The latter, the DGLF, is assigned both advisory and regulatory roles (including the implementation of policy measures), and is responsible for the administration and coordination of the activities of all organisations, whether public or private,

involved in the protection of the French language, and receiving financial assistance from the French State. However, as later discussion will reveal, it was precisely the lack of such coordination which was criticised in the early 1990s, both by members of the attentive public and the subgovernment of the language policy community.

Whilst the HCF, DGLF, CSLF and the Ministry formed the cornerstone of the linguistic infrastructure in France in 1992, these bodies constituted only part of the permanent institutions of the subgovernment. To these must be added many other government-authorised bodies such as the revered *Académie Française*, which exerts a regulatory function, as well as institutions such as the *Association internationale des parlementaires de langue française* (AIPLF) and the *Association internationale des maires francophones* (AIMF) which bring together political representatives from the entire francophone community to engage in discussions leading to the formulation of policy in respect of French at international level.

Examination of Figures III and IV reveals that, by 1992, the established institutions governing language policymaking in France had evolved and been expanded considerably since the creation of the HCLF in 1966. It can also be seen that this infrastructure was vast in terms of the scope of the protagonists involved and the issues with which it was concerned.

The complexity of the structures concerned with language planning results from the fact that in France language planning itself has tended to be cumulative in nature (Quémada, 1984). Insofar as the institutions dealing with the promotion of French outside France were concerned, the range of issues with which they were involved increased dramatically during the 1980s and 1990s, and

successive governments chose to add new institutions alongside the old rather than undertake fundamental review of the infrastructure. This is clearly visible from the multiplicity of associations shown in Figure IV.

The same trend is observable at national level, where the proliferation of bodies responsible for linguistic matters can partly be explained by the existence of political rivalries during the period of *cohabitation*³³ from 1986 to 1988, when the right-wing government created the post of Secretary of State for Francophone Affairs (attached to the Ministry of Foreign Affairs). The effect of this was to detract from the prestige enjoyed by the HCF, which was headed by the President, and enable Chirac as Prime Minister to intervene in foreign affairs, traditionally the *domaine réservé* of the President.

As a result of the fragmented nature of the linguistic infrastructure, it was difficult for a rational approach to language planning to be adopted, since it was inevitable that *ad hoc* reactive measures would be taken locally by individual bodies without regard to the wider linguistic situation (Quémada, 1984; Truchot, 1990; Calvet, 1993). The dangers inherent in such expansion, and thus dilution, of the policy community were signalled as early as 1981, by members of the subgovernment themselves. Following a six-month enquiry into the difficulties facing the French language³⁴, a parliamentary Commission,

³³ During this period a right-wing government worked alongside a left-wing President. At that time, a fairly comprehensive linguistic infrastructure was in existence, comprising the *Haut Conseil de la Francophonie* (HCF), the *Commissariat Général à la Langue Française* (CGLF), and the *Comité Consultatif pour la Langue Française* (CCLF). Although there was officially no hierarchical relationship between these three bodies, the close involvement of the President of the Republic in francophone affairs (notably his presidency of the francophone summits), and his decision to head the HCF clearly endowed francophone issues generally, and this body in particular, with a degree of kudos not possessed by the nationally-oriented organisms. Equally, the experience and distinguished composition of the HCF, which comprised, *inter alia*, serving foreign Heads of State, Nobel Prize winners, and eminent writers and academics, added to the prestige of this institution.

³⁴ *Rapport no. 2311 fait au nom de la Commission d'enquête sur la langue française* by M. Pascal Clément, 2ème session ordinaire, 1980-1

led by Xavier Deniau, concluded that a "coherent and realistic language policy" was needed to protect the use of the language, and ensure proper co-ordination and administration of language planning initiatives. Similarly, in 1983 Albert Salon, who was later to become a founder member of *Avenir de la Langue Française*, complained that French cultural policy (which included language planning initiatives) was "*tous azimuts*", and that each of the protagonists involved

suit sa pente propre, et cette pente est plus le résultat de l'histoire, des contingences diverses et de l'action d'homme, de groupes voire de corps de fonctionnaires, que le produit d'une action concertée. (1983:91)

In the particular context of the measures under investigation in this research, Senator Legendre observed that language planning in France was characterised by a multitude of centres of decision-making, an

éparpillement institutionnel qui ne va pas toujours dans le sens de la plus grande rationalité (...), ne va pas toujours dans le sens de la clarté. (1993: Avis 102:18-19)

Furthermore, numerous prominent sociolinguists had also argued for a more coherent approach to the management of language planning. In 1991, Truchot suggested that the many separate elements of language policy needed to be brought together into a single cohesive language policy covering French in France, the indigenous languages of France, languages of immigrants in France, French in Europe, European languages in France, French within the francophone world, and French elsewhere in the world. Even in respect of francophone policy, where summit meetings demand coordination of effort, policy has been acknowledged to be lacking in coherence. Chatto and Bapst warned in 1991 that more coordination was necessary in respect of the francophone movement ("*s'il n'y a pas consolidation et affirmation du*

mouvement, l'heure des déceptions, voire des abandons pourrait à nouveau sonner", 1991:4).

Given the extent of the criticism of language planning management in France, it is clear that this lack of cohesion was a problem of which the subgovernment was partially aware in 1992. However, there was nothing to suggest that a more coherent and cohesive approach was planned. Considerable frustration at this situation is evident in the words of Jean Dutourd, *Académicien* and President of the association *Défense de la Langue Française*, when he suggested that individuals and language groups should take radical action where they considered government policy to be inadequate, or where those authorised to act had chosen not to do so:

Nous en sommes réduits, comme toujours quand l'Etat démissionne, à une attitude révolutionnaire, c'est-à-dire que nous sommes acculés, nous particuliers, à faire le travail à sa place. (1992:6)

However, although by the 1990s there was a vast reservoir of potential support waiting to be tapped, the existence of so many different private groups and associations resulted in overlap in some areas, and neglect of others. There was little co-ordination of their activities, even though this was one of the responsibilities of the DGLF. Some liaison work was carried out by AFAL, but this was a federation composed of francophone groups, and therefore focused upon the associations operating within the international French-speaking community, rather than those which were more nationally-based.

Furthermore, few French language groups belonging to the attentive public could be described as having a "revolutionary" attitude. Indeed, the majority were not politically oriented. The activities of some of the more longstanding amongst them, for example *Société des poètes français* (1902), and the *Association internationale pour la culture française* (1952) took the form of a

more general desire to "celebrate" the national language and culture. Others had a more strictly linguistic focus, professing a mission to protect and promote the French language. *Présence et Devenir Francophones* (1985), *PERIL-Europe*, *La Renaissance française* (1916), the *Société des amis du français universel* (1964), *Défense de la langue française* (1953) and many similar associations distributed their own bulletins to members at regular intervals³⁵. Of these, DLF was by far the most significant in terms of its membership, which stood at approximately 4,000 in 1992. Nonetheless, although this group was highly active in support of the language, its activities were not, for the most part, directed towards the development of further policy measures.

By 1992, the majority of French language groups included in the DGLF directory specified the promotion of French within the wider francophone community as part of their mission statements. However, unlike some of the high profile francophone groups referred to earlier, many of these groups professing a linguistic orientation were in fact principally concerned with non-linguistic concerns, usually professional issues relating to the wellbeing of their members. In the case of groups such as the *Association internationale des criminologues de langue française*, and the *Groupement des associations dentaires francophones*, for example, the principal link between members was a professional one, with the use of a common language providing a secondary link which reinforced this bond³⁶. Furthermore, despite the fact that most of these groups enjoyed links with the subgovernment, through their membership

³⁵ The President of DLF, Jacques Lacant, also presented a fortnightly local radio programme entitled *Langue française, joyau de notre patrimoine*, which was broadcast in the Paris area on *Radio Courtoisie*, 95.6 Mhz.

³⁶ The mission statement of the AICLF clearly illustrates the subordination of linguistic issues: *L'objet social de l'AICLF est de favoriser et développer les relations entre universitaires, chercheurs et praticiens, qui contribuent dans le domaine social, clinique et juridique à la prévention du crime et à l'amélioration des méthodes pénales, et dont le français est la langue de communication habituelle*". *Bulletin*, AFAL, June 1993, p37.

of the federative body AFAL³⁷, they, like the more nationally-oriented associations, were reactive, rather than proactive, in respect of policy initiation.

Of those groups operating within the subgovernment, most had clearly defined roles, and were thus able to make some, usually indirect, input into the policy process in respect of their particular sector or field of interest, and consequently were less inclined to press for new initiatives in respect of other areas. Certainly, the majority of the groups discussed hitherto were not highly politicised in nature, and there was no evidence of any pressure for reform being exerted, either on the part of sectoral or more general promotional groups, despite the fact that few of the language policy measures promised prior to 1981 had in fact materialised. It would appear that, by the early 1990s, the hopes of reform entertained by some of the groups which had been formed a decade earlier appeared to have diminished. Certainly, the *Association nationale des scientifiques pour l'usage de la langue française* (ANSULF), formed in 1981, and listed in the Renouvin report (1989) as amongst the most active of French language groups, had, by 1988, ceased to exist in all but name³⁸. Equally, the language groups within the subgovernment which were not affiliated to a particular sector were far from radical in their stance. The work carried out by AGULF had effectively ceased by the 1990s, and no other group had stepped in to fill its role, instances of non-compliance with the 1975 legislation being referred to the DGLF and the Ministry³⁹. Similarly, the *Institut de recherche sur l'avenir du français* (IRAF), which had attempted to

³⁷ This federation was presided over by Xavier Deniau, who was well placed to represent the views of members to Parliament.

³⁸ The group itself admitted that it was "*en quelque sorte en hibernation*" *Informations Ansulfiennes*, no.0, 1993. It is interesting, however, to note that this particular group underwent a renaissance shortly after the formation of ALF.

³⁹ In practice, no further prosecutions were undertaken.

"établir un bilan rigoureux de la langue à partir de grilles d'analyses et de modèles" (*Répertoire 1992*), was dormant by mid-1992⁴⁰.

3. The spelling reform movement as precursor to ALF's campaign

In the late 1980s, an attempt was made to break the inertia within the language policy community, although those who did decide to act confined their activities to the particular issue of spelling, and were in fact frustrated in their efforts. It is useful to summarise the issues at stake in respect of the spelling debate, and indicate the protagonists involved, since the issue came onto the political agenda in 1989, immediately prior to the campaign launched by ALF. Consequently, it provides an indication of the attitude of the subgovernment towards measures to protect the French language in France, and also of its attitude towards the attentive public.

Reform of the French spelling system has regularly been proposed during the twentieth century⁴¹, but substantial measures have never been implemented⁴². On this occasion, the reformists were led by ten eminent intellectuals, who published a document entitled *Moderniser l'écriture du français*⁴³ in *Le Monde* (7.2.89). Also prominent in the debate were the *Syndicat des Instituteurs*⁴⁴, and

⁴⁰ Source: personal telephone call, March 1993. Although IRAF did succeed in producing some statistical data of language use by country, its achievements were limited in comparison with the ambitious objectives which it had set itself. It is of particular interest to the present study that Philippe Rossillon, erstwhile president of IRAF, subsequently became a leading figure in the group ALF, and in 1993 took over its presidency.

⁴¹ Following publication of ministerial decrees in 1891 and 1901, which recommended acceptance of alternative spelling forms (*tolérances orthographiques*), unsuccessful attempts to bring about more fundamental reform were made by Meyer in 1904, Brunot in 1906, Dauzat in 1939, Bruneau in 1947, and Beaulieu in 1952 (Quémada, 1984:114).

⁴² Details of "*tolérances orthographiques*" relating to the use of accents and spelling of the plurals of composite words were published in 1975 as part of the Haby educational reform, but a year later the *Académie Française* stated that it would not be incorporating them into its Dictionary because they had not been adopted in common usage (Academy spokesperson, cited in Muller, 1993:129).

⁴³ This is commonly referred to as the *Manifeste des Dix*.

⁴⁴ A trade union for primary school teachers, which had commissioned one of the reports on the quality of the language used by French schoolchildren.

the *Association pour la Sauvegarde et l'Expansion de la Langue Française* (ASSELAF), led by Philippe de Saint-Robert. However, there was also an anti-reform campaign, led by the right wing newspaper *Le Figaro* and weekly *Le Canard Enchaîné*⁴⁵, which was supported by a number of *agrégés*⁴⁶, five Nobel prize winners, twenty-four of France's better-known writers, and a group calling itself *Le français libre*.

When agreement was reached between opponents and advocates of reform⁴⁷, it appeared that measures would finally be implemented. However, the *Académie Française* was required to approve the reforms before they could be issued as *Rectifications*⁴⁸ by the Ministry of Education. The *Académie* did initially give unanimous approval to the proposals, but faced with considerable media opposition, subsequently withdrew this support, declaring itself authorised only to debate linguistic innovations in use, and not to innovate⁴⁹. A compromise was finally reached, such that the measures were to be considered *Recommendations* (and thus optional), rather than *Rectifications*, as in fact they had been designated originally⁵⁰. However, the Minister for Education was unwilling to issue a circular to schools to ensure the implementation of these changes through the education system, and the recommendations, shrouded in uncertainty, slipped into oblivion.

⁴⁵ The *Canard Enchaîné* threatened to add a second circumflex to its title if anyone tried to steal its "little hat" (*The Guardian*, 11.1.91:11)

⁴⁶ Holders of the *agrégation*, the highest competitive teaching award in France, and therefore those entitled to teach at secondary level.

⁴⁷ The modifications proposed as a compromise were relatively minor, and designed to streamline French spelling, by such measures as the suppression in certain cases of redundant letters, and the abolition of the circumflex other than in cases where this would lead to ambiguity.

⁴⁸ Modifications made in *Rectifications* would have been obligatory in official documentation and for teaching purposes, whereas any made as *Recommendations* would have been optional.

⁴⁹ Jean Dutourd claimed, "*Si j'ai voté pour, c'est que j'ai dû écouter d'une oreille distraite*" (*Le Monde*, 2.1.91:3)

⁵⁰ J.O. *Documents Administratifs*, 6.12.90: *Conseil Supérieur de la Langue Française*.

Although this particular campaign had finished by 1992, and did not result in the introduction of a substantial policy measure, it increased awareness of standards of written and spoken French. It is of particular interest to the present research because it highlighted the general inertia and absence of coordination (and indeed a growing lack of consensus) within the language policy community itself, and between the language policy community and policymakers in other sectors (notably between the *Académie Française* and the Ministry for Education). Furthermore, the spelling reform campaign may be considered significant because it paved the way for ALF, and marked the beginning of a transition to a more pro-active stance on the part of the attentive public in the absence of language planning initiatives from the subgovernment.

4. Conclusions

This chapter has shown that the joint participation of public and private actors has long been the hallmark of the language policy community, and that this collaboration resulted in the development of a harmonious and symbiotic relationship between the French language groups and the State. Prior to the 1990s, diverse language planning initiatives were introduced to enhance the value position of French, but with little significant impact on the language. These measures, although essentially government-driven, were underpinned by a supportive network of French language groups, both inside and outside the subgovernment. However, there was growing disquiet on the part of the intelligentsia at the increasing infiltration of English into domains traditionally occupied by French. Whilst there was little criticism of the increasingly francophone orientation which language planning had taken under the Mitterrand presidency, anxieties were being expressed that nationally-based initiatives appeared to be being neglected.

With the exception of the spelling movement, frustration and criticism had not been translated into action prior to the 1990s. Despite, or arguably *because of* their close involvement with the policy community, French language groups felt unable or unwilling to bring about substantial change in either policy or procedures. The majority of the groups formed in the 1980s had been designed to accommodate specific, often commercial interests, such as the development of terminology in a particular sector, or focused upon the promotion of French in the wider francophone community, at the expense of initiatives directed specifically at the use of French within France; even the spelling movement represented a single issue campaign. There appeared therefore to be a need for a body which could offer a coordinated approach to linguistic issues, one which would address all of the problems facing the French language, and which would encompass both professional and cultural concerns, in France and in the wider francophone world. This was a role which *Avenir de la Langue Française* (hereafter referred to as ALF) proposed to fulfil, and the creation of this new group, discussed in detail in the next chapter, symbolically marked the beginning of a period of pressure group activity in support of the language.

CHAPTER 3. CARPE DIEM: THE CONSTITUTIONAL AMENDMENT DEBATE

1. The formation and initial composition of ALF

ALF began as an informally constituted group of eminent Parisian intellectuals, led by Dominique Noguez, an English-language specialist, and Albert Salon, a former *chargé de mission* for francophone affairs. At its inception, it was designed to be a "*lieu de réflexion et d'analyse*" (Salon, 15.12.92), which would bring together concerned individuals to discuss the threats facing the French language, and the inadequacies of existing language policy. The first meeting took place on March 21 1992¹ at the Sorbonne university in Paris. Thereafter the group, initially comprising twenty-six members, met on a weekly basis. These founder members were the individuals who would later constitute the *Conseil d'administration*, the executive body responsible for the operation of the movement.

In its ideology and objectives, ALF followed closely in the mould of Etienne, its members being simultaneously supportive of the orientation of government policy, yet critical of its inadequacies. Indeed, the observations made in 1991 by Dominique Noguez differ little from those made by Etienne three decades earlier². Noguez recorded daily sightings of, and comments about the increasing linguistic and cultural infiltration of the French language and French society by Anglo-American influences, describing this gradual and imperceptible cultural change as a form of "*colonisation douce*"³:

¹ ALF was not officially registered as an ASBL (*Association sans but lucratif*) under the provisions of the 1901 legislation, which governs the association of individuals, until 17 July 1992.

² Dutch linguists Paul Bogaards and Johan Matter (Dutch linguists) observe the similarities between the discourse of Etienne and that of ALF: "*il est frappant de constater que le message d'Etienne ne diffère pas de celui de l'appel concernant l'avenir de la langue française*" (*Libération*, 1.7.93:6).

³ Title of book from which quotation taken (Noguez, D., 1991).

un ami qu'on accueille chez soi (...) et qui, peu à peu, se 'trouve bien', met un disque, met ses disques, se ressert à boire, feuillette vos livres, vous chante une chanson, ses chansons favorites, s'installe, parle, parle, et vous, esquissant d'abord un geste pour le retenir quand il ouvre les placards ou met les pieds sur le canapé, bientôt tassé dans un coin, n'osant plus rien faire ni rien dire, écoutant, écoutant - nié.
(Noguez, 1991:92).

However, unlike Etiemble, members of ALF were not content simply to draw attention to the problems. Instead, as later examination of the group's literature reveals, they were determined that wide-ranging government measures should be introduced to raise the profile of French both in France and internationally. In order to understand the motivation of the individuals concerned, their political tactics, their ability to work together, and indeed their conviction that change was possible, it is instructive to consider more closely their socio-economic background, and their status in French society.

Although the founder members of ALF numbered twenty-six, my analysis of the group's composition is based on a total of thirty-four individuals, namely the nineteen founder members whose occupations are known to me, and a further fifteen who proved particularly active during the year following the launch of the movement⁴. A full list of names and occupations of those who constituted this inner sanctum can be found in Appendix II. Information regarding the political affiliations of individual members would have provided further insights into their motivations. However, this was information which, understandably, some were not inclined to have placed on record. This reluctance can be explained by personal, rather than professional reasons, since there are fewer political constraints on members of the French civil service than on their British

⁴ My selection of these individuals is based on their activity as revealed in the minutes of group meetings.

counterparts⁵. Aside from personal considerations, however, the group sought to appear apolitical in order to attract maximum membership. Nonetheless, through informal discussions it was clear that many, although by no means all of the founder members were supporters of the right-wing RPR party, notable exceptions including Jack Ralite, former Communist *député*, and Max Gallo, former Socialist *député*.

The movement was focused, both geographically and ideologically, on Paris⁶. Many of its early activists were educated in the *grandes écoles*, and the *grands corps*⁷. All but one were male, the single female, Mona Makki, being the wife of another member, Dominique Gallet, and co-presenter with him of the television programme *Espaces Francophones*. The male domination of the group at its outset should not be interpreted as the result of a conscious decision by ALF to exclude women from its activities; as the pro-reform movement developed, it attracted increasing female support⁸. Rather, this gender imbalance reflects the male-domination of the ranks of the elite educational establishments which many of the founder members had attended, and of the French public service sector (and indeed, commercial and industrial world) which they subsequently joined.

The professional activities of the first members of the group may be classified into five broad categories, namely holders of positions as politicians and

⁵ See Searls (1981), Wright (1983) and Suleiman (1978, 1995) for discussion of the politicisation of French elites.

⁶ Despite government attempts at delocalisation, public administration functions remain concentrated in Paris. In the case of those employed in the media, commerce or industry, again senior management positions tend to be based in the capital.

⁷ These included the *Ecole nationale d'administration*, the *Ecole Normale Supérieure*, the *Inspection des Finances*, and the *Corps des Ponts et Chaussées*.

⁸ 13% of those signing the group's initial petition in July 1992 (*Le Monde*, 11.7.92, which will be discussed in Chapter IV) were female (39 out of 300 signatures published), and 23% of those signing a second petition later the same year (373 out of 1616 signatures; combined figures from *Le Monde* 1.12.92 and ALF internal documentation).

administrators; educators; writers or journalists; in cultural and entertainment organisations; and in commerce or industry:

Senior political or administrative positions: 14

2 former *Conseillers d'Etat*

1 former *Secrétaire d'Etat* and Member of the European Parliament

2 former *Conseillers culturels*

1 *Conseiller technique*

2 *Chargés de mission*, from the *Ministère du Plan* and the *Ministère de la Coopération*.

1 former *Commissaire Général à la Langue*

2 members of the *Haut Comité de la Langue Française*

2 former *députés*

1 editor of *Cahiers Bleus*, published by the *Ministère des Finances*

Education: 7

5 University lecturers or schoolteachers

1 Education inspector

1 Secretary General of the *Fédération Internationale des Professeurs de Français*.

Writers/Journalists: 10

5 philosophers and/or independent writers;

5 journalists (newspapers and journals, including *Politis*, *L'Humanité*)

Cultural and entertainment organisations: 6

3 television producers

1 filmscript writer

1 actor

1 literary critic.

Commerce/Industry: 5⁹

3 senior executives (including *Charbonnage de France*)

1 former President of ECOSOC)

1 computer scientist.

⁹ The occupations listed total 42, because some of the individuals have held positions in more than one domain (eg Jack Ralite, former *député*, now a journalist).

Insofar as their socio-professional status is concerned, it can be seen that there is relative homogeneity amongst the members of ALF in terms of positional rank, a high proportion holding, or having held senior political or administrative positions, or having exercised posts of responsibility within the fields of education, commerce, industry and the mass media.

Furthermore, an impressive number of them have had honours conferred upon them for service to the Republic, or for their contribution to the arts¹⁰.

Officier des Palmes académiques: Max Gallo

Officier des Arts et des Lettres and Prix littéraire Prince Pierre de Monaco: Yves Berger.

Chevaliers des Arts et des Lettres: Olivier Germain-Thomas;
Frédéric Grendel

Chevaliers de la Légion d'honneur de l'ordre national: Frédéric Grendel; Jean Hourcade; Albert Salon

Officier de l'ordre national de Côte d'Ivoire and Commandeur de l'ordre du Lion du Sénégal: Michel Guillou

Chevaliers de l'ordre national du Mérite et des Palmes académiques: Michel Guillou; Albert Salon

Chevalier du Mérite de la République fédérale d'Allemagne:
Albert Salon.

Writers such as C. Wright Mills (1957), Pareto (1935) and Bottomore (1964) have all stressed the importance of power as a constituent of "eliteness", and categorise as elites the incumbents of top positions in society. Along with Nadel (1956), Mills also stresses the concept of prestige, and similarly categorises as

¹⁰ Information obtained relates only to those members listed in *Who's Who in France 1992/93*.

elites those who are revered and respected by the wider community. From the foregoing analysis of the socio-professional status of the earliest members of ALF, and the accolades which they had accrued, it would appear that the pro-reform movement had attracted what Mills terms "power" and "prestige" elites. The extent to which the kudos resulting from the honours bestowed on these individuals, and the networks afforded by their education and illustrious careers, facilitated access to the levers of decision-making power is considered further as our study progresses.

2. ALF's maiden campaign

Given that the existing linguistic legislation was widely perceived to be ineffective, both in preventing the use of languages other than French and redressing the overall value position of the language, it is perhaps surprising that ALF elected to pursue the legislative route, by campaigning first for a reference to the national language in the French Constitution, and subsequently for a reinforcement of the 1975 law. This section therefore begins by analysing the reasons for this course of action. It then examines the parliamentary debates surrounding the constitutional amendment, and the outcome of the brief campaign conducted by ALF, in terms of both changes in policy and in social values. Finally, theories of relative and cultural deprivation, and political opportunity structures are discussed to determine their appropriateness as explanations for the linguistic mobilisation of the early 1990s.

2.1 A gap in the French Constitution

Reference was made in Chapter 1 to Article 11 of the Declaration of Human Rights, which guarantees the right to speak, write and print freely to every French citizen, and terms the right to the free communication of thoughts and opinions "one of the most precious of the rights of man". In contemporary

France, many of the principles established by the Declaration enjoy what is known as "*valeur constitutionnelle*", successive Constitutions having incorporated and often expanded upon them. Until 1992, however, although the right to freedom of expression was reiterated in the preamble to each of the French Constitutions, no attempt had been made to expand upon the provisions of Article 11 in order to endow the French language specifically with such a constitutional value.

In contrast, over one hundred and twenty countries worldwide have incorporated into their Constitution some form of reference to the language or languages spoken. A number of France's European partners, including Spain, Italy, Belgium, Ireland and Luxembourg, have all conferred constitutional status upon their national language, and in the USA nineteen states have designated English the official language in their Constitutions in an attempt to protect it against the incursion of Spanish. The omission of such a reference in the case of France is all the more striking in a country where language has played such a major role in nation-State construction. However, whereas the constitutionalisation of the French language had long been considered unnecessary, by the 1990s, as the position of the language weakened, it appeared to be one of a number of possible means of supporting its status.

2.2 The political opportunity

The action taken by ALF was precipitated by the fact that reform of the Constitution was necessary to enable the Maastricht Treaty to be ratified, and a constitutional reform Bill (*projet de loi constitutionnelle: de l'Union européenne* no. 2623) was due to be debated in Parliament. When this Bill was registered with the National Assembly (22 April 1992), it contained only proposals strictly necessary to ensure the compatibility of the Constitution with the Maastricht

Treaty, and made no reference to language. There was, however, provision within the French political process to remedy this omission, through the introduction of an amendment to the text, and this opportunity was seized by ALF.

The constitutional revision appeared to present an ideal political opportunity to enshrine a reference to the national language in the Constitution for a number of reasons. Firstly, it was particularly opportune to introduce this amendment within the context of a European, rather than a national debate, since it could be presented as an initiative which would safeguard linguistic diversity within Europe. Had it been presented within the context of a national debate, it might have been depicted (as was the later Toubon Bill) as an introspective, nationalistic and essentially defensive measure.

Secondly, constitutional reform in France is a complex procedure and one which is not undertaken lightly; indeed, prior to the 1992 revision, the French Constitution had not been amended since 1976, when minor modifications were made to the procedure for electing the President. Furthermore, debate on linguistic issues takes place only rarely in the French Parliament, and prior to 1992 no debate on language had taken place within the context of a constitutional debate, other than to establish the aforementioned right of French citizens to express themselves freely. Not only was the constitutional debate an event which was unlikely to recur in the near future, it was also an opportunity to introduce a constitutional reference to the national language without having to institute separate proceedings to bring about these changes.

3. Policy initiation

It should be noted that when the Constitutional Bill was placed before the National Assembly, ALF was still little more than an informally constituted group of individuals, and had only been in existence for four weeks. It had begun to define a role for itself, but had not devised a full programme of action. However, the group realised that if the political opportunity afforded by the Maastricht debate were to be exploited, immediate action had to be taken before the Bill passed to the next stage of the legislative process. Those members with legal expertise¹¹ therefore formulated a proposal for a constitutional amendment.

This proposal took the form of two statements. The first was designed to enhance the status of French by openly proclaiming it as the national language, and particularly affirming its role in education and the workplace; the second was designed to reinforce the status of French in a more subtle way by reaffirming France's commitment to cooperation with the wider French-speaking community:

De la souveraineté: le français est la langue de l'Etat et des collectivités territoriales de la République; il est également la langue de l'enseignement et du travail.

De la francophonie: la France participe à la construction d'un espace francophone de coopération privilégiée.

Having drafted its proposal, ALF approached a number of government and opposition parliamentarians in attempts to persuade them to support the measure, and introduce the amendment to the Constitutional Bill on their behalf. Opposition deputies Alain Juppé (RPR) and Xavier Deniau (RPR) readily agreed to champion the group's cause.

¹¹ Most input came from J-J Meric, founder member of ALF and former *Conseiller d'Etat*.

Deniau's support was particularly appreciated, because he had headed the 1981 investigation into the state of the French language referred to in the previous chapter (p.87). In addition, he acted as president of AFAL, as well as of the *Association pour la Diffusion de la Pensée Française*, the *Association pour la Diffusion Internationale Francophone de Livres, Ouvrages et Revues*, the *Société d'ethnologie de Paris*, and the *Union Culturelle et Technique de Langue Française*. Consequently, he was a well-established figure in respect of linguistic issues, and enjoyed both authority and credibility within the subgovernment.

On 30 April, two weeks before the debate, Deniau presented a series of amendments to the *Commission des lois*. The first of these was an almost identical version of the first part of ALF's proposal: *Le français est la langue de l'Etat et des collectivités territoriales qui la composent; il est également la langue de l'enseignement et du travail*. Deniau chose to omit the words *De la souveraineté*, in case, in the context of the Maastricht debate, they gave rise to accusations of linguistic nationalism¹². Insofar as the second part of ALF's proposal was concerned, Deniau translated this into two amendments. The first proposed that the statement "*la France participe à la construction d'un espace francophone de coopération privilégiée*" be incorporated into the Constitution, and the second that *Titre XII* of the Constitution be entitled *De la francophonie* (amendments no. 14 and 15).

It should be noted that two further amendments, identical to the first amendment submitted by Deniau and Juppé, were received by the *Commission des Lois*. The first was presented by Messrs. Toubon (RPR), Hyst (UDF) and Lamassoure (UDF), the second by M. Caro (also UDF); both simply proclaimed that "*le*

¹² Source: Thierry Priestly, *Avenir de la Langue Française*, December 1992.

français est la langue de la République". In addition, a sub-amendment was tabled by M. Masson (RPR) which supplemented these amendments with the addendum "*et des collectivités territoriales qui la composent*". Whilst it can be seen that the proposals put forward by ALF were the most comprehensive of those received, it might be argued that the amendment would have been introduced without the pressure which the group applied, since ALF was not the only political actor to press for change. Closer reading of the debate in the National Assembly (12.5.92), however, reveals that ALF's role was greater than might immediately seem apparent. Certainly, the maintenance of the motion on the parliamentary agenda may indirectly have depended upon ALF, since the *Commission des lois* was originally tempted to reject the idea of allowing the debate on the French language to take place at the same time as the Maastricht debate, on the basis that the Treaty itself did not threaten the language¹³. However, as the following statement by *député* Gérard Gouzès (PS) in the National Assembly reveals, it was as a result of persuasion by Xavier Deniau, ALF's intermediary at Committee stage, that the amendment was allowed to proceed:

La langue française est (...) langue officielle depuis très longtemps. En conséquence, il ne nous avait pas semblé utile de l'inscrire dans la Constitution. Mais, à la demande de M. Deniau (...), la Commission des lois a finalement adopté l'amendement no.30.
(JO NA 12.5.92:1019)

Once the Bill entered Parliament, the defence of the group's proposals devolved to its intermediaries, Deniau and Juppé. Having helped initiate the amendments, ALF's direct involvement in the legislative process ceased. However, three of the founder members, Régis Debray, Dominique Noguez and Serge Vincent,

¹³ Since no reference to language had figured in the original version of the Bill, no linguistic experts were called as witnesses. Nonetheless, both Xavier Deniau and Alain Juppé, who were consulted by the *Commission des affaires étrangères* on a number of other issues, had the opportunity to defend the inclusion of a reference to both the French language and the francophone community at Committee.

published an article entitled "*La francophonie au musée*" in *Libération* on 26th May 1992, this publication coinciding with the second reading of the constitutional amendment Bill in Parliament¹⁴.

4. Bringing the issue onto the parliamentary agenda

4.1 Representations at Committee stage

In France, before a Bill recorded for discussion on the parliamentary agenda and approved by the *Conseil d'Etat*¹⁵ can be debated, it must be referred to the appropriate parliamentary Committee, designated by the proposer of the Bill. The task of the Committees, of which there are five in each House¹⁶, is to consider the rationale behind the proposed legislation (the *exposé des motifs*), and to examine in detail the content of the articles contained in the Bill, together with any amendments proposed since its deposition. Insofar as its authority is concerned, a Committee is described as being "*saisie au fond*"; it enjoys full powers to collect information to enable it to circumscribe the issues brought before it. One of the principal means of supplementing the information at its disposal is for the Committee to consult ministers, senior civil servants, key individuals in the public and private sectors, and "*personnes qualifiées*" (individuals particularly well qualified to provide information)¹⁷. Such

¹⁴ The article detailed no fewer than seventeen concrete examples of English being used in France in preference to French.

¹⁵ The *Conseil d'Etat* pronounces on its conformity with the Constitution and its compatibility with other legislation in force.

¹⁶ *Sénat: Commission des Affaires culturelles; Commission des Affaires économiques et du Plan; Commission des Affaires étrangères, de la Défense et des Forces armées; Commission des Affaires sociales; Commission des Finances, du Contrôle budgétaire et des Comptes économiques de la Nation.*

Assemblée Nationale: Commission des Affaires culturelles, familiales et sociales; Commission des Affaires étrangères; Commission de la Défense nationale et des Forces armées; Commission des Finances, de l'Economie générale et du Plan; Commission des Lois constitutionnelles, de la Législation et de l'Administration publique.

¹⁷ No minutes of the hearings nor of the the deliberations of the Committees are available for public consultation, but the information derived from these consultations is used to enable the designated *rapporteur*, the "*homme orchestre*" (Le Men, 1984:23), or "controlling force" of the Committee, to produce his report, which is available in the public domain.

consultation is designed both "to impart a sense of involvement" (Jordan and Richardson, 1982:86), and to "produce more acceptable policies" (*idem*).

On the basis of its findings, a Committee may propose amendments to the Bill, voice an opinion on those amendments proposed by government or by other parliamentarians, and suggest modifications. Since no legislative assembly has sufficient time to debate each measure in plenary session as fully as it might wish, these parliamentary Committees represent highly influential organs in the legislative process. Although Committee recommendations are not binding, the fact that the proposals concerned have been subject to preliminary discussion in Committee, and have therefore already been accepted by a substantial number of MPs before reaching Parliament, often means that there is a higher probability that they will be followed in the respective Houses of Parliament. Indeed, in this instance, the indirect influence of the Committees was substantial, and ultimately had the effect of restricting considerably the remit of the language related proposals.

Given the importance of the Constitutional Bill to French European policy, comment on its content was invited from three different parliamentary committees, namely the *Commission des Lois (CdL)*, the *Commission des Affaires Etrangères (CAE)*, and the *Commission des Finances (CdF)*, before it was submitted to Parliament for debate. The CAE deemed that the inclusion of a reference to the *collectivités territoriales*, in both the amendments submitted by Deniau and Masson, was an unnecessary qualification, and one which was potentially divisive, since the Republic was *indivisible*. It therefore suggested that the relevant phrase be omitted; Deniau agreed to this, but Masson insisted on maintaining his amendment. Similarly, the CdL recommended that the reference to the role of French in education and in the workplace in Deniau's

version be omitted, on the grounds that the inclusion of such references in the Constitution would entail amendments to legislation relating to both employment and to education (as was later the case for the *loi Toubon*), an undertaking which exceeded the remit of the constitutional debate. Finally, the CAE also requested that Deniau withdraw both of the amendments relating to the francophone community, on the grounds that such a discussion was inappropriate and also potentially confusing during a debate on the European Community. Whilst Deniau did agree to the suppression of the reference to French as the language of education and the workplace in the amendment he had tabled, he was less compliant insofar as those concerning the francophone community were concerned, and consequently these went forward unmodified to Parliament.

4.2 The parliamentary debates

4.2.1 Proposals concerning the French language

(a) The incorporation of a reference to the language in the Constitution

In defence of the first of the amendments, Juppé maintained that the inclusion of a reference to the national language in the Constitution represented one means of asserting what he described as "*l'inaliénabilité de la souveraineté*", and ensuring that the Treaty "*permettrait de faire l'Europe sans défaire la France*" (JO NA 5.5.92: 932).

The sentiments expressed by Juppé were echoed by many other right-wing parliamentarians during the general discussion of the principles of the Bill in the National Assembly. Alain Peyrefitte (RPR) maintained that his party would only vote in favour of the Bill if France had guarantees that its national identity would be protected: "*Nous ne voterons Maastricht que si nous avons la certitude*

que, dans l'Europe de demain, nous resterons pleinement français" (JO NA 6.5.92:900).

Also supporting Juppé, Lamassoure stressed the importance of the amendment as a means of assuring the continuation of this identity:

Au moment où nous allons ratifier un traité qui va décider de la disparition de la monnaie nationale au profit d'une monnaie européenne, marquer notre attachement à la langue nationale est un symbole fort et nécessaire.
(JO NA 12.5.92:1020)

When presenting amendment no. 30 to Parliament during discussion of the individual articles, Deniau also emphasised the symbolic significance of the proposed measure, presenting it as a means of giving substance to, and helping reinforce and perpetuate the values traditionally associated with the French language:

Il s'agit d'un symbole : la langue française va rejoindre, dans le plus magnifique des articles de notre Constitution, les principes majeurs de la République : l'hymne, la devise, les drapeaux et les libertés.
(JO NA 12.5.92: 1018)

In the National Assembly the reaction was generally favourable. Indeed, the failure of framers of previous Constitutions to incorporate such a reference to the national language was considered "*comme un oubli*" (JO NA 12.5.92:5), and a "*lacune*" (JO NA *Rapport* no. 2684:5). If anything, attempts were made to enlarge the scope of the general principle. Mme Jacquaint, a Communist *député*, also urged that the provision be made more explicit, suggesting that the reference to the *State* and its regions might give rise to a restrictive interpretation (for example, the wording might be interpreted to mean that French was, for example, only the language of State schools, or State institutions), whereas the wording of Toubon's amendment, which referred to the *Republic* as opposed to the *State* (but was otherwise identical to that presented by ALF), permitted a wider interpretation. Even the regionalists in Parliament supported the measure

in the name of cultural diversity, although as will be seen later, this support was aimed at securing guarantees for their own languages alongside French.

When the Bill reached Senate, there was a similar general acceptance of the proposal to constitutionalise the French language. Although some concern was expressed by Senator Larché (RI) that such a measure would, in itself, be insufficient to assure the future of French, he termed it *"une déclaration de principe, à laquelle nous pouvons facilement adhérer"* (JO Sen. 10.6.92:1539), and Jacques Habert (Ind.) described the proposal as *"une heureuse initiative"* (p.1541). For the government, Michel Vauzelle (Justice Minister) welcomed it as a means of reasserting France's adherence to the principle of freedom:

La liberté ne peut être fondée que sur une possibilité de choix entre des modèles culturels différents. Or l'élément fondamental de la diversité de ces cultures est sans aucun doute la langue. (JO Sen. 10.6.92:1540)

After Committee intervention and debate in the National Assembly, the wording of the amendment which went forward to Senate on 10th June 1992 was simply *"Le français est la langue de la République"*, a somewhat diluted form of Deniau's initial proposal. However, Deniau did use the parliamentary debate as an opportunity to state that he had originally proposed a more comprehensive amendment, which made reference to the place of French in education, but that the Committee had advised him to withdraw this element of the amendment on the grounds that it was implicit in the wording of the version of the amendment under debate. Although Deniau did not succeed in maintaining the clause relating to education on the parliamentary agenda, by raising the issue in Parliament, he ensured that the Committee's acknowledgment of the importance of French as the language of education was minuted. This meant that the minute could be invoked to clarify any future case law decisions which might arise as a result of the omission.

The revised version of the amendment, as adopted by the National Assembly was tabled as an amendment to the Bill placed before Senate. However, following widespread reporting of the amendment adopted in the National Assembly, the *Association interparlementaire de parlementaires de langue française* received a number of complaints from French speakers in Quebec, Wallonia and Switzerland. These latter objected to the word order used in the statement, namely "*Le français est la langue de la République*", insisting that French was not the exclusive property of the French nation. Given the profuse apologies which were later presented in Senate, the formula originally selected appears to have been an unfortunate choice, rather than a deliberate insult. The objections reveal both the interest with which the wider francophone community was following the debate, and the reality of fears that France might be accused of neo-imperialism by other French speaking countries. In an attempt to counter such accusations, both Jacques Larché, on behalf of the *Commission des Lois*, and Messrs Estier, Dreyfus-Schmidt *et al* proposed amendments (nos. 13 and 18) reversing the order of the statement to read "*La langue de la République est le français*". This revised amendment received the full approval of Senate, and was the form of wording finally incorporated into the Constitution.

(b) The reference to the francophone community

As noted earlier, a further recommendation made by the *Commission des affaires étrangères* prior to the reading of the Bill in the National Assembly was that both of Deniau's amendments relating to the francophone community be rejected. Deniau's argument - that it did not seem appropriate to make constitutional reference to France's membership of the (then) European Community, but not of the francophone community with which France also has economic, and even closer cultural links - was not accepted by the House.

Similarly, in Senate, Vauzelle urged that the amendment be rejected. After brief debate, these amendments were rejected in their entirety, although, as later chapters reveal, this issue re-emerged later, during the course of the debate on the reform of the 1975 legislation.

The reason given for this decision was that it was not politically expedient to mention the francophone community at a time when the French nation needed to be seen to be adopting a European identity. Even so, it is perhaps surprising that the reference to the francophone community was not supported by the Socialists, since francophone initiatives had constituted the main thrust of their language policy. As both the francophone and European communities claim to be the guarantors of linguistic pluralism, reference to the objectives of the former would have served to reinforce such a principle, which members of Parliament had stressed earlier in the debate (Wilcox, 1994:274). If, however, the Socialist parliamentarians (like their political opponents) also viewed the incorporation of a reference to the French language into the Constitution as a means of asserting national, as against European identity, then any constitutionalisation of the francophone community, and implicitly pluralism, might be construed as detracting from this more nationalistic objective. Certainly, the Justice Minister, Michel Vauzelle (PS) insisted in the National Assembly

Nous devons donc, pour ce qui nous concerne, nous Français, veiller à une défense rigoureuse de notre identité culturelle. C'est pourquoi nous acceptons que soit défendu un élément essentiel de notre identité culturelle : la langue française. (JO AN 12.5.92:1019)

4.2.2 Proposals concerning regional languages

Before considering reactions to the policy outcome, it is appropriate to note the reactions to which the linguistic amendments gave rise amongst speakers of regional languages, both amongst regionalist *députés* in the National Assembly and regional groups outside Parliament.

Notwithstanding the omission of any reference to regional languages, regionalists *députés*, such as Yves Dollo (PS), professed support for the constitutionalisation of the French language as a means of preserving cultural diversity, given that diversity implicitly included regional languages: "*le choix de la diversité culturelle dans l'épanouissement de la démocratie politique européenne*" (JO AN 12.5.92:1020). In his capacity as a regionalist *député*, however, Dollo insisted on the need to show equal consideration for all languages spoken within a country: "*Admettre l'égale dignité des langues et des cultures ne se limite pas à la dimension d'un Etat*" (*idem*).

Early in the debates in the National Assembly, in anticipation of dissent from regionalist factions, Alain Lamassoure emphasised the importance of the freedom to choose between different cultural models and, thus between languages, as vehicles of culture. This sentiment was echoed by Michel Vauzelle, who also insisted that "*la liberté ne se défend de manière concrète (...) que s'il y a des possibilités de choix entre des modèles culturels différents*" (JO NA 12.5.92:1019). Such assertions of France's commitment to linguistic and culturalism pluralism were intended to reassure regional language factions that the government planned to uphold and promote ethnic diversity within France, and to continue to support regional languages.

However, similar promises had been made in 1981 by the then presidential candidate François Mitterrand. In a well-publicised speech, Mitterrand proclaimed that it was time for the regional languages of France to be granted greater recognition:

Il est indigne de la France qu'elle persiste dans cette persécution honteuse, qu'elle soit le dernier pays d'Europe à refuser à ses composants les droits culturels élémentaires (...) Le temps est venu

d'un statut des langues et cultures de France qui leur reconnaisse une existence réelle. Le temps est venu de leur ouvrir grandes les portes de l'école, de la radio et de la télévision permettant leur diffusion, de leur accorder toute la place qu'elles méritent dans la vie publique. (cited by Goetschy, 1992:1)

Despite these promises, ten years later the concessions granted to regional languages were, according to Grau, "minimal" (1992:125). He argued that the French State was no longer interested in regional issues ("*L'Etat se désintéresse de la question*" *ibid*, p.127). This appeared to be confirmed by the refusal of the French government to sign the European Charter for Lesser Used and Minority Languages. This document provided basic guarantees for both territorial and non-territorial minority languages in Europe, and had, by that stage, already been ratified by thirteen other member States of the Council of Europe¹⁸. However, the French government persisted in its refusal to sign the Charter, ostensibly on legal and financial grounds. Use of regional languages was deemed contrary to existing legislation (notably the Edict of Villers-Cotterêts), which obliged the use of French throughout the judicial system; to introduce regional languages, it was said¹⁹, would involve costly reorganisation and add to both time and cost in processing judicial cases. Furthermore, the provisions of the Charter would contravene the French *Code du Travail*, which insists that contracts of employment be drawn up in French.

Although proponents of the constitutionalisation of French insisted that the measure was in no way meant to threaten other languages spoken in France, it is

¹⁸ Ironically, some of these countries included provisions in their own constitutions to protect regional languages spoken in France: *Occitan* is an official language of Italy, *francique* (a spoken variety of Alsace) is an official language of Luxembourg, *catalan* and *basque* are official languages of Spain, and *flamand* is an official language of Belgium.

¹⁹ Towards the end of 1992, Louis Scotto, President of the *Union Provençale* circulated a series of demands to the French President (François Mitterrand), Prime Minister (Pierre Bérégovoy), and the Minister for European Affairs (Elisabeth Guigou). These included a plea that France should sign the European Charter. The response was unanimous that the Charter, as framed in 1992, was unacceptable for both legal and financial reasons. (Personal communication from L. Scotto to L. Wilcox, 22.4.93).

important to note that it was not specifically stated in the text of the constitutional amendment that cultural pluralism would in fact be guaranteed²⁰. Consequently, it was always possible that, should the amendment be interpreted in its widest sense, any Bill relating to regional languages could be deemed unconstitutional; similarly, any international convention concerning regional languages could be considered incompatible with the amended French Constitution.

The regionalists had presented no amendments to the National Assembly aimed at bringing about the constitutionalisation of their own languages, but by the time the Bill reached Senate, they had prepared a sub-amendment for debate. Indeed, there was considerable activity on the part of both regionalist parliamentarians and language groups in the period between the readings in the National Assembly and the Senate. In Brittany, for example, members of the *Union des enseignants de breton*, *Skol En Emsav*, *Diwan*, *Ar Falz* and *Skol Vreich* made a collective appeal to the Senate to grant constitutional recognition to regional languages. They maintained that the amendment voted contravened two articles of the Treaty of Maastricht, which granted recognition to cultural diversity and minorities in Europe, and as such was anachronistic, since the object of the constitutional amendment was to ensure compliance with the treaty:

c'est un amendement complètement anachronique avec ce qui se passe en Europe aujourd'hui. (...) Faire du français la seule langue officielle signifie ramener des langues minorisées au rang de hors la loi. (Ouest France, 1.6.92).

In a similar vein, the *Union démocratique bretonne*, *Emgann*, *Pobl* and *Frankiz breizh* maintained,

²⁰ In fact this omission was later advanced as a barrier to the signing of the European Charter.

Cet amendement scélérat tend à rendre, de facto, tout futur projet de loi en faveur des langues dites minoritaires incompatible avec les fondements mêmes de la République. (Open letter to regional parliamentarians, dated 17.5.92, cited in *Le Monde* 20.5.92:8).

Similar protests were reported from Basque, Corsican, Occitan and Alsatian groups (*ibid*), and public demonstrations were held throughout France on the weekend of 30-31 May 1992. These, together with particularly bitter comment from the regional press²¹, provided evidence of popular support for the amendment (no. 16) proposed in Senate by Henri Goetschy, Senator for Haut-Rhin, and Vice-President of the *Haut comité de référence pour la défense des langues alsaciennes*.

This amendment sought to complement the reference to the French language adopted in the National Assembly, by acknowledging French as the language of the Republic "*dans le respect des langues et des cultures régionales de France*". However, and somewhat ironically, when the arguments in favour of plurilingualism advanced to protect the interests of French in the National Assembly were appropriated in Senate by regionalists to give credence to their motion, they were dismissed on the grounds that, "*il n'est dans l'esprit de personne de refuser de prendre en compte la diversité culturelle et linguistique de la France*" (Larché JO Sen. 10.6.92:1540). Certainly, the argument used by Senator Vauzelle, namely that "*l'attachement des Français au respect des langues et cultures régionales*" (*ibid*) was understood, and that consequently such a reference was superfluous, could just as easily have been used against the proposal to include a reference to French in the Constitution. However, Goetschy agreed to withdraw his amendment on the understanding that

²¹ The *Dernières Nouvelles d'Alsace*, for example, claimed that "*un refus français s'inscrirait un nouveau chapitre à la déjà longue histoire des tergiversations, incohérences ou hypocrisies qui paralysent la législation française en matière des langues régionales*" ('*L'entêté jacobinisme français*', 5.5.92)

guarantees would soon be forthcoming in respect of the status of regional languages in France, implicitly the signing of the European Charter.

Following this defeat, the regionalists made no attempt to renew demands for constitutional status for their languages. Their failure to achieve assurances for regional languages led them, in the short term, to aggregate their resources and intensify their demands on the government to sign the European Charter, and in the medium term to use the debates on the Toubon law as a forum for presentation of these demands. Further discussion of the regionalists is therefore deferred until Chapter 5, which considers the entry of a wide range of protagonists into the language debate when the Toubon Bill was presented to Senate. Our focus here is upon the impact of the constitutional amendment campaign on the group *Avenir de la Langue Française*, which at this stage in the debate was still the chief protagonist amongst the mainstream activists.

5. Impact analysis

The final version of the amendment accepted by the French Senate and ratified by the *Conseil Constitutionnel* on 23 June 1992 was "*La langue de la République est le français*". This phrase was added to article 2 of the Constitution, and the national language was thereby accorded constitutional value, along with symbols such as the flag and the Marseillaise. However, although this represented a positive outcome for the proponents of reform, it was modest in comparison with the version contained in ALF's proposal.

The decision not to include a reference to the francophone community in the Constitution represented something of a setback for ALF, and indeed a disappointment for Deniau, in view of his close involvement with the francophone aspects of language policy. Given that the motion was rejected

during the course of a debate on the language itself, there was little reason to expect that a future constitutional debate would be considered more suitable for the inclusion of such a reference, unless it were to be specifically instigated for the purpose, and, as indicated earlier, this was unlikely since Constitutional reform in France is such a complex procedure. However, ALF chose to pursue the francophone issue when campaigning for legislative reform, and as later discussion of the revision of the 1975 legislation reveals, a reference to the francophone community was ultimately incorporated into the final version of the *loi Toubon*, Xavier Deniau again playing a role in helping to bring this about.

Equally, the rejection of a reference to French as the language of the workplace and of education in the final form of the amendment meant that it would not be possible to prevent, for example, the situation where a multinational company based in France opted to use English as the language of the workplace in France. Nonetheless, the fact that the French language had constitutional recognition could be used as a means of putting moral pressure on such companies.

In assessing the impact of this campaign in terms of policy outcomes, it should be remembered that the group had sought to introduce a more far-reaching amendment than those put forward by the other protagonists involved, possibly asking for more than it thought to be reasonably attainable. By focusing the debate, albeit briefly, on the more extensive measures which it advocated, ALF had prepared the ground to some extent for the future proposals which it was subsequently to pursue. Indeed an acknowledgment that further language planning measures were required was secured during the parliamentary debates. No objections were raised to the statements of principle (regarding the role of French within the francophone community, or its use in education or the workplace) whose inclusion was sought within the Constitution; it was rather

their inclusion in a debate on the European Community which was cited as the reason for not pursuing these proposals in 1992.

Despite the relatively limited nature of the amendment voted, its importance should not be underestimated, and can be discerned at a number of levels. Firstly, the debates in both Houses of Parliament provided an opportunity to reassert the continuation of the values traditionally associated with the French nation in the context of contemporary France. In both Houses, particular emphasis was placed upon France's adherence to the principles of liberty and tolerance. Whilst linguistic choice was seen as a key element of such liberty, it is noteworthy that French was always represented as the sole legitimate vehicle for freedom of expression. In the National Assembly, ardent anti-Maastricht campaigner Philippe Seguin (RPR) referred to the way in which the French language continued to act as a symbol of liberty for its speakers: *"pour tant de peuples, le français reste encore symbole de liberté"* (JO NA 5.5.92:868). Likewise, in Senate, the values traditionally associated with the French language were reasserted. Senator Ivan Renar (PCF), for example, declared French to be

la langue de la Déclaration des droits de l'homme et du citoyen, c'est la langue qui vise à l'universel, c'est la langue qui a une vision humaniste des rapports entre les hommes, c'est la langue de ceux qui luttent de par le monde et croient encore aux valeurs de la démocratie à la française. (JO Sen 10.6.92:1537)

Similarly, Paul Girod (RPR) noted with satisfaction that the measure provided a link with the language planning initiative which had established linguistic uniformity in France:

On permettra de se réjouir (...) de voir la République française confirmer l'ordonnance de Villers-Cotterêts, signée par François Ier, et renouer avec une tradition fort ancienne issue de notre terroir. (JO Sen. 10.6.92:1541)

More specific reference was made to the link between language and liberty by Michel Vauzelle (PS), who noted that,

Le gouvernement a estimé très judicieux qu'en effet une liberté essentielle est la liberté de la culture, et que la langue française est un élément essentiel de cette diversité culturelle, sur laquelle est fondée la liberté concrète. (JO Sen 10.6.92: 1540)

Thus, rather than bringing about a change in social values, the constitutional amendment debate contributed to maintaining traditionally held beliefs and attitudes regarding the sanctity of the French language amongst parliamentarians of all political persuasions.

Maintenance of the *status quo* is also apparent in the rejection of the relatively minor demands presented by the regionalists for equality of treatment in the Constitution alongside French. In addition, the constitutional amendment debates can be seen to have revealed certain inconsistencies and ambiguities in the official interpretation of linguistic pluralism, which were to be exploited by the regionalists during the course of the legislative reform campaign. For all the rhetoric of pluralism, it was clear that this particular language planning measure was primarily concerned with asserting the supremacy of French as against other languages, whether indigenous or exogenous to France.

On balance, the constitutional amendment debate remained relatively uncontentious, except insofar as the regional groups were concerned. Indeed, there was a large measure of consensus across the political spectrum regarding the fundamental values which the measure was designed to uphold and reinforce. The amendment was generally represented and perceived as being a largely symbolic initiative, rather than one of practical application. Even though the campaign brought language into the wider political arena, and into contact with interests from all policy areas, it did not attract opposition from economic

interests, as was to be the case with the later campaign to reform the 1975 legislation. Language as a policy issue was still seen as primarily the concern of the linguistically-oriented bodies comprising the language policy community. As such, the constitutional amendment debate did not impact significantly on the nature of the policy *network* in force, although a number of changes were apparent within the language policy community itself.

In many respects, the appearance of ALF confirmed the resilience of the two traditions discussed in Chapter 2. Firstly, in its composition, the association followed in the tradition of elite involvement in linguistic issues, although in addition to the academics and bellettrists traditionally associated with such groups, the founder members included a significant number of civil servants and individuals closely connected with the mass media. Secondly, it followed in the more recent tradition of critical appraisal of the management of language planning. Like their predecessors, supporters of the pro-reform movement were frustrated at what they considered to be the continuing decline in the value position of French, and the absence of satisfactory measures to halt this decline. Unlike their predecessors, however, members of ALF succeeded in translating this frustration into action, and bringing about a recognition of the need for nationally-based language policy measures. Indeed, the constitutional amendment campaign marked the beginning of a much more determining role for the language group, in marked contrast to the inertia which had characterised the attentive public of the language policy community prior to the 1990s. If the resurgence of linguistic activity in the 1990s, and the development of a more proactive role for the group, are to be fully understood, it is necessary to consider the particular political circumstances surrounding the emergence of ALF in conjunction with theories of group mobilisation.

6. Factors accounting for the emergence of and initial success of ALF

Early commentators explained group mobilisation in terms of deprivation and frustration, but there has since been considerable debate among social scientists concerning the factors contributing to the formation of movements for change. The "relative deprivation" approach is one of the oldest²² and most frequently-used models of analysis of collective mobilisation. This model, based on the work originally carried out by Stouffer (1949), and developed by Davis (1962) and Gurr (1970), focuses upon grievances, and views expressions of frustration as the result of perceptions which individuals and groups have of their situation. It holds that, since value capabilities (as defined in our introduction) normally equal or exceed value expectations, any perceived discrepancy between expectations and capabilities may give rise to frustration; this in turn may lead to feelings of deprivation and manifest itself in violent outbursts (Gurr, 1970:23).

In France, expectations regarding language have traditionally been high, as a result of the deliberate efforts of successive language planners, but, as seen in Chapter 2, the reality increasingly fails to meet expectations, thereby laying the conditions for frustration. Given the extent of criticism of both the language planning initiatives in force and the operation of the language policy community, the development of a movement campaigning for further language planning measures can be interpreted as a manifestation of frustration at the failure of language planning policies to make any substantial improvement to the value position of the French language, at duplication of effort in some parts of the language policy infrastructure, and gaps in others. To this extent, the resurgence of activity which is investigated in this study corresponds to the relative deprivation/frustration model.

²² This concept has a long history in political sciences, having been discussed by Aristotle, who suggested that revolutions are brought about when "men think that they are equal to others who have more than themselves" (*Aristotle's Politics* (1943) New York: Random House, p. 212).

However, it has been argued (Turner and Killian, 1972; Tilly, 1976) that all groups are deprived in some way, and yet not all are mobilised into action, and empirical research conducted into social movements has failed to establish a correlation between deprivation and movement mobilisation (Wood and Jackson, 1982). The inadequacy of the relative deprivation model led to the development of a more rationally-based theory, inspired by earlier work by Olson (1965). Kitschelt (1986), Zald and MacCarthy (1973; 1987), and Turner and Killian (1987) all view activism as more calculated and strategically-driven than the theory of relative deprivation would imply, and suggest a "resource mobilisation model". This model posits a significant role for entrepreneurial elites, well accustomed to taking strategic decisions and interacting harmoniously with the apparatus of State (Garment, 1981). As our earlier analysis reveals, ALF was elite-dominated and, (as later chapters will reveal) like the countermovements which arose to thwart its objectives, non-violent in nature. In this respect, it fits the resource mobilisation model.

Proponents of resource mobilisation maintain that it is more appropriate an explanation than relative deprivation in situations where political intervention depends on the mobilisation of appropriate resources at politically strategic opportunities. In 1992, the imminent constitutional amendment debate represented such a political opportunity, and acted as the immediate catalyst to the emergence of the movement. National feeling was intense prior to the referendum, and political campaigning was particularly vociferous on the part of anti-Maastrichtians, such as Charles Pasqua, Philippe de Villiers and Philippe Séguin. Séguin maintained that Maastricht represented the "anti-1789" (1992:17), and argued that free trade was not only the source of rising unemployment, but also a threat to the future of France as a nation (1993:14).

The climate was such that the arguments underpinning the language debates and the wider debates on national sovereignty and identity proved mutually reinforcing.

As explanatory theories for group mobilisation, relative deprivation and resource mobilisation are often considered to be competing models, since the first views mobilisation as based on frustrations, and thus sees it as the result of non-rational factors, whereas the second views it as rationally-based. However, Tilly (1986) attempts to reconcile the two approaches, claiming that political opportunity structures may inform both the initiation and success of a protest movement, by crystallising perceptions of deprivation, and causing them to be translated into action. To this extent, both models go some way to explaining the emergence of the language reform movement. However, this particular movement must also be situated within an ideological context. The theory of resource mobilisation has been criticised for what opponents judge its over-emphasis on rational factors, and neglect of the ideological component. Gamson, for example, says of its proponents,

What they give us is heavily institutional and organizational, with little about norms, values and political discourse (...). We are not directed to the ways in which [social movements] compete with ideologies or condensing symbols. (1990:6)

This supports the view of Elder and Cobb (1983), who maintain that political actions are rarely the product of systematic analysis or pure impulse, but rather arise from "a loosely structured process of interpreting fragmentary information and ambiguous cues in the light of prior expectations and changing, uncertain, conflicting personal preferences" (1983:1). For Elder and Cobb, cultural symbols play a fundamental role in the political process, since they link individuals and make collective action possible. Similarly, Gelb (1990), Rochon

(1990), and Gamson (1990) suggest that resource mobilisation is inadequate to explain the development of certain movements, notably the ideologically founded social movements of recent decades (environmental, feminist, and peace movements, for example)²³. The ideological component is important to any movement involving language, but nowhere is this more true than in France, in view of the symbolism attached to the national language, the role which it has assumed as an integral constituent of national identity, and the ideological indoctrination by the intelligentsia, who have assumed the role of guardians of the national language.

In considering the emergence of ALF, it is clear that no single theory of group mobilisation is able to provide a satisfactory explanation. It must be acknowledged that these models of group behaviour tend towards oversimplification because, like the theories of group/State interaction discussed in Chapter 1, they are uni-dimensional. The resurgence of activity in support of the French language, and in particular the creation of ALF should not be seen as being *either* an instance of purposive, calculated behaviour, and thus rationally determined *or* the manifestation of either frustration and aggression or idiosyncratic behaviour, and thus non-rationally determined. Instead, it resulted from a combination of factors, the relative importance of which will become more apparent on consideration of the literature produced by the group, which is reviewed in Chapter 4.

When ALF was formed in March 1992, it lacked members, funding, structure and a detailed plan of campaign. Despite these serious limitations, this informal association was able to exert an influence on language policy, and may be

²³ These movements cannot be explained by reference to the theory of relative deprivation since supporters are not drawn from the realms of the socially deprived, but from the relatively affluent middle classes (Dalton, Kuechler and Bürklin, 1990).

considered as the prime instigator of the linguistic amendment. The introduction of this particular policy measure must be attributed in part to certain characteristics which gave ALF a degree of political saliency, even at its inception, and enabled it to exploit the political opportunity afforded by the constitutional amendment debate. Political saliency may be defined as the inherent characteristics of a group which give it policy significance. These include its membership²⁴, organisational structure, resources²⁵ and outputs²⁶ (Pross 1992). ALF's political saliency was due primarily to the nature of its membership. Though this was not extensive, the movement was professional and largely elitist in its composition, and the founder members were knowledgeable about the policy process. As noted earlier, it was more technocratic in its composition than the majority of its predecessors. Many of the founder members of ALF had previously enjoyed both social and working relationships with those responsible for policymaking, and shared with them a common background, education, and ideology. These ties, both professional and personal, facilitated access to the levers of power, and therefore represented a significant advantage to the movement.

However, despite this familiarity with the working of the policy process, the founder members of ALF had previously not operated as a pressure group. At the time when the amendment was drawn up, the group had not been sufficiently organised to lobby members of the language policy community. Neither had it made direct representations, prior to the parliamentary debate, to bodies such as the *Commission des affaires étrangères*, the body which recommended rejection of the clauses of the group's amendment which asserted that French was the

²⁴ For example, absolute size, socio-economic status, familiarity with both the policy process and the issue concerned.

²⁵ Resources may be either tangible, for example staffing and financing, or intangible resources, such as leadership and track record.

²⁶ For example publications, press releases.

language of education and the workplace. At a practical level, therefore, the campaign proved a valuable learning experience for ALF, and underscored the need to make representations to the relevant reporting Committees.

The group's involvement in the constitutional amendment debate provided it with some form of track record of success, and thus evidence of policy capacity²⁷, which it would be able to exploit in future campaigns. It also gave the association a greater sense of purpose, and provided it with the impetus for further political activity. Encouraged by their achievements, and spurred on to greater efforts by the fact that this success was only partial, members of ALF determined to continue their campaign. Once the urgency of the constitutional amendment campaign had passed, they were able to concentrate on formulating a full programme of action in pursuance of their ambitious and extensive objectives. The redefinition of the movement and the strategies which ensued are considered in more detail in the following chapter.

²⁷ This term is not explicitly defined by Pross, but he uses it to refer to the effectiveness of a group in achieving its political objectives through the exploitation of those characteristics which make it politically salient (1992:101).

CHAPTER 4. FROM BLUEPRINT TO BILL: INITIATION OF LEGISLATIVE REFORM

1. Redefinition of the movement

If the reference to the French language in the Constitution were to become more than a mere statement of principle, then further measures were required to underpin it, and popular support had to be generated. However, for all their evident commitment and apparent understanding of the linguistic situation and policy process, ALF as a body was not in a position to directly initiate policy, and as such it lacked the authority or "competence" to translate its plans into policy measures. Given the non-institutionalised status of the association, attainment of fundamental change would require not only persuasive tactics from the group, but also some form of legislative or other regulatory measures on the part of those empowered to introduce such initiatives.

From May 1992 onwards, ALF sought to build on its inherent qualities (its political saliency) in order to develop further resources which would aid its political activity (its policy capacity). In some respects, its second campaign was unusual in that it was targeted simultaneously at both government and French society at large. Whereas social movements are often classified as *either* narrow, in those instances where they are focused on bringing about specific policy change, *or* broad and diffuse, where they are aimed at bringing about more widespread changes in social behaviour (Wilson, 1994:27), ALF's campaign was extensive and ambitious, since it encompassed both narrow and broad-based objectives. However, the two facets of the campaign were closely inter-related and mutually reinforcing, and as such their relative effectiveness must be considered in the context of the overall changes which occurred both in terms of policy and the activity of the language policy community. This chapter examines the rapid expansion of the pro-reform movement, the way in which

ALF made a conscious effort to evolve, in terms of its composition, structures and strategy, in order to achieve its objectives, and the impact of this evolution on both the group and the wider public.

1.1 Expansion of the movement

Dominique Noguez had sought to restrict the membership of ALF to approximately thirty (believing that a small group of committed individuals would be able to achieve more than a mass movement). However, others amongst the founder members, including Albert Salon, Serge Vincent and Philippe Rossillon, were in favour of opening it out into an active "*mouvement de masse*" (Salon, 15.12.92). Upon the departure of Noguez to take up a post at the *Maison de France* in Tokyo, in the summer of 1992, the decision was therefore taken to expand the movement in order to attract more widespread support for further language planning measures, and bring about increased awareness of the problems facing the French language¹.

It should be noted that, whilst the movement was ostensibly apolitical (its founder members ranging from the Gaullist university professor Michel Guillou, to the former Communist minister, Jack Ralite), the executive decided that support from the far right *Front national* party (FN) would neither be sought nor encouraged. Doubtless the far right would have espoused ALF's cause, but the group claimed to be anxious to avoid accusations of purism or xenophobia, which might be associated with the campaign if it became linked to the FN. They feared that Jean-Marie Le Pen, the party leader, might appropriate the issue of language protection and transform it into a nationalistic issue, using the issue of the "purity" of the French language as a vehicle for anti-immigrant rhetoric. Alternatively, the FN might polarise the debate on anglophone hegemony, and

¹ Source: Interview with Thierry Priestley, ALF, 12 December 1992

attempt to revive the Anglo-American animosity which characterised the post-war period in France.

With this proviso, the group prepared to launch a public appeal for support. An *appel manifeste*, published in *Le Monde* on 11 July 1992, marked the beginning of the transition of the association from a narrow to a broad-base, and served to launch the pro-reform movement nationally. The manifesto has served as the vehicle for the expression of intellectual concerns in France since the publication of Zola's "*J'accuse*" in 1898, which marked the appearance of the intellectual as a campaigning force in French society (Charle, 1990). Whilst manifestos have abounded at times of national crisis (during the Spanish civil war, the Occupation of France, and the Algerian war, for example), they are increasingly being used in France to focus attention on less pressing, but nonetheless important issues which concern the whole nation (for example the issue of female representation in Parliament², and the spelling manifesto referred to in Chapter 2).

The objective of ALF's *appel* was to publicise the existence and objectives of the association, and to inform the government of the group's demands. This *appel* is reproduced in its entirety (Figure V) because it is of fundamental importance as a statement of ALF's ideology. Its significance is indicated by the reference to it in Article 2 of the association's Statutes³, which states that,

L'association a pour but la promotion de la langue française et de la coopération bilatérale et multilatérale privilégiée de la France avec les pays qui composent la communauté francophone. L'association mène ses activités dans l'esprit de son appel fondateur AVENIR DE LA LANGUE FRANCAISE.

² *Le manifeste des dix pour la parité*, (*L'Express*, 6 June 1996, pp. 32-33) was published by ten serving or former parliamentarians.

³ ALF's Statutes were published after the association's registration as a non profit-making organisation in December 1992.

Pages removed for copyright restrictions.

Action was called for to raise the profile of French both in France and internationally; for example, to reinforce its status in institutions where it enjoyed nominal but not actual parity with English, to develop French-language audiovisual productions in both France and internationally, and also ensure provision of French-language databases at international level. Specific measures were called for to protect the language inside France through constitutional recognition of French as the language of education, the workplace, and the francophone community, together with revision and improved implementation of the 1975 legislation. Finally, measures were called for to diversify second language teaching in order to reduce the monopoly of English.

In contrast to the *manifeste* issued by the spelling reform movement, ALF's *appel* was concerned with both qualitative and quantitative issues, and sought measures relating to the use of French both in France and in the wider francophone community. The group identified problems facing every aspect of the French language, and argued that these should be addressed at the macro-level, through the introduction of reforms in support of the status and corpus of the French language, and also in support of its acquisition. Equally, in contrast to many of the solidary groups with which many supporters of ALF had previously been involved, and whose writings had often been pessimistic and defeatist in tone⁴, ALF, in its refusal to accept the situation, adopted a more optimistic and proactive style. The association was conceived as a "resistance movement" (Albert Salon, speaking at the AGM of AFAL, 15 December 1992), and promoted itself as in favour of language protection "*non pas comme puriste maniaque et chicanier, mais comme amoureux de la clarté française, meilleur rempart contre le confusionnisme et certains abus de pouvoir*"⁵. The *appel* clearly indicated both ALF's commitment to action and its refusal to accept the

⁴ For example, Jean Dutourd in SOS Langue Française (1986).

⁵ Extract from ALF standard letter to media (Source: ALF internal documentation).

situation: *"Nous ne pouvons pas accepter ce travail d'autodestruction collective"* and throughout the *appel*, the tone was firm and resolved.

The first part of the *appel* presented ALF's perceptions of the problems facing French in 1992, and stressed the urgency for action. The overall value position of the language was portrayed as being undermined, and threats to all three types of values discussed in our introductory chapter were identified. Numerous examples were presented of the negative material consequences of what it describes as *"le tout-anglais"*, especially upon the welfare values associated with the language. ALF insisted that this would lead to *"une situation de dépendance économique, de déclassement social, d'infériorité culturelle, d'écrasement linguistique"*. Equally, the impact of *"le tout-anglais"* upon the status of the language internationally, and thus upon its power values, was stressed: *"Ils [those who insist upon the use of English rather than French] contribuent à faire douter de leur langue les Français et, par voie de conséquence à ébranler son crédit dans les autres pays"*. Furthermore, the *appel* highlighted the threat to the interpersonal values associated with the language as a result of the imposition of English by *"les décideurs (...) au sein de l' 'appareil d'Etat' "*, who thereby threatened *"le simple plaisir d'être soi"*, which derives from the use of a speaker's mother tongue. The group foresaw *"de longues et difficiles luttes pour reconquérir le droit de travailler et de vivre dans notre langue, de diffuser notre culture, d'être nous-mêmes, tels que l'histoire nous a faits"*.

Although the founder members of ALF claimed to have no expectations of restoring the former value position of the French language at international level (Salon, 15.12.92), they did seek its restitution inside France. This involved the recreation of an almost exclusively French environment within France, insofar as French would be the only language of the workplace, of education, and of social

life. Such a far-reaching objective might seem unrealistic, and as such, could have detracted from the appeal of the movement. Indeed, as Barry (1978) reminds us, support for collective action is often linked to its potential for success. He maintains that

whatever the reason why a person may attach himself to a cause, more enthusiasm for its pursuit is likely to be elicited if it looks as if it has a chance of succeeding than if it appears to be a forlorn hope. Nobody likes to feel that he is wasting his time, and that feeling may be induced by contributing to a campaign which never looks as if it has a chance.
(1978:30)

Given the scope of the problems facing the French language at international level, ALF's ambitious campaign to reconstitute the status and corpus of French might be viewed as such a "forlorn hope", and therefore likely to fail to attract support. There was no reason to suppose that this group would be able to offer more than its predecessors; indeed, upon its formation, the *Délégation Générale à la Langue Française* described it as "just another language group"⁶. In order to allay any fears that the movement might flounder, the *appel* was published with a list of over 300 signatures from individuals who shared ALF's concern over the decline in the value position of the language, and also the group's frustration at the lack of government action to help stem this decline. Thus, in launching the movement nationally, ALF attempted to promote itself as already enjoying considerable support. The number of signatures obtained even before its public launch reveals that interest was substantial, and also reduced the likelihood that the movement would be ridiculed by the press before it had had the opportunity to establish itself.

1.2 Mobilisation of the attentive public

It is noteworthy that the number of protagonists involved in the language debate increased considerably in the period immediately following the publication of

⁶ Source: personal interview with J. Bruchet, 10 September, 1992.

the first *appel*. Firstly, ALF appears to have acted as a catalyst to the mobilisation of *Défense de la Langue Française* (DLF), a French language association of long-standing. DLF had traditionally kept its distance from the policy process and remained interested in more strictly linguistic and cultural issues. During the period immediately following introduction of the constitutional amendment, this association began to adopt a more pro-active approach towards issues of language policy. In an open letter to members of the National Assembly, DLF's President, Jean Dutourd, expressed the association's support for the proposals made by ALF: "*Certains projets ont (...) été proposés à votre attention et à celle des autorités compétentes par d'autres associations. Nous soutenons ces projets*" (1993:3).

More significant, perhaps, in view of its later direct intervention in support of legislative reform, was the re-emergence of ANSULF (*Association nationale des scientifiques pour l'usage de la langue française*). This group, which was cited in the 1989 Renouvin report as having been one of the eight groups which had been most active in support of the French language (see p.90), had subsequently become dormant, having been forced to curtail its activities when government funding was withdrawn⁷. In February 1993, ANSULF took the decision to relaunch its activities, after four years of relative inactivity⁸, declaring clearly that it favoured a reinforcement of language policy and would act as a pressure group to help achieve this:

⁷ "*Comme pour beaucoup d'associations, les moyens financiers lui (l'ANSULF) ont fait défaut. (...). Brutalement privée de l'aide de l'Etat en 1989 lors de la restructuration des instances chargées de la langue française et de la francophonie, l'association n'a pu subvenir aux frais d'impression et de diffusion de son bulletin*", *Informations Ansulfiennes* no 0, p2 (a bulletin issued prior to the official relaunch of the group).

⁸ ANSULF stated in 1993 that it had been "*en quelque sorte en hibernation*" (*Informations Ansulfiennes*, no 0, p2.)

L'abandon de notre langue est pour l'avenir de notre identité néfaste à court terme, fatal à long terme. (...) C'est donc à une campagne nationale de sensibilisation que l'ANSULF doit se livrer. (...). C'est ce raisonnement qui a conduit le bureau de l'association le 12 février dernier, à vouloir faire de l'ANSULF un groupe de pression politique (...), un groupe de citoyens - en l'occurrence des scientifiques français - soucieux d'impliquer leurs élus dans un combat dont la nécessité ne leur paraît généralement pas évidente. (Informations Ansulfiennes, no.0, p.4).

The front page of the issue of *Informations Ansulfiennes* which announced the relaunch was devoted to an appeal to scientists to join the association and campaign for measures to enhance the status of French in the scientific domain. The style of ANSULF's appeal (copy in Appendix III) was very similar to that of ALF: it, too, was extremely critical of the French government, asking "*A qui la faute ? Au monde politique, certes, qui s'avère, par négligence ou cécité, incapable d'éradiquer le mal*". Like ALF, ANSULF had no qualms about addressing its criticisms directly to those concerned: a copy of the bulletin was sent in October 1993 to the *ministre de l'Enseignement supérieur et de la Recherche* and the *ministre de la Culture et de la Francophonie*, and copies of this and subsequent bulletins were also lodged with the *Haut Conseil de la Francophonie* and the *Délégation générale à la langue française*.

A similar, but closer link is discernible between the activities of ALF and ASSELAF (*Association pour la sauvegarde et l'expansion de la langue française*). In July 1992, ALF's *appel* was reproduced in ASSELAF's bulletin, and members were urged to join the movement. A subsequent issue (published in December, 1992) provided details of ALF's working parties and urged ASSELAF members to support these. In parallel, ASSELAF appeared to be adopting an increasingly militant stance. Indeed, Bernard Thibault, a member of both associations used identical language to that used in the *appel*: in an article entitled "*Avenir de la langue française: conserver et enrichir son patrimoine*", he appealed for members to respond if they were "*pour la diversité des cultures*

du monde et contre le rouleau compresseur de l'uniformité" (Lettre(s) December 1992:3). More radical still, in an article in the same publication entitled "*L'heure du bilan*", Philippe de Saint Robert, President of ASSELAF, even suggested that the *Académie Française* and other official language bodies should be disbanded if their continued existence contributed to the false impression that the problems facing the French language were being addressed:

Peut-être vaudrait-il mieux, en fin de compte, supprimer tous ces organismes, s'ils donnent aux Français l'illusion qu'on prend en main leurs problèmes, ou plutôt leurs soucis, sans autre effet qu'accompagner avec des flonflons le déclin qui les angoisse. (idem.)

Although it is difficult to ascertain the extent to which such change within the policy community may be attributed to the activities of ALF, the intensification of activity on the part of these two groups does appear to be linked to the actions led by ALF, which generated a "snowball effect". Certainly, a proliferation of activity is discernible throughout the whole of the language policy community during the period covered by the debate concerning the reform of the 1975 legislation, and it is evident from the writings of ANSULF and ASSELAF that ALF acted as a role model for these two groups, which had previously enjoyed a collaborative relationship with the French government, but had not actively campaigned for policy change.

1.3 The organisation of resources

Those expressing interest in the movement were invited to join specifically-created working parties, similar to that which had undertaken the drafting of the proposal for the constitutional amendment. This pro-active approach on the part of the executive produced a very positive response⁹, and enabled specialist sub-

⁹ It should, however, be noted that, although the numerical strength of the movement was significant as a demonstration of support for the demands set out in the *appel*, only a small proportion of the two thousand individuals who pledged their support to the movement were actively engaged in issues of group policy and/or strategy implementation. Under Article VII.1 of

groups to be constituted according to the expertise and particular interests of members. Eight working parties, some broad and others narrow in their focus, were established. These were given the task of examining areas where problems had been identified, and formulating proposals for action in respect of the following issues:

- 1) The diversification of the study of foreign languages in French education
- 2) The use of French in scientific publications, seminars, colloquia, and conferences held in France
- 3) The quality of French used in the media (press, television and cinema)
- 4) The use of French in the workplace and in administration
- 5) Linguistic legislation (a working party on legislative measures to ensure respect for the use of French within European institutions, and within France, including measures to reinforce the *Loi Bas-Lauriol*)
- 6) Official recognition of the francophone community in the French Constitution
- 7) Synergy between like-minded language groups in France and overseas (in order to avoid duplication and thus waste of effort, and to ensure commonality of purpose)
- 8) Increasing public awareness of linguistic problems, assessment of the problems facing the language, and production of appropriately focused arguments "*sensibilisation de l'opinion publique, mesure des enjeux et production d'arguments ciblés*".

In due course, all of the working parties presented proposals for reform or for action, and further working parties were created. However, two of them are of

the group's statutes, all those who had paid the annual subscription of 100 FF were entitled to full membership of the movement, and thereby to full voting rights at the *Assemblée Générale* of the association, at which the *Conseil d'administration* is elected. Over 130 members attended the first annual general meeting (22.9.92), and over 100 the second (15.12.93).

particular interest at this stage, namely the group working on linguistic legislation, and the one working to increase public awareness. Each of these working parties contributed significantly, although in different ways, to the campaign for legislative reform, which took place throughout the summer of 1992.

The reform of the 1975 legislation constituted the major axis of this, ALF's second campaign. The group adopted a two-fold strategy, comprising a general awareness-raising campaign, directed in particular at the commercial sector and parliamentarians, and, secondly, preparation for the submission of a draft reform Bill to Parliament. The nature and impact of the particular initiatives undertaken are considered in more detail in the following sections.

2. The awareness-raising campaign

2.1 Refinement of arguments

The *appel* represented the first stage of ALF's awareness-raising campaign, and provided the basis of arguments subsequently refined by the group. The arguments which it used were broadly-based, because it was aimed at a general audience, rather than at specific sectors, and because it represented an attempt to circumscribe the totality of the problems facing the language. In the second phase of its campaign, it fell to the awareness-raising working party¹⁰ to produce two sets of arguments, entitled *les enjeux économiques* and *les enjeux sociaux*. The objective was to ensure that common themes underpinned ALF's discourse, so maintaining the consistency and coherence of the group's overall message both inside and outside the political arena. It was intended that the arguments elaborated could subsequently be adapted for use in discussions with members of the subgovernment, in articles published in the contemporary or specialised

¹⁰ This particular working party was generally referred to as the "transversal" group because its role was a co-ordinating one.

press, or in documentation distributed to specific sectors, and that they would serve to refute arguments against reform, and force opponents to question their opposition¹¹.

Examination of the type of issues at stake provides a useful insight into the ideology of the group, and also into the conception which members had of the French language and its rightful position both in France and internationally. It must, however, be emphasised that there is no suggestion that the arguments elaborated by ALF were novel. Indeed, for the most part they echoed policy statements made previously, elsewhere in the language policy community. For example, ALF's attempts to refute the view that the use of English is more cost-effective than French in certain cases closely follow arguments advanced earlier by barrister Philippe Ginestié, and the President of the association *Actions pour promouvoir le français langue d'affaires*", Jean-Marcel Laugnie¹². What does differentiate ALF in its use of these arguments is that, whereas prior to the 1990s they had been advanced separately in support of particular aspects of language policy, ALF drew together a broad range of arguments which would affect all sectors and all aspects of linguistic behaviour.

In the first set of arguments (the *enjeux économiques*), ALF focused essentially upon issues relating to the welfare values associated with the French language, and particularly to the threat, identified in the *appel-fondateur* of "*une situation de dépendance économique, de déclassement social, d'infériorité culturelle, d'écrasement linguistique*". The group sought to refute the widely expressed commercial arguments that the use of the English language in the economic domain is possible without detrimental effects on the status of French, and that it

¹¹ "Il faut fabriquer des arguments ciblés pour répondre aux arguments que l'on entend dans le domaine professionnel. Il faut forger une analyse, un discours pour que l'on s'interroge" (Albert Salon, Vice President of ALF, speaking at the *Assemblée Générale* in December 1992.

¹² *Brèves* (1991) no.2 pp I-IV DGLF: Paris.

is a *fait accompli*. Insofar as economic exchange at international level was concerned, ALF maintained that where commercial negotiations were conducted in languages other than French, there was a risk that terms and conditions might be drafted to the detriment of the French party, who might lack an understanding of the linguistic subtleties of the contract, and might suffer direct material loss as a consequence. In addition, the group claimed that the use in France of languages other than French frequently incurred additional, indirect production costs for French commerce (for example, increased translation facilities and/or training costs), which in turn ultimately affected the competitiveness of French products, and could act as a deterrent to foreign investors.

It was also argued that any increase in demand for English in the workplace would increase its already dominant position as the first foreign language in French schools, at the expense of other European languages, notably German and Spanish. This, insisted ALF, could have deleterious consequences not only for trade with speakers of these languages in Europe¹³, but also on trade with the USA, where the use of Spanish is growing, thereby increasing the necessity for French exporters to have linguistic expertise in Spanish¹⁴.

The second set of arguments (the *enjeux sociaux*), focused primarily upon ALF's perception of the threats to social cohesion, and thus to the interpersonal values associated with the language, resulting from the widespread adoption of English as the language of commercial and cultural exchange, not only internationally, but also increasingly in France. ALF maintained that these dominant foreign influences served to confuse the youth of France - and particularly immigrant

¹³ Exports to Germany represented a significant proportion (21%) of the total of French commercial exports in 1992 (Lalanne-Berdouticq, 1994).

¹⁴ Not surprisingly, no mention was made of any advantage which increases in the numbers of students learning English would confer in increasing future opportunities for trade in English with the USA.

youth - about both their personal and group identity, thereby further alienating them from the rest of the population. Moreover, Thierry Priestley argued, on behalf of the group, that the materialism of the Anglo-American model, by encouraging self-interest, represented a threat to what ALF perceived to be the more noble values of the French Republic¹⁵. In short, it was argued that this trend was leading to a situation of linguistic and cultural standardisation which was based upon an imported, namely Anglo-American, model, and that this was undermining both the French language and the values which it conveyed:

Dans tous les cas, ces stratégies favorisent la dévalorisation du français dans toutes les couches de la société, et le développement de la standardisation linguistique et culturelle sur un modèle importé. (Les Echos, September-October 1994:114).

Although separate documents were produced to highlight economic and socio-cultural issues, linguistic maintenance was represented as a means of supporting both the economic and socio-cultural future of the country, and since the two types of arguments used were highly inter-related, their effect was mutually reinforcing. For example, arguments in favour of using the French language as a means of maintaining cultural specificity were used both in respect of social integration, and in relation to French economic interests, the future of French commerce in such areas as luxury goods and the tourist industry being portrayed as dependent upon the maintenance of French cultural specificity.

2.2 Elaboration of target-specific documentation

Having formulated these fundamental arguments, which were to form the basis of all literature distributed by the group, regardless of the intended audience, it was then possible for individuals with specialised knowledge to draft dossiers

¹⁵ "Il propage l'idée dangereuse d'une intégration sociale illusoire par la consommation et l'argent (...) et favorise le repli sur soi" (Les Echos, September-October 1994:114). Indeed, Priestley asked, "Doit-on s'étonner également que notre modèle républicain ne fonctionne plus" (*ibid* p 119).

targetted at specific sectors where problems had been identified (for example the media, the press, the cinema industry, television, trade unions). Such dossiers not only expounded the problems and risks associated with the decline of the French language, and proposed a meeting with a representative from ALF, but also included examples of particular relevance to the sector in question. One such dossier, for example, designed to heighten awareness of language in the workplace, was addressed to trade unionists, and included details of injuries which had occurred in the workplace as a result of employees being addressed in languages other than French¹⁶.

In addition to the dossiers distributed, members of the working party also drew up a series of standard letters of criticism and suggestion, to be sent to perpetrators of "abuses" of the French language (see Appendix IV). The existence of an "*à la carte*" letter, which contained appropriate arguments for any situation in a given domain, but which could be rapidly individualised, meant that when so-called abuses were discovered, a letter could be swiftly dispatched to the alleged offender¹⁷. For example, when ALF was informed that *Electricité de France* was co-organising a Dutch conference to be held in Paris, a letter was sent to the President of the company three months prior to the conference date in May 1993. In this, the group urged the organisers to ensure that all documentation be available in French, that participants from the thirty French companies represented should be allowed to present their papers in French, and that simultaneous translation facilities should be provided by the conference organisers; copies of this letter were sent to the Ministry of Industry and Foreign Trade and also to the Secretary of State for Francophone Affairs.

¹⁶ A particularly striking and tragic example was cited of an accident which had occurred at Forsach, in which employees suffered from radiation poisoning because there were no notices in French, and they were unable to understand the English warnings in the instructions and notices which were posted.

¹⁷ Source: ALF internal documentation relating to working party.

The group was successful insofar as the documentation for the conference was produced in French; however, no translation/interpreting facilities were provided¹⁸.

Similarly, prior to the legislative elections in March 1993, ALF distributed a questionnaire to individual parliamentary candidates and the same questions were sent to their political parties, in order to elicit a commitment from the party or individuals concerned (copies in Appendix V). Prospective members of ALF who requested information at the time of the electoral campaign not only received a dossier about the association, but also a copy of these questionnaires, together with a suggestion that they might like to discuss the issues raised with the candidate in their constituency and with the local mayor. Although no written responses were received to the letters which ALF sent out to commercial sectors, the political candidates were somewhat more responsive (perhaps not surprising in a pre-electoral period), and some replies were received from representatives of the Communist party.

This active campaign of dossier preparation and letter-writing directed at influential individuals in industry and at politicians of all political persuasions was supplemented by a campaign, co-ordinated by the transversal group, to bring about a more widespread awareness amongst the general public of the problems facing the French language. This involved the drafting, publication and publicising of literature destined for a wider French-speaking audience than the dossiers and letters.

¹⁸ ALF also claimed to have intervened successfully to bring about the withdrawal of public funding for a conference on marine algae, held in Brest in 1992, which excluded the use of French (Salon, AFAL, 15.12.92).

Evaluation of this broadly-based awareness campaign, and indeed of the impact of the changes to the structure of the group can only be undertaken after consideration of the initiatives more specifically directed at legislative reform, and the action taken by the subgovernment of the language policy community in response to these. The following section considers the output of the legislative reform working party, which operated in parallel with that working to increase public awareness.

3. The legislative reform campaign

The content of the *loi relative à l'emploi de la langue française* (the *loi Bas-Lauriol* which the group sought to reform), was outlined in Chapter 2, and a copy of the full text is attached as Appendix VI. More detailed discussion of this legislation is undertaken in Chapter 5, in the context of analysis of Jacques Toubon's proposal.

3.1 The background

In contrast to the Constitutional amendment campaign, which was conceived hastily as an expedient measure taken at an opportune moment, ALF's involvement in the legislative reform spanned a period of over two years, and the action taken in respect of this measure constituted a carefully-orchestrated campaign, the fruit of considerable reflexion on the part of those concerned. Careful preparation was imperative because, as noted in our introductory chapter, a number of unsuccessful attempts had been made in the past to initiate action to reform this legislation. However, in 1992, as Chapter 4 reveals, situational factors appeared to favour the relaunch of the campaign, for cultural as well as consumer protection reasons. Indeed, in the *exposé des motifs* of the draft Bill which ALF later prepared, the group claimed that the problem had become "*culturel en même temps qu'il demeure commercial*".

From July until October 1992, ALF called upon the legal expertise amongst its membership (in particular the lawyer and former member of the Council of State, J-J Meric, who had drafted the proposal for the constitutional amendment) to draft a completely revised version of the 1975 law. The proposals for reform were substantial; indeed, the full text of the document submitted to Toubon (Appendix VII) comprised nine pages of detailed proposals. The following summary of the key elements from each article provides an indication of the main themes of the proposals.

The first article of the Bill contains a declaration of principle; articles 2-6 deal with the use of French in situations to which the State is in some way party; articles 7-12 cover the use of French in public situations which do not directly concern the State; articles 13-17 relate to sanctions and prosecutions; and article 17 concerns the repeal of the 1975 legislation. The principle that, in accordance with previous terminological decrees, foreign terms should not be used where a French equivalent exists, is reiterated throughout ALF's Bill. Given the constraints of space, statements to this effect have been omitted in the table that follows. This principle was, however, included in the law, although it was later suppressed by the Constitutional Council¹⁹.

Given ALF's failure to bring about the incorporation of a reference to the francophone community during the constitutional amendment debate, it might have been expected that the group would attempt to introduce such a reference in the text of its draft Bill. However, the group's executive believed that since the

¹⁹ For details of the decision, see Chapter 8.

Figure VI. Summary of the Bill presented by ALF

Article	Key points
1	Affirms that the French language is a fundamental element of French identity and patrimony.
2.1	Requires the use of French for all dealings between public authorities and citizens. Authorises public authorities to require a translation of any documentation. Obliges civil servants to express themselves in French in public (including those working abroad, unless they use the host country's language).
2.2	Designates French as the language of administration in France. Requires all customs documentation relating to imported goods to be translated into French.
2.3	Designates French as the language of education, of examinations and qualifying tests, but excludes regional languages from this provision.
3	Requires the use of French for all inscriptions borne by goods belonging to a public body, company or State concession, on used on public transport, and audiovisual announcements made in public places. Requires that if translations are used, they must be into a minimum of three languages, and the French text must come first and be at least as full, and legible as the foreign text.
4.1	Requires the use of French as the working language in meetings, congresses and colloquia taking place in France and benefiting from State funding, and for the provision of simultaneous or consecutive interpreting into French if participants use other languages. Requires documentation distributed prior to the event to be in French and texts of speeches to include a full version in French.
4.2	Requires written agreements to respect provisions of law prior to the granting of funding, and provides for withdrawal of funding in case of contravention.
5	Specifies that audiovisual productions may only benefit from State funding if the original version is made in French.
6.1	Requires all contracts between public individuals or corporations or companies holding a State concession to be drawn up in French. If concluded with foreign co-contractors, the French version must have equal authority. Contravention may result in contract being declared null and void.
6.2	Provides for the exclusion of offenders from future contracts with public authorities.

Article	Key points
7.1	Requires the use of French for the designation, offer, sale, presentation, publicity (spoken written or audiovisual), instructions for use, conditions of guarantee of goods or services, inscriptions borne by goods, produce, merchandise, order forms, delivery forms, till receipts and other financial documentation.
7.2	Requires terms (generic and descriptive) necessary to identify products, services and establishments to be in French when they appear in brandnames, signs and corporate names, in commercial or financial documentation, and in all publicity material relating thereto. Requires compliance within five years where existing situations contravene the law.
7.3	Applies provisions of the law to certificates of quality.
7.4	Requires that translations, if used, must be into a minimum of three languages. In all cases, the French text must come first and be at least as full and legible as the foreign text.
7.5	Applies provisions of the law to news bulletins, announcements, presentations and commentary, on radio, TV and in the press, unless directed at an audience using or learning languages other than French.
8	Requires use of French for registered names of private companies (unless the tradename is covered by international legislation), both general and limited liability partnership, commercial interest groups, and associations (unless the head office is overseas or a majority of the members are foreign nationals).
9	Requires all civil and commercial contracts made by private agreement to provide as many French language versions as there are French co-contractors, and sufficient French-language versions of the contract to satisfy French legal requirements.
10	Designates French as the working language of all companies operating within France.
11	Amends the <i>Code du Travail</i> to require all contracts of employment to be drawn up in French, and also be in the language of the employee in the case of foreign employees. Specifies that if a post cannot be designated in French, the foreign term must be accompanied by explanation in French.
12	Amends the <i>Code du Travail</i> to require all contracts of employment to designate posts in French and to specify foreign language requirements.
13	Specifies penalties as maximum fine of 5% of a company's turnover in France or 50% of the campaign costs in the case of advertisements contravening the legislation.

Article	Key points
14	Specifies those authorised to prosecute under the provisions of the 1905 legislation.
15	Specifies those who may petition the above to order an offender to suppress foreign terms.
16	Responsibility for damage resulting from use of a product where the provisions of the law were not respected to fall upon the product distributor.
17	Assigns responsibility for monitoring application of the law to Ministries. An annual report on the application of the law to be drawn up by the DGLF on the basis of information submitted by Ministers.
18	Repeals the 1975 legislation.

proposal had been rejected during the debate on the constitutional amendment on the grounds that this was a debate on Europe, it would encounter similar objections in the context of a debate on the use of French within France²⁰.

3.2 Analysis of ALF's proposals

A number of guiding principles can be seen to underpin ALF's *proposition de loi*. The key elements are outlined below, to facilitate examination of whether the government Bills which were subsequently drawn up respected or diverged from these principles, and whether the latter were adhered to in the final form of the legislation.

Firstly, ALF's text attempted to broaden the scope of the legislative measures on language, and expand the remit of the legislation to encompass not only consumer protection but also wider issues of French identity (Article 1). It also extended the provisions in respect of education, the audiovisual sector, employment, and events benefiting from State funding. In so doing, it attempted to emphasise the role of the State as the guardian of the French language. The Bill sought, for example, to impose the use of French on all State employees, whether operating in France or abroad, as the language of the workplace in all companies within France, as the language of education in both State and private schools. In widening the scope of the legislation, ALF's Bill also sought to give the force of law to a number of non-binding government recommendations issued between 1975 and 1992, for example the ministerial Circular recommending that French be used in all public sector teaching and research²¹. It also sought to institutionalise a number of case law decisions, such as that of the Court of Appeal in October 1986 against the fast-food chain France-Quick,

²⁰ Source: Personal interview with T. Priestley, 13 November, 1993.

²¹ *Circulaire du 30 décembre 1976 sur l'emploi de la langue française dans le service public d'enseignement et de recherche* (Bulletin officiel du ministère de l'éducation du 20 janvier 1977).

which acknowledged that the objectives of the 1975 legislation extend beyond consumer protection. This ruling held that the law had "*un caractère général qui tend à sauvegarder la langue française*", thereby fulfilling wider functions of protecting French cultural specificity within France²². The trend towards broadening the scope of the legislation was further demonstrated by ALF's attempt to empower more private language associations (in addition to official language institutions and consumer protection organisations) to initiate proceedings against offenders.

Secondly, ALF's Bill insisted upon preferential treatment for French, and aimed to enhance the status of French within France by ensuring its parity with English in cases where English was selected for whatever reason. In order to ensure such parity, and to redress the balance of what the group frequently refers to as "*le tout anglais*", ALF's Bill stressed the need for plurilingualism within France. It proposed the provision of full texts in French, rather than merely summaries, in cases where a foreign language was used and translations were required (Article 3), and demanded simultaneous or consecutive interpreting into French for events funded by the State (Article 4), rather than written translations of documentation, which had in the past often followed many months after the event. It also called for Customs officials to be empowered to require French translations for documentation concerning imported goods (Article 2). Further, and doubtless in order to counter accusations of protectionism, it proposed that where original documentation was in French, but where there was a legal requirement for translations to be provided, such translations should not be restricted to one or two other languages (which in practice would mean English

²² *Bulletin de l'AGULF*, novembre/décembre 1986, cited in Slone, 1992:124. The full judgement of the *Cour de Cassation* is included in Slone's article.

and one other), but should be required in a minimum of three languages (Article 3)²³.

It should be noted that calls for plurilingualism long predated the formation of the group. As noted earlier, the promotion of linguistic diversity had formed one of the guiding principles of the francophone community since its inception. However, the emphasis had previously been placed on the role of French internationally, or in Europe. Speaking in 1990, Alain Decaux, then Secretary of State for Francophone Affairs and Overseas Cultural Relations, declared:

Ma conviction est fermement établie : l'avenir de la francophonie dans le monde passe par un plurilinguisme organisé. (...) Le français ne gardera, en effet, sa place sur notre continent que si les autres langues la conservent aussi. (...) Si l'Europe ne veut pas perdre son âme, appauvrir sa culture, oublier son histoire (...) elle doit apprendre à gérer son plurilinguisme et ne pas prêter l'oreille aux sirènes du "tout anglais" ²⁴.

Similarly, parliamentarians, such as Marc Lauriol in the 1980s²⁵, and more recently members of the attentive public, such as the linguist Claude Hagège (1992, 1993) had called for plurilingualism at European level. Perhaps somewhat paradoxically, ALF argued for plurilingualism at national level as a means of protecting the status of French within France itself.

Finally, ALF's Bill attempted to reinforce the coercive nature of the 1975 legislation, by proposing more punitive sanctions, "*sanctions contraventionnelles*" to be replaced by "*peines délictuelles*". In other words, what was previously considered to be a minor offence would be subject to

²³ It is perhaps significant to note that such plurilingualism does not appear to extend to constitutional recognition of the regional languages of France, and that ALF's omission of any reference to regional languages in this document, as well as in the earlier constitutional amendment text, provided fuel for regional critics.

²⁴ Ministerial speech delivered at the conference on *Plurilinguisme et Francophonie*, held at the *Académie de Versailles*, on 24.9.90.

²⁵ See *Journal Officiel* report of *Assemblée Nationale* debate of 10 December 1980 (p.4810).

criminal proceedings²⁶. In addition, the group specified the sanctions to be applied in case of contravention of the legislation, and these were tailored to fit the type of contravention in question, in an attempt to make the punishment fit the crime. For example, if a conference benefiting from State funding obliged participants to work in a language other than French, funding would be withdrawn, and similarly if an advertiser chose to ignore the legislation, the penalty would be 50% of the cost of the campaign and widespread publication of details of the offence and penalty, all costs to be borne by the offender. ALF also sought (Article 17) the inclusion of a requirement for an annual report on the application of the legislation to be submitted by the DGLF to the President of the Republic, both to guarantee the regular evaluation of the legislation and the monitoring of its application, and also to ensure that the government was regularly reminded of its responsibilities in respect of the language.

This draft Bill represented a serious attempt both to remedy the shortcomings of the previous legislation, and to extend its application to a wider variety of spheres of linguistic activity. Although it was not presented to Catherine Tasca, *ministre délégué à la francophonie*, until November 1992, a campaign was conducted outside Parliament to prepare the way for its reception.

4. From political saliency to policy capacity

As an informal association of individuals, ALF had successfully intervened to bring about the introduction of a constitutional reference to the French language. Nonetheless, the founder members recognised that it would be difficult for a small group (whatever its commitment to the cause concerned) to campaign in isolation for policy change and for wider social change. Moreover, achievement

²⁶ *Sanctions contraventionnelles* are punishable by a *tribunal de police*, whereas *peines délictuelles* are considered more serious and are punishable by a *tribunal correctionnel*. Whilst there is no exact equivalent in English law, the two correspond most closely to the former distinction in English law (now abolished) between a misdemeanour and a felony.

of the wide-ranging objectives which ALF had set itself required more widespread support, and consequently the group needed to attract as wide a membership as possible.

The campaigns discussed in the foregoing sections proved fruitful. When a second *appel* was published in *Le Monde* on 1 December 1992, it listed 800 further signatures, and in fact there was substantially more support for the movement. A further 816 signatures had been received by this date, but were not published because this would have added substantially to the cost of the advertisement. The December appeal reiterated the demands made in July, and renewed calls for signatures in support of the propositions it contained. One year after the group's launch, over 2,000 individuals had pledged their support, both moral and financial, to the movement. Support was forthcoming not only from Europe, where signatures came from France, Belgium, Switzerland, Luxembourg, Portugal, England, Finland and Greece, but also from Africa (Tunisia, Senegal), Canada, the United States, Australia and Japan. Whereas ALF's *Conseil d'administration* was predominantly technocratic in its composition, many of those responding to the two appeals were drawn from the ranks of those traditionally associated with an interest in linguistic issues, namely teachers, writers, philosophers and historians.

In December 1992, in an address to AFAL²⁷, Albert Salon claimed the following successes for ALF: to have brought the issue of language back onto the parliamentary agenda; obtained strong parliamentary support for the aims of the association; intervened to bring about the withdrawal of public funding for a number of conferences which excluded use of the French language; taken

²⁷ As part of the publicity campaign, Albert Salon made a passionate appeal for support for ALF. Access to AFAL was facilitated by the fact that the President of the federation was Xavier Deniau, one of the parliamentarians who had tabled the constitutional amendment on behalf of ALF.

advantage of the constitutional revision to introduce a reference to French into Article 2 of the Constitution; and formulated and submitted to Parliament proposals for revision of the 1975 linguistic legislation (Salon, 15.12.92).

The period from July to November 1992 was thus one of intense and fruitful activity on the part of ALF. That so much was achieved in so short a time may be attributed in large measure to the industriousness of the group's executive, their commitment to the cause, and generosity with their own time and money. The insertion of the first *appel* in *Le Monde* alone cost over 72,000 francs, and this was published prior to the receipt of a significant number of subscriptions or donations²⁸. In the interim phase, however, the executive of ALF provided the finance to allow the campaign to proceed. Indeed, Philippe de Saint-Robert contrasted what he considered a lack of commitment on the part of the government with the personal sacrifice made by members of ALF, referring to "*les (...) signataires spontanés de l'appel du collectif pour l'Avenir de la langue française, dont ils ont dû payer deux fois de leur poche l'insertion dans Le Monde*" (*Lettre(s)*, No.5, 1992:2). It was this commitment which provided the momentum to sustain the movement through the legislative campaign, and until the Bill prepared by Toubon was presented to Parliament. This dedication to the cause is all the more remarkable because the group was entirely dependent upon voluntary efforts; the majority of members of the executive held responsible positions (for example as civil servants and teachers), and yet still found time to campaign actively on behalf of the movement.

The achievements of the first six months must also be seen as the result of the executive's ability to manage and develop the existing political saliency base of

²⁸ Since the annual membership of the movement was set at only 100FF, ALF was forced to rely upon the generosity of its members and signatories to the appeal to supplement the subscription receipts in order to pursue its campaign.

the group. It has been seen (Chapter 3) that, at its inception, ALF was politically salient in terms of its membership, and that its inner sanctum had considerable knowledge of the policy process, even if they were not themselves producing policy. Furthermore, the professional, and largely elitist composition of the original group and those who pledged support prior to the public launch was one of its principal assets in terms of recruitment. Names such as Etiemble, Alain Finkielkraut and Jean Dutourd provided instant legitimacy for the movement, enabling it to attract further patronage from other individuals who were well placed to further its objectives. These latter included company directors, journalists, translators, schoolteachers, university lecturers, civil servants, engineers, cinema producers, ambassadors. Given their highly varied professional profiles, such individuals combined to provide a wealth of talent which could be channelled into the policy process. The majority of those attracted to the movement were used to expressing themselves coherently in both the spoken and written media. A number were already established writers in their fields, and many undertook to write articles for newspapers and journals in order to promote the French language and the particular measures for which the group was working. Many offered to distribute material on behalf of the group and to promote its objectives in their own particular domains. Through this type of networking, ALF was able to publicise its objectives and activities without incurring heavy distribution costs.

Although in March 1992 ALF had no track record, three months later, when the group appealed for public support, it was able to claim to have successfully contributed to the constitutional amendment debate. Indeed, explicit reference was made in the *appel* to ALF's successful intervention in the policy process ("*des amendements parlementaires, que certains d'entre nous ont inspirés*"), thereby suggesting that the further series of demands would have a similar

chance of being met. The earlier campaign thus helped establish the credibility of the association, and demonstrate that it was competent to be considered a valid interlocutor in the later debates concerning both language and national identity.

The success of the movement at this early stage also owes much to its multi-faceted approach to campaigning, which constituted a judicious combination of the traditional intellectual manifesto and techniques derived from members' own professional expertise in organisational management. The division of labour into specialist working parties, for example, owed much to the influence of one of its founder members and chief activists, Thierry Priestley, himself a *chargé de Mission* with the *Ministère du Plan*, where the most common form of planning model is the "single purpose force or *mission*" (Machin, 1989:138). This style of management represented an attempt on the part of ALF's executive²⁹ to organise its support in such a way as to encompass all of its objectives, and make best use of the expertise and particular interests of its members.

During the six months following the constitutional amendment campaign, ALF attempted to capitalise on its earlier success and to seize new political opportunities. Members drafted articles for the national press, submitting them for publication to coincide with specific events relating to the group's campaign in order to ensure that they produced the maximum impact possible³⁰. In this way, ALF succeeded in expanding its existing political saliency, and translating this into policy capacity. However, Pross (1992:105) maintains that there is a strong link between the development of policy capacity and group

²⁹ The *Conseil d'administration*, comprising a minimum of nine and a maximum of thirty members, acted as the significant decision-maker.

³⁰ For example, "*La francophonie en péril*", written by Dominique Gallet, then Secretary General of ALF, appeared in *Le Figaro* on 8th September 1992, just two weeks before the referendum on the Treaty of Maastricht, thus establishing the linguistic issue firmly within the context of the European debate.

institutionalisation into the policy process. He suggests that a group may be considered to be fully institutionalised if it has developed each of the following organisational capacities: aggregative and articulative capacity, or in other words that it has established internal agreement and can effectively communicate the wishes of its members to others; strategic capacity; mobilisation capacity; and finally coalitional capacity, or the ability to interact and collaborate with other related bodies.

Analysis of ALF's campaigns reveals that it established commonality of purpose, voiced its concerns widely, and devoted considerable personal resources to researching and formulating its strategy. Furthermore, it had succeeded in mobilising a significant number of fellow intellectuals, and exploiting their contacts to publicise its cause. Although it would appear that ALF fulfilled all of Pross's criteria for institutionalisation, it is noteworthy that, in the initial stages of the campaign at least, the group attempted to avoid being seen as forming an integral part of the existing subgovernment of the language policy community³¹.

Given the plethora of French-language groups already in existence in 1992, it is perhaps surprising that the founder members chose to create yet another body to act as the vehicle for their demands for further language planning initiatives. Many of the existing groups already had a high level of acceptability within the subgovernment, by virtue of the fact that they were engaged in activities which were supportive of shared national values. In many cases these groups had existing links into the subgovernment via their often prestigious leadership. *Académiciens* Jean Dutourd and Maurice Schumann, for example, respectively

³¹ Nonetheless, it will be seen in later chapters that once support had been generated and the legislative campaign was underway, ALF gradually became more closely integrated into the policy process.

presided the groups *Défense de la Langue Française* and *La Renaissance Française*, and, as already seen, Xavier Deniau either presided over, or was closely concerned with, numerous language associations. Certainly, this institutionalised status presented obvious advantages in terms of improved access to the centres of decision-making; such access may enhance the policy capacity of a group, and thus the likelihood of its demands being satisfied. ALF could have exploited both this legitimacy and the phenomenon of "overlapping membership", and used the structures of one of the pre-existing potential pressure groups to present its demands. However, despite the fact that a number of these groups offered well-established organisational structures, a solid membership base, and ready-made channels of communication to the subgovernment, the individuals concerned chose to create a totally new association.

Several highly inter-related factors combine to explain why existing structures within the language policy community did not appear to provide an effective forum from which to press for change. The first relates to the lack of dynamism characteristic of many existing institutionalised French language groups. As Chapter 2 has shown, the language groups operating within the subgovernment tended to be reactive rather than innovatory, and such a reputation might have been considered an impediment to a group wishing to adopt a "revolutionary" attitude. Moreover, in exchange for their support, a number of language groups, both promotional and sectoral, were in receipt of some, albeit limited, funding from the *Délégation Générale à la Langue Française* to help finance their activities³², and were therefore to some extent answerable to the government for the way in which their funding was used. Although ALF enjoyed political saliency and sought to acquire further policy capacity, it was not in the best

³² In 1992, 3.9 million francs were allocated to funding associations devoted to the protection of French. (Avis No.57 *Sénat* 24.11.92)

interests of the group, in the initial stages of the movement, to appear institutionalised. By creating a new, and apparently independent association as the forum for the presentation of its demands, ALF was able to demonstrate its determination to adopt a more interventionist stance than previous groups, and provide the structure and means whereby members of the attentive public could become more pro-active.

However, one of the major shortcomings of the campaigns led by ALF during 1992 was that it failed to bring about sufficiently widespread mobilisation of public opinion. Direct publicity about the movement was effectively limited to the intelligentsia which constituted the majority of the membership of the French language groups addressed by members of ALF, and the readership of *Le Monde*, the publication chosen as the vehicle for publicising the launch of the movement and also the follow-up appeal. Thus, whilst ALF maintained that it intended to create a mass movement, there was little real attempt to involve any strata of society outside the professional classes, or indeed outside Paris, a failure which, it will be argued, was to prove determining in the final outcome of the legislative reform.

The next chapter attempts to determine the true extent of ALF's policy capacity. It examines government reactions to the pro-reform movement, and charts the fate of the proposals contained in the Bill drafted by ALF and presented to Catherine Tasca.

CHAPTER 5. GOVERNMENT RESPONSES

1. The response of the Socialist government

1.1 The initial response

Although increased levels of activity could be discerned amongst the attentive public in response to ALF's *appel*, the subgovernment of the language policy community proved less responsive than the group might initially have hoped. Catherine Tasca had not championed the cause of the constitutional amendment in 1992, nor had she participated in the first reading of the reform Bill, which took place only one month after her appointment¹. This was all the more surprising because this Bill represented the first major linguistic issue to reach the French Parliament for a number of years. The debate would have provided Tasca with an opportunity to reassert the francophone dimension which had dominated language planning throughout the 1980s, and which the Secretary of State had described as "*le souci permanent, l'axe de l'ensemble de notre politique de coopération culturelle*"².

However, in July, just four days after the publication of ALF's *appel*, Tasca gave an interview to *Le Monde*, in which she somewhat defensively claimed to be "*pas hostile à toute initiative législative*", and indeed that her "*dossier prioritaire*" was to be the enlargement of the 1975 legislation (*Le Monde*, 15.7.92:5). ALF's appeal had clearly been noted, and had elicited a response, although it could be argued that such a declaration of commitment to linguistic reform by the government had more covert objectives. In June 1992, François Mitterrand had announced that the French people would be consulted in a referendum on the subject of the Treaty of Maastricht, and the government

¹ Alain Decaux was Secretary of State for Francophone Affairs and Overseas Cultural Relations until April 1992.

² Response to a question in the National Assembly by Mr Bruno Bourg-Broc (JO NA 26.6.92).

subsequently undertook a campaign in support of its ratification. Indeed, as indicated earlier, arguments in support of defensive measures to protect the national language had for some time been used to fuel the anti-Maastricht campaign. Even at the fourth francophone summit in 1991, President Soglo of Benin had expressed anxiety about the impact of closer European union upon the francophone community, asking

Au-delà de 1993, quand chacun des pays européens sera devenu une province de l'Europe, que restera-t-il du français, cette belle langue qui nous rassemble ? (cited by Goguel in *Le Figaro*, 8.9.92:2)

In France, as the Maastricht referendum approached, it was increasingly argued that decline of the French language and of French national sovereignty were intrinsically linked, and television producer and member of ALF, Dominique Gallet wrote of the *"profonde inquiétude des francophones devant les perspectives de disparition de la France en tant que nation souveraine"* (*Le Figaro*, 8.9.92:2).

It is possible that, by responding immediately to the *appel* and promising a comprehensive reform of the 1975 linguistic legislation, Tasca hoped to assuage those voicing their anti-Maastricht sentiments, and defer further discussion until after the referendum on 20 September³. Whatever her intentions in the summer of 1992, she was reminded of her commitment to reform in October, when ALF presented its draft Bill, and urged that it be transformed by the government into a *projet de loi*. Moreover, Senator Jacques Legendre, in his November 1992 report on the budgetary allocation for francophone affairs⁴, expressed the view that *"le champ d'application de la législation protectrice de la langue française mériterait d'être élargi"*, and added that *"votre rapporteur ne peut que se*

³ This referendum resulted in the ratification of the Treaty of Maastricht by a slim majority (51.05% voting for ratification, and 48.95% against).

⁴ Avis No. 57 Sénat du 24 novembre 1992 (JO Doc. Sen., 1992-1993).

féliciter que cette réforme figure parmi les intentions du secrétaire d'Etat" (op. cit., p.25). Furthermore, Legendre not only opened this report by citing three paragraphs from the 1992 *appel*, but also reiterated ALF's calls for further measures to develop multilingualism:

Il devient (...) urgent de chercher, dans un souci de réciprocité et dans la perspective de la construction d'une Europe plurilingue, à diversifier l'apprentissage des langues étrangères en France. (idem.)

Just ten days after the publication of Legendre's report, Catherine Tasca hosted an informal seminar entitled "*Faut-il protéger la langue française par la loi?*", a question which, in contrast to her earlier expression of commitment to legislative reform, appeared to cast some doubt on the necessity for such a measure. Approximately fifty eminent public figures, including the Italian writer Umberto Eco, philosopher Michel Serres, Hellenist Jacqueline de Romilly, linguist Claude Hagège and novelist Daniele Sallenave, were invited to give their views, but many of those who attended were sceptical or reserved about the advisability of reinforcing the legislation (*Le Monde*, 10.12.92:22). Indeed it appears that only those already concerned directly with linguistic issues, such as Stélio Farandjis (Secretary General of the HCF), Bernard Cerquiglini (of the DGLF), Dominique Noguez and Régis Debray⁵ (representing ALF) were in favour of such reform.

Nonetheless, in concluding the seminar, Tasca promised that her Cabinet would draft a Bill to revise the 1975 legislation, and that she would call for an extraordinary session of Parliament in February 1993, dedicated to its debate. Although a Bill was registered with Senate, on 23 December 1992 (*projet de loi no. 240*, Figure VII), it was never debated in either House, more immediate

⁵ In *Le Monde* Debray's comment that "*une loi même avec sanctions effectives, ne remplace pas une politique*" was misrepresented as a negative judgement on the reform movement; in fact, Debray was a founder member of ALF and worked closely with the working party studying legislative reform.

Figure VII. Summary of content of *projet de loi* no. 240

Article No.	Key points
1	Obliges the French State to use French in the exercise of its functions.
2	Affirms the duty of the educational system to instruct citizens in the use of French.
3	Makes obligatory the use of French for signing in public places where an approved equivalent exists. Recommends translations into at least two other languages. In such cases, the French text must be as audible, or legible as the foreign versions.
4	Imposes obligation to use French in conferences etc. in France where State funding is involved. Insists upon a French version of written preparatory documentation, and a summary of papers presented.
5	Makes obligatory the use of French for contracts negotiated on behalf of the State, translations being permissible where foreign co-contractors are involved.
6	Makes obligatory the use of French in the presentation of goods, services etc. destined for the consumer (as stipulated in the 1975 legislation), translations into other languages being permissible.
7	Makes obligatory the use of French in radio and television programmes, except for regional and religious broadcasts, and those destined specifically for a foreign audience, or for teaching purposes.
8	Reasserts the authority of those authorised by the 1901 legislation to initiate proceedings in relation to the legislation. Allows for sequestration of goods.
9	Makes obligatory the use of French for written contracts of employment where approved equivalent terminology exists.
10	Makes obligatory the use of French for internal documentation in the workplace where approved equivalent terminology exists.
11	Makes obligatory the use of French for collective agreements in the workplace where approved equivalent terminology exists.
12	Amends Code du Travail to ensure its conformity with the law.
13	Extends application of the law to French overseas territories.
14	Stipulates that documents and products must conform with articles 3, 5, 6, 7 and 10 within eighteen months from the date of promulgation.

electoral pressures forcing deferral of the promised extraordinary debate. Examination of the general principles of the Bill is nonetheless instructive, as it sheds further light on the influence exerted by the pro-reform movement. It also provides an indication of the attitude of the Socialist government to the issue, and foreshadows certain areas of contention which later occurred between left and right wing when the Toubon Bill was debated in 1994. Figure VII therefore summarises the key points of each article; a copy of the full text is contained in Appendix VIII.

1.2 The proposals contained in *projet de loi 240*

Even cursory examination reveals that this was a much less comprehensive text than that presented by ALF. Tasca's Bill was a brief document, comprising only fourteen articles, whereas ALF's Bill extended to eighteen articles, each of which was expanded upon in detail.

The emphasis in the government Bill was placed on what was described as "*la nécessité de protéger l'individu en tant que consommateur et travailleur*", which had been the primary objective of the 1975 legislation, which it was designed to replace. Although Tasca maintained that the initiative "*s'inscrit dans le prolongement de la loi du 31 décembre 1975 à laquelle il se substitue, afin d'en renforcer les dispositions et de les adapter à l'évolution économique, sociale et culturelle actuelle*" (*exposé des motifs*), in reality little attempt seems to have been made to address this evolution. Certainly, many of the proposals made by ALF to extend the legislation were either disregarded completely or considerably diluted, and nowhere were any of the articles proposed by the group adopted wholesale into the government text.

The provisions in Tasca's Bill relating to the audiovisual sector, one of the key areas in which Anglo-American influences had eclipsed the former premier position of French within France, were neither as specific nor as extensive as ALF had hoped. The government text granted wide dispensations to permit the use of English in radio and televisions programmes with what was broadly described as a "pedagogical vocation", and which could have been subject to wide interpretation. This contrasted sharply with the ALF proposal (Article 7.5) that such a dispensation be granted only in the case of broadcasts for language teaching. The absence in Tasca's Bill of substantive defensive measures relating to the audiovisual domain was particularly noteworthy, given that the Bill was presented at the time of the Uruguay Round of the negotiations relating to the General Agreement on Tariffs and Trade (GATT). This agreement, drawn up in 1947, had previously concerned only commercial exchanges, and had not made specific reference to the cultural domain. However, cultural issues came to the fore when the USA demanded that films, television programmes and other audiovisual products be treated like any other commodity, and therefore be subject to the provisions of the agreement; such a measure would have resulted in an increase in the number of English-language productions which France would be obliged to accept as imports. Whilst it is possible that this was considered too sensitive an area to legislate for at that particular moment, the Socialist intervention in the subsequent parliamentary debates concerning the Toubon Bill would suggest that the decision was one of policy, rather than circumstance.

Secondly, the first article of the government Bill stated that *"Les services publics font, sauf les cas de nécessité, usage de la langue française"*. There was no stipulation of where precisely French was to be used, nor details of linguistic obligations on the part of French officials, nor indeed of what constituted a *"cas*

de nécessité". Nonetheless, by positioning this article, with its reference to "*les services publics*" at the beginning of the Bill, the Socialist government clearly indicated that the State, rather than the individual or private company in France, was to be the primary target of the regulatory aspects of the legislation. Examination of the limited nature of the provisions relating to both the scientific and commercial sectors provides further support for such an interpretation.

By 1994, it was acknowledged that it was in the scientific sector that the increasing trend towards use of English at the expense of French was most evident⁶, both in spoken and written interaction, in France and internationally. One particularly symbolic indication of this evolution was the decision taken by the prestigious *Institut Pasteur* in 1989 to replace its *Annales*, a French language publication, with an English language review entitled *Research in Microbiology*. This decision served as an acknowledgement of the pre-eminence of English, and as a symbolic death knoll for French in the scientific domain. It appeared to legitimise the increase in the exclusive use of English as a working language in some scientific conferences held in France, including many organised by government departments, and may also have influenced the subsequent decision by the French national scientific research institute, the CNRS, to withdraw financial support for French-language publications. Rumours even suggested that any CNRS scientists refusing to publish in English would have their budgets withdrawn (*Le Monde*, 2.4.92:3). Despite the apparent gravity of the situation, Tasca's Bill only applied to conferences where State funding was involved, and did nothing to address the use of languages other than French in conferences funded by international organisations or private bodies in France⁷, nor did it

⁶ This was the view of the Cultural Affairs Committee in 1994: "*Le secteur le plus atteint est, sans aucun doute, celui des sciences*" (*Rapport* 309, 1994:19-20).

⁷ In October 1991, the prestigious *Ecole nationale des ponts et chaussées* was obliged to use English as the sole working language during a seminar held in Paris, because it had been organised and funded under the EC COMMET programme.

tackle the more general issue of the language to be used in the workplace and in employment related contracts.

As a primarily consumer-oriented text, the 1975 legislation had included an obligation to use French for employment contracts (Article 4) and for offers of employment (Article 5). Whilst ALF had maintained these obligations amongst its proposals, the group expressed concern at the use of languages other than French in informal oral communications inside multinational companies in France, and at the resulting discrimination, where employment or promotion prospects were increasingly linked to linguistic ability (particularly the ability to speak English) rather than to competence to fulfil the other functions associated with the post.

The *appel* of July 1992 had vociferously denounced

des entreprises de plus en plus nombreuses [qui] obligent, sur le territoire français, leur personnel à travailler en anglais. Des colloques, organisés avec des fonds publics, qui se tiennent en anglais uniquement. Des chercheurs du CNRS [qui] voient leur carrière bloquée sous prétexte qu'ils n'ont pas publié en anglais.

This complaint was reiterated in the subsequent *enjeux économiques* document, which highlighted the fact that the French managerial class was increasingly being forced to use English as a prime language of communication. Furthermore, the group's draft Bill (Article 10) had specifically designated French as the working language of all companies operating in France, and thus implicitly applied to both written and oral communications within such establishments.

However, Tasca's Bill failed to extend the 1975 legislation to the registered names of companies, partnerships or associations. Nor did it make any serious

attempt to regulate the use of French within public or private companies in France. The obligation to use French terminology in the workplace was limited to instances where approved terminology already existed. Tasca's Bill did contain proposals to amend the *Code du Travail*, but these were designed to ensure that there was no misunderstanding regarding conditions of employment. In this respect, again, the influence of ALF's proposals on the content of the government provisions was limited, the government text maintaining the focus of 1975 legislation rather than broadening its scope.

Similarly, in respect of education, Article 2 of the government text merely affirmed the duty of the educational system to instruct citizens in the use of French. It did not establish French as the language of education, as ALF's text had proposed, and no specific reference was made to the use of French for qualifying examinations and theses. Indeed, throughout its provisions, Tasca's text can be seen to rely heavily on statements of principle, whereas ALF's version was much more detailed and precise, and therefore more likely to avoid the loopholes which enabled many offenders to escape prosecution under the 1975 legislation.

Unlike ALF's proposals (notably Article 1), Tasca's Bill contained no specific statement regarding language as a means of maintaining cultural specificity, or as a fundamental element of French identity and patrimony. This may be attributed in part to the fact that, by 1992, the terms "*identité*" and "*patrimoine*" had become too closely associated with the doctrine of the *Front National* for the Socialists to risk actively promoting these concepts. In the *exposé des motifs* of the government Bill, language choice was described in terms of human rights: the rights of French speakers to use their own language were affirmed, and language was referred to as a "*donnée fondamentale de la démocratie*". The

legislative reform was thus portrayed as integral to the ideology of Socialism, and the issue of linguistic freedom, rather than language protection, was represented as paramount. However, despite the francophone focus of Socialist language policy over the previous decade, and the fact that the *exposé des motifs* of the government Bill also referred to France's obligations to protect the French language on behalf of the francophone community, yet again this principle was not supported by an equivalent article in the text.

Given that the reform Bill was introduced late in the parliamentary session, the government must have anticipated there was little chance of finding space for it on the parliamentary agenda, which might help explain the less than comprehensive nature of its contents. However, throughout her dealings concerning the reform of the *loi Bas-Lauriol*, Tasca failed to demonstrate the wholehearted commitment which critics of earlier language planning measures had hoped for. She seemed rather to consider reform of the 1975 law as a necessary symbolic action, rather than an integral part of French language policy; indeed, she spoke of giving "*un signe tangible de notre intérêt pour le français aux francophones étrangers*" (*Le Monde*, 10.12.92:22).

At the time of publication, the lack of detail in the text of Tasca's Bill, and the absence of a parliamentary debate on its content precluded a full appreciation of the rationale underlying the proposals. However, Socialist interventions in the subsequent parliamentary debates concerning the Toubon Bill (discussed in more detail in Chapter 7), do provide insights into the rationale behind the various omissions and limitations noted in this Bill.

Despite limitations, Tasca's Bill did fulfil the Socialist government's pledge to bring the question of legislative reform before Parliament, and drew attention to

some of the problems facing the French language. Furthermore, it identified some of the areas where there was relative consensus, as well as areas where reform might be more difficult to obtain. In so doing, it highlighted areas where those seeking more radical reforms might need to lobby parliamentarians or members of the relevant Committees, and reinforce their arguments in order to bring about the introduction of these amendments.

2. The response of the right-wing government

2.1 Reorganisation of the linguistic infrastructure

On the change of government in March 1993, when Jacques Toubon assumed the role of *Ministre de la culture et de la francophonie*, the profile of linguistic issues was enhanced. Tasca had held the post of *Ministre délégué à la francophonie auprès du ministre d'Etat, ministre des affaires étrangères*, whereas Toubon's appointment as a fully-fledged *ministre*, rather than *ministre délégué*, meant that, for the first time, the French language became the direct responsibility of a Minister⁸. Toubon described this as "*surtout le signe d'une relance de notre politique francophone, dans la tradition du gaullisme*" (JO NA 1.6.93:959), insisting that,

cette ambition géopolitique [that of the francophone community] ne pourrait être réalisée que si la langue française, qui en est l'origine et le ciment, n'était pas en France même, élevée au rang de priorité politique. (ibid)

Thus, the decision to amalgamate the Ministries of Culture and Francophone Affairs also represented an acknowledgment that, even though the francophone community was solid, its future development could not be assured unless it were

⁸ Thus, in 1986, the post was that of *Secrétaire d'Etat auprès du Premier ministre chargé de la francophonie*; in 1988, it was transformed into that of *Ministre délégué auprès du ministre d'Etat des Affaires étrangères*; and in 1992, it became that of *Secrétaire d'Etat à la francophonie et aux relations culturelles extérieures*. Thereafter, responsibility for issues of language policy oscillated between a number of ministries. A summary of these changes is presented in Appendix IX.

accompanied by a reinforcement of the French language in France⁹. By strengthening the link between language and culture, the amalgamation of the two ministries also helped justify later calls upon the francophone community to join France in calling for a special dispensation from the terms of the GATT in respect of cultural products, generally referred to as *l'exception culturelle*¹⁰.

2.2 The initiation of legislative reform

2.2.1 Background

Just two weeks after Toubon's appointment, the *Commission des affaires culturelles, familiales et sociales* (CACFS), attached to the National Assembly, adopted a *Proposition de résolution* (No. 34, 14.4.93), authorising the creation of a Committee of Enquiry, whose mission would be to examine further the 1975 legislation with a view to its reinforcement. In the event, it was decided by the *Commission des affaires culturelles* (*Rapport* No. 41, 30.6.93) not to proceed with the creation of the Committee of Enquiry, because the presentation to Parliament of the Bill for legislative reform was imminent. However, the suggestion that this type of special Committee be created is noteworthy because similar proposals had been rejected on two separate occasions by the previous government¹¹, and the acknowledgement that it was necessary in 1993 indicated a greater awareness of the problems facing the language.

At the beginning of June 1993, Toubon announced his programme of action to the *Conseil des ministres*, reiterating his commitment to legislative reform.

⁹ It should, however, be noted that this change of competence, which gave the Ministry more of a national focus, provoked some anxiety: Xavier Deniau suggested that "*le rattachement de la francophonie à un ministère hexagonal, dont le personnel est dépourvu de toute culture internationale, n'est pas sans susciter déjà quelques inquiétudes*" (*Avis*, no. 582, 1993:35).

¹⁰ Indeed, in the same debate of 1 June 1993, Toubon gave an early indication of his plans to use the francophone community as such a platform when he spoke of using "*partout où cela est possible le bloc que constitue cette communauté*". At the fifth francophone summit held in Mauritius from 16-18 October 1993, there was unanimous support from the member States present for a resolution in favour of such an exemption.

¹¹ JO AN *rapport*, no. 2989, 28.10.92.

Insofar as francophone issues were concerned, the programme asserted that France would endeavour to achieve agreements with francophone partners on international issues of mutual interest; and that particular attention and assistance would be paid to those members of the francophone community where French speakers operated within a predominantly anglophone linguistic environment (*Le Monde*, 4.6.93:22).

The programme revealed the government's growing awareness of both the impact of English influences upon the French language, and the importance of domestic language policy to the development of the wider francophone community. Indeed, this represented an interesting departure from previous policy statements, and it is significant that, whereas when reporting to the Socialist government, the CACFS had warned against "franco-pessimism", under the right-wing government the same Committee was of the view that,

La langue française est en péril. A l'intérieur de nos frontières elle est menacée par les violations répétées, parce qu'impunies, d'une législation satisfaisante dans son principe, mais lacunaire et timide.
(*Proposition de résolution*, No. 34, 14.4.93:5)

This sensitivity to external threats was also reflected in public opinion in 1993. Despite dramatic appeals, the vote in September 1992 had gone in favour of ratification of the Maastricht Treaty, although opinion had been polarised, and approval for the treaty obtained by only the slimmest of margins (51.04%). However, an opinion poll taken nine months later¹² revealed an increased spirit of protectionism, and a further poll taken a year after the referendum suggested that, had the vote taken place at that time, it would have gone against ratification¹³.

¹² 67% of those questioned expressing the view that France should limit both foreign imports into France, and non-EU products into the European Union. Poll reported in *Le Monde* 21.9.93:12, but details of date and institute responsible not given.

¹³ The poll suggested that the Treaty would have been rejected 56% to 44%. (*Le Monde* 21.9.93:12)

This evolution may best be understood by reference to the broader socio-political context. Certainly, negotiations were underway in 1993, regarding the extension of the European Union to include Norway, Finland, Sweden and Austria. The entry of these members threatened to reinforce the anglophone domination of the Union, and further erode the influence of France and the French language in Europe. However, the domestic situation was even more crucial in determining attitudes towards national identity. One of the first actions of the incoming right-wing government was to initiate debate on the concept of citizenship, which culminated in the passing of a series of laws relating to France's immigrant population in the summer of 1993¹⁴. Hargreaves views these as an attempt to steal a march on the *Front national*: "In particular, it [reform of the *Code de la Nationalité*] was designed to appeal to the sizeable minority among the electorate which was tempted by the more exclusionary arguments of the FN" (1995:176), whilst also constituting a symbolic gesture of the government's "intent to 'do something' about immigration" (1995:176). By the end of 1993, when Toubon's Bill was submitted to Parliament, debate on immigration and European enlargement had heightened national tensions, and the climate of public opinion appeared more propitious to the introduction of a more defensive language planning initiative than it had in 1992. Indeed, language protection appeared to offer a further means of halting what was widely perceived as the process of destabilisation at work in French society.

Certainly, Toubon's resolve to prioritise the promotion of French inside France represented a positive response to ALF's concern at the neglect of domestic

¹⁴ The most important of these was *loi 93-933 du 22 juillet 1993, réformant le droit de la nationalité*. This required that children born to foreign parents in France must request French nationality on reaching their majority, whereas citizenship had previously been granted automatically. This legislation was complemented by *loi 93-992 du 10 août 1993, relative aux contrôles d'identité*, and *loi 93-1027 du 24 août 1993, relative à la maîtrise de l'immigration et aux conditions d'entrée, d'accueil et de séjour des immigrés en France*.

language policy. However, it could be argued that, given the overall socio-economic and political climate in France, the right-wing government might have put forward such a programme in the absence of group intervention, particularly as Toubon had demonstrated more enthusiasm for legislative reform than Tasca. Although it is not possible to determine the precise contribution of ALF's campaign to this increasingly franco-centric approach to language planning on the part of the French government, it is important to note that the group's campaign had been running for almost a year when Toubon assumed office. During this time, it had generated a widespread expectation that a Bill would be forthcoming, thereby increasing the pressure on any incoming minister to introduce reform.

The group's ideas also appeared to be gaining wider popular resonance, and reference to the protection of the language at national level increasingly figured as a theme outside the parliamentary arena. Michel Jobert, writing in *Le Quotidien de Paris*, regretted that defense of French was considered retrograde¹⁵, and that

aucun, explicitement ou même implicitement, n'aura placé en tête des priorités de la France la langue qu'elle illustre (...). C'est comme si une pudeur gênée ou le sentiment d'une incongruité animait trop de responsables français dès qu'il leur faut défendre la langue. (Le Quotidien de Paris, 16-17.10.93:12)

Similarly, writing in the national weekly *Le Point*, Jean-François Revel, whilst admitting the necessity to protect French within the wider francophone community, questioned the effectiveness of costly summit meetings, and suggested that priority be given to protection of the language in France:

Quant à la francophonie, il faut certes la défendre, mais autrement que par des incentives et des sommets plus dispendieux qu'efficaces. Avant

¹⁵ Indeed, Jobert maintained that language protection was an honourable cause: "*ce combat n'a rien de ringard; il est le meilleur des combats*" (*Le Quotidien de Paris* 16-17.10.93:12)

tout (...), il faut commencer par défendre le français en France même.
(*Le Point*, 21.8.93:37)

It could have been expected that this type of comment, together with the earlier references made by Toubon to France's "geographical ambition", and indeed the separation of the ministerial functions of francophone affairs from that of foreign affairs, might have alienated the francophone community. However, there were a number of indications that there was support for Toubon's programme outside France, and that the francophone community accepted his argument that "*La politique de la langue française est une condition du développement de la francophonie*" (*Le Monde*, 4.5.93:22). In October 1993, at the fifth francophone summit, the member States participating, without exception, signed a Resolution in favour of the "cultural exception" (referred to earlier in this chapter), as a means of helping maintain the status of France and French culture internationally. A further indication of support at the time of the summit meeting came from a Canadian language group, also bearing the name *Avenir de la Langue Française*, and led by Jean-Marc Léger, one of the signatories of the French-based association's original petition. The group addressed an open letter to the French people, entitled *Des Québécois parlent aux Français*, in which it praised the development of a resistance movement in France, and warned against what it termed "*l'anglo-américanomanie qui se développe depuis quelques années en France et ne cesse de s'amplifier*" (*Le Monde*, 15.10.93:47).

This period also witnessed increased debate on wider issues relating to language, and in particular public debate on the quality of spoken and written French. As noted in Chapter 2, criticisms had long been forthcoming from the intelligentsia, ranging from accusations of stylistic sloppiness to transgressions of rules governing pronunciation and grammatical usage (Guenier, 1985:22-27). However, during the early part of 1993, the debate became more focused, such

criticisms being directed in particular at the standards of language taught in schools and used in the media. Amongst the most vehement of the critics was Maurice Druon, Permanent Secretary of the *Académie Française* and erstwhile Minister of Culture (under President Pompidou), who stated bluntly that "*les pédagogues d'après mai 1968 furent des criminels car on leur doit les résultats actuels*" (*Le Figaro*, 16.3.93). Furthermore, he published an open letter to the President of the *Conseil supérieur de l'audiovisuel*¹⁶, in which he drew up a long catalogue of criticisms of the media, accusing them of

fautes flagrantes de prononciation, impropriétés, absence d'accords, mépris de la syntaxe, fût-ce la plus élémentaire, bredouillages, abus de termes étrangers inutiles, néologismes pédants, tournures ridicules mais qui deviennent des tics, vulgarités, scatologie, publicités se complaisant à dévoyer le vocabulaire : il y a là comme des myriades de sauterelles qui dévastent le français. (*Le Figaro*, 4.5.93:30)

Similar views were widely voiced, although generally in somewhat less hostile terms. Catherine Delsol, for example, maintained that,

pour être compris du plus grand nombre, les professionnels de la télévision parlent un français standardisé stéréotypé (...) une langue bizarre où l'écrit et l'oral se télescopent, puisque les textes des présentateurs sont rédigés mais cherchent à se rapprocher le plus possible de la conversation. (*Le Figaro*, 4-5.9.93:28)

As the campaign led by the pro-reform movement progressed, support for new legislation and measures to improve the quality of language in use appeared more widespread than previously. This can only have strengthened the government's resolve to act.

2.2.2 The proposals contained in *projet de loi* no. 291

The key points of the Bill which Toubon presented to Parliament in December 1993, *projet de loi* no. 291 *relatif à l'emploi de la langue française*, are summarised in Figure VIII (the full text is presented in Appendix X).

¹⁶ The French supervisory broadcasting authority.

Figure VIII. Summary of content of *projet de loi no. 291*

Article No.	Key points
1	Imposes the use of French in respect of goods, services and information destined for consumer use (eg instruction booklets, guarantees, bills, receipts), and all advertisements, whether in written, spoken or audiovisual form.
2	Relates to the scope of the legislation, and in particular stipulates the places where French would be obligatory, namely in places open to the public, and on public transport.
3	States that where documentation, signs or announcements are accompanied by a translation in other languages, the French version should be as legible, audible or intelligible as that in the foreign language.
4	States that all contracts issued by corporate bodies must be drawn up in French.
5	States that no French participant should be prevented from using his or her language during conferences and seminars organised by corporate bodies and held in France, and establishes that all papers delivered in a language other than French should be accompanied by at least a summary in French.
6	Renders the use of French obligatory in contracts of employment, special provision being made for foreign nationals.
7	Extends this obligation to agreements and internal company documentation, particularly that relating to the rights and obligations of the employee.
8	Makes similar provisions for advertisements offering employment. Provides exemption for offers of employment intended only for foreign nationals, and for publications written principally in a foreign language.
9	Establishes French as the language of education, examinations and theses, in both private and State establishments, exceptions being made for language teaching, for visiting contributors to academic programmes, and schools specially established for foreign nationals.
10	Makes French obligatory in television and radio advertising and messages, with the exception of programmes and advertisements intended to be shown in a foreign language (such as German programmes made for the Franco-German television channel ARTE), and programmes designed to be used for teaching purposes.

Article No.	Key points
11	Asserts the obligation on broadcasting authorities to contribute to the protection of the French language.
12	Prohibits the use of commercial designations, brand names etc. in languages other than French by those acting on behalf of the State.
13	Stipulates that public funding will be withdrawn from those contravening the legislation.
14	Lists those empowered to initiate prosecutions.
15	Stipulates that penalties will be imposed for obstruction of the above in the execution of their duty.
16	Concerns procedural issues relating to prosecutions.
17	Officially recognises the right (already established through case law) of language associations to act under the legislation.
18	Specifies that the law applies only to contracts concluded after its promulgation.
19	Asserts that the law is in no way prejudicial to the regional languages of France.
20	Relates to the date and manner of application of the legislation.
21	Repeals the 1975 legislation.

3. Analysis of the scope of the proposed legislation

The *exposé des motifs* explained that the Bill was intended to give the country "*une législation linguistique plus complète et plus précise que celle dont il disposait jusqu'à maintenant*". Like the texts drawn up by both ALF and Tasca, Toubon's Bill represented a composite of principles which were of general application and specific measures relating to particular fields of activity. In certain respects, Toubon's Bill represented a restatement of the 1975 legislation. In Article 1 the major principle of the earlier legislation was reiterated, namely the protection of the consumer from misleading information. This article made the use of French obligatory in documentation relating to the designation and presentation of goods, products and services, as well as in advertisements, bills, receipts, operating instructions, and information relating to guarantees:

Dans la désignation, l'offre, la présentation, le mode d'emploi ou d'utilisation, la description de l'étendue et des conditions de garantie d'un bien, d'un produit ou d'un service, ainsi que dans les factures et quittances, l'emploi de la langue française est obligatoire.

Although the introductory article made little change to the 1975 text, the remainder of the Bill submitted by Toubon did represent a genuine attempt to address the socio-economic evolution which had occurred since 1975. Some of its provisions were designed to bring about a substantial extension of the existing legislation, and clarify some of the imprecision which had previously surrounded its application, whilst others were intended as a reinforcement of existing provisions.

3.1 Extension of the existing legislation

The most notable extensions to the *loi Bas-Lauriol* envisaged by Toubon were the imposition of French in conferences and colloquia held in France, in the audiovisual sector, and in education. In respect of all three, the role of the State

and its representative agents as guardians of the national language was emphasised. Some, albeit limited, reference was also made to regional languages, which had not featured in the previous text. These innovatory measures, which appreciably extended the scope of the 1975 legislation, are considered in turn.

3.1.1 The imposition of French in conferences, colloquia and publications

For Senator Guy Cabanel, Article 5, which contained the provisions relating to the language to be used in conferences, colloquia and publications, represented the *"noeud du projet de loi"* (JO Sen 13.4.94:1002). This article attempted to introduce a number of restrictions previously not in force, and in so doing constituted a direct and positive response to ALF's demands. If approved, the use of French would be obligatory in exhibitions, colloquia and conferences held in France, in the text of all documentation distributed prior to and during the event, and it would be obligatory to provide at least a French summary of papers delivered during the event itself. Furthermore, it would be illegal for French institutions or individuals to organise such an event in France if the use of French were prohibited. Different sanctions were proposed for contravention, ranging from the withdrawal of public funding to fines in the case of privately-funded events.

Tasca's earlier proposals had only applied to government sponsored conferences, rather than all those taking place in the public sector. Moreover, they had imposed no obligations for participants using languages other than French to provide translations, or even summaries. It had simply required that the use of French must be allowed (*"doit offrir la possibilité d'utiliser le français pour les communications"*). Toubon's proposals were thus more comprehensive than those put forward by the Socialists. Even so, they were not quite as coercive as

those recommended by ALF. For example, although Toubon's Bill specified that the use of French must be allowed at conferences, the government Bill did not impose exclusive use of the language; equally, although it required that documentation distributed before and after the event be in French, it did not insist upon full versions of such texts, as proposed by ALF in its draft Bill. Nonetheless, these proposals did impose linguistic constraints on the organisers of conferences in a wide variety of circumstances, and were welcomed by the French language groups, and the pro-reform scientific group ANSULF¹⁷, as representing a genuine addition to the existing legislation, and a serious attempt to redress the position of the French language in the scientific sector.

3.1.2 The imposition of French in advertisements and the audiovisual sector

ALF had also shown itself to be particularly concerned about the language to be used in audiovisual productions and advertisements in France, a domain not addressed by the 1975 legislation, nor in any detail by the Socialist Bill. Indeed, the group had explicitly included references to the audiovisual sector throughout the text of its Bill, even though specific reference was not made to any other sector.

In the 1994 reform Bill, Toubon did tackle the audiovisual question, albeit not to the extent to that ALF had hoped. The statement in Article 1 made specific reference to advertisements, and explicitly included the audiovisual sector: *"Les mêmes dispositions s'appliquent à toute publicité écrite, parlée ou*

¹⁷ It should be noted that there was some divergence within the group as to the severity of the measures to be imposed. Certain members argued for a requirement for simultaneous translation when a language other than French was used (eg Rémy Chauvin) to act as a dissuasive mechanism, whilst others (eg Pierre Boisseau) adopted a more moderate stance and would have been satisfied with a requirement for French to be the principal language of written and oral communications (*Informations Ansulfiennes*, no.4 mars/avril 1994a:27). Consequently, the President of the association, Daniel Pajaud, synthesised the views of more than a dozen members, and this information provided the basis of the group's submission to the Senate examining committee.

audiovisuelle". Again, the prime position accorded to this clause served to acknowledge the extent to which advertisements had contravened the previous legislation.

However, until 1994, the legislation on brand marks had provided a means of circumventing the linguistic legislation, since it was legal for companies such as Nike and Pepsi to brand their products with an advertising slogan, for example "*Nike. Just do it!*", and "*Think different, think Pepsi*", thereby ensuring that advertising material could quite legitimately be distributed bearing the slogan. Although this problem had been signalled by ALF (Article 7.2 of its draft Bill having attempted to remedy this loophole by proposing that trademarks be explicitly included in the law¹⁸), the government text omitted any reference to trademarks.

Nonetheless, the provisions of Articles 10 and 11 did constitute a further attempt by the government to regulate the use of language in the audiovisual sector. Article 10 sought to make the use of French obligatory in all audiovisual programmes broadcast in France, including advertisements, exemptions being granted for cinema and audiovisual productions shown in their original version, and for those intended specifically for teaching purposes or for foreign audiences. Article 11 imposed a duty on the *Conseil supérieur de l'audiovisuel*, the French broadcasting authority, to protect and promote the French language ("*assurer le respect de la langue française et le rayonnement de la francophonie*"). Again these proposals were not as extensive as the measures advocated by members of ALF, who had recommended that audiovisual

¹⁸ The wording of Article 7, clause 2 was very comprehensive: "*Les mentions, génériques et descriptifs nécessaires à l'identification des produits, services et établissements doivent être en langue française dès lors qu'ils figurent dans les marques, noms commerciaux, dénominations et raisons sociales, ainsi que dans tous documents commerciaux ou comptables en faisant mention, et dans toute publicité s'y référant.*"

productions should only benefit from State funding if the original version were made in French. Furthermore, the government's blanket exemption for programmes with pedagogic objectives, albeit more exacting than Tasca's proposal, still incurred the risk of introducing a loophole for those seeking to evade the law.

3.1.3 The use of French as the language of education

A further innovation introduced in the 1994 Bill, and one which demonstrated the government's commitment to bring about a significant extension to the existing legislation, was the inclusion of provisions to designate French as the language of education. Article 9 of Toubon's Bill imposed the use of French in both public and private schools, in examinations and qualifying tests, and even extended ALF's proposal by imposing the use of French in dissertations and theses:

La langue de l'enseignement, des examens et concours, ainsi que des thèses et mémoires dans les établissements publics et privés d'enseignement est le français.

There had been no reference to education in the text of the 1975 linguistic legislation, and the 1989 Education Act¹⁹ simply maintained that "*L'éducation est la première priorité nationale*", without reference to the language(s) of delivery. Only a broad reference had been made to the French language and education in the Socialist Bill: "*la maîtrise de la langue française est un objectif fondamental de l'enseignement*", no attempt having been made to stipulate the situations in which it should be used.

¹⁹ Loi no. 89-486 du 10 juillet 1989 d'orientation sur l'éducation.

3.1.4 Regional languages

Similarly, the linguistic legislation already in force did not recognise the regional languages of France, and this had not been an issue raised by the pro-reform movement. Although ALF's text was extremely comprehensive, it had concentrated exclusively on the French language, and had made no mention of regional languages. Neither had Tasca attempted to tackle this issue in her Bill. In contrast, Toubon did incorporate a reference to the regional languages of France in Article 19. This article proclaimed that none of the provisions of the revised legislation would impact negatively on any legislation concerning regional languages which was already in force: *"Les dispositions de la présente loi s'appliquent sans préjudice de la législation et de la réglementation relatives aux langues régionales"*. This constituted only a very minor concession to regional language speakers, and was designed to placate certain regional groups, which were becoming increasingly dissatisfied at France's refusal to commit itself to signing the European Charter, discussed in Chapter 3. The issue of regional languages was one which was to prove highly contentious when the Bill reached Parliament, and is considered in more detail in later chapters.

3.2 Reinforcement of the existing provisions

In addition to the innovations discussed above, many of the provisions of Toubon's Bill were designed to reinforce or clarify the provisions of the 1975 legislation. Some, however, ultimately proved to be too broadly drafted to be widely acceptable.

3.2.1 The use of French terminology

Both the 1975 legislation and Tasca's proposals had insisted upon the use of French terminology where an equivalent term had been approved by the Terminology Committees. Article 1 of the 1994 Bill extended this significantly

by prohibiting the use of foreign terminology where a French term with the same meaning existed, *and in particular* where there was a term which had been approved by a Terminology Committee:

Le recours à tout terme étranger ou à toute expression étrangère est prohibé lorsqu'il existe une expression ou un terme français de même sens, en particulier une expression ou un terme approuvés dans les conditions prévues par les dispositions réglementaires relatives à l'enrichissement de la langue française.

The non-specific phraseology of Toubon's version, which meant that any "foreign" term could be contested, considerably widened the scope of application of the law. Indeed, it went well beyond the letter, if not the spirit, of ALF's proposals, and was to give rise to substantial debate later in Parliament.

3.2.2 Application to all places open to the public

Article 2 represented a similar extension of the 1975 legislation, and again went well beyond the expectations of many proponents of reform. In its draft Bill (Article 3), ALF had suggested that the legislation should apply to all signs affixed in places open to the general public and on public transport, and applied to any notices posted, for any reason, in public places (even where the premises were owned by private individuals), or on public transport. Toubon's Bill specified (Article 2) that the revised legislation was to apply to any public information in any place open to the public, or on public transport ("*toute inscription ou annonce apposée ou faite dans un lieu ouvert au public ou dans un moyen de transport en commun et destinée à l'information du public*"). In its use of the all-embracing "*lieu ouvert au public*", the government text subsumed all the domains specified by ALF.

3.2.3 Translations

A further significant extension of the 1975 legislation had been planned, but thwarted before the Bill was published. Toubon had originally intended to broaden the application of the law by requiring that where a foreign version was allowed, translations into *two or more* languages should be required. This requirement, which featured in an *avant-projet* of the Bill, had represented a response to ALF's argument that plurilingualism should be one of the guiding principles of the legislation, in order to prevent a situation of French-English bilingualism developing in France; indeed, Article 3 of the group's draft Bill had proposed *three* languages in translation²⁰. However, even before the Bill was officially registered, this particular proposal was fiercely contested by the advertising community, who argued that it imposed too great a burden on them. Both the *Bureau de vérification de la publicité* (BVP), the French advertising standards authority, and the *Union des annonceurs* (UDA) made representations to Alain Madelin (Entreprise Minister) and Gérard Longuet (Minister for Industry), arguing that such a measure would be harmful to French commercial interests. These ministers in turn expressed reservations to Toubon, who agreed to reduce the requirement for translations to one language, more being optional²¹.

Nonetheless, the provisions of Article 3 as published represented an attempt to introduce greater precision into the Bill in respect of translations. The previous legislation had made no reference to the relative size or quality of the French version to be published in cases where foreign language versions were permissible: provided that a French translation was supplied, it was perfectly legitimate for this version to be printed in such minute lettering as to pass

²⁰ The group cited as a model the Netherlands where four languages are commonly spoken.

²¹ Comments by Legendre in *rapport no. 309*, 6.4.94, on behalf of the CAC, suggest that this change could also have been founded on fears that the requirement might be interpreted by the European Commission as an obstacle to the free circulation of goods and services within the European Union.

unnoticed. ALF had signalled this loophole (Article 7.4 of its draft Bill), and proposed that, where a translation was required, the French version should be as large and complete as the original version. Article 3 of the government text represented a serious attempt to remedy this particular shortcoming of the existing legislation. By requiring that the French version should be as legible, audible and intelligible as the foreign language versions (although not necessarily as *complete*, as suggested by ALF), the Bill aimed to close the loophole which had been ably exploited by those seeking to circumvent legislation in the past.

3.2.4 Sanctions

As noted in Chapter 2, amongst the most manifest shortcomings of the 1975 legislation was the inadequacy of the fines as a means of dissuading potential offenders. In its draft Bill, ALF had sought to impose heavy penalties, particularly in respect of the audiovisual sector, and had suggested (Article 13) fines ranging from 50% of the campaign costs, to 5% of a company's turnover in France when advertisements contravened the law. The Socialist government had not responded positively to this suggestion, and had not made provision for "*peines délictuelles*" in respect of breaches of the law; furthermore, sanctions were only specified in areas where in fact they already existed, namely in respect of contraventions relating to goods and services.

Although the text of the 1994 Bill did not specify the fines which could be imposed in cases of successful prosecution, Toubon did warn that these would be heavy, particularly in the case of advertisements ("*très dissuasives en ce qui concerne la publicité*"²²). Indeed, he stated that he did not intend the text to

²² Indeed, the *Union des annonceurs* reported that it had heard rumours that fines of 10.000 francs were to be imposed for the exclusive use of a language other than French in advertisements. This sum would be doubled in the case of reoffenders, and a fine of 3000

remain "*déclaratif*", as was the case for the 1975 law, and that it should be "*assorti de possibles sanctions pénales*" (JO Sen 12.4.94:949), which would be adapted to the particular circumstances of the offence. Like the 1975 legislation, the 1994 reform insisted that repayment of state funding could be required, or funds withdrawn if such an allocation were to be used in violation of the law (Article 13).

Finally, Article 17 empowered authorised language associations, approved by the *Conseil d'Etat*, to take civil action in respect of articles 1, 2, 3, 5 and 8 of the legislation (again, this was one of the provisions made in ALF's draft Bill, cf Article 15). This addition to the text of the 1975 legislation merely officialised, and extended the situation which had existed until the demise of AGULF, the association which had attempted to implement the legislation. However, such a provision had not figured in the Socialist text, and was to prove a further source of contention during later parliamentary debates.

3.3 Substantive omissions from, and limitations to the Bill

Although the government text incorporated many of the broad principles of the ALF's Bill, and a considerable amount of the details of individual articles, it nonetheless contained loopholes and areas of imprecision. In addition, several of the proposals for which ALF had campaigned were not included, amongst these the suggestion that the implementation of the Bill should be monitored and an annual report on its application produced; however, no objections were made when an additional article to this effect (no. 20) was introduced into Senate by Legendre on behalf of the Cultural Affairs Committee. This proposal was accepted in both Houses, and incorporated into the final version of the legislation.

francs would be imposed for offences in other sectors (*La lettre des annonceurs* no.403, 15.7.94:9).

Two further omissions concerned more substantive issues, relating to the role and status of the French language, and these are considered in more detail below.

3.3.1 Language as an element of French patrimony

ALF's fundamental objectives included the embodiment in both the Constitution and law of the link between French identity and the French language, and the incorporation of a reference to the functions which the language played in French society. The group had included the following statement in the first article of its draft Bill :

Langue de la République en vertu de la Constitution, la langue française est un élément fondamental de l'identité et du patrimoine de la France.

However, the Bill which Toubon put before the Senate contained no general statement regarding the status or role of the language, the government deeming this unnecessary given the 1992 Constitutional amendment (J.O. Sen. 13.4.94:986).

3.3.2 France and the francophone community

Similarly, and somewhat surprisingly, there was no reference to the francophone community in Toubon's text, despite the fact that the francophone community had given its unanimous support for France's calls for a cultural exception in the context of the GATT talks. The inclusion of such a reference might consequently have been accepted more easily in 1993, as an acknowledgement of the contribution of the francophone community in France's stand against Anglo-American hegemony, than would have been the case in 1992, when it had been proposed in the context of a European debate.

However, given the sensitivity displayed by a number of francophone countries regarding the question of the "ownership" of the French language, which arose during the constitutional amendment debate, such an omission would appear to have been a tactical move to avoid any risk of antagonising member states. Indeed, the rationale underlying Toubon's decision was made clear three years later, when a further attempt was made to introduce a reference to the francophone community into the French Constitution²³. Toubon made it known that he did not support the inclusion of such a reference, on the grounds that *"la francophonie n'est pas l'affaire de la France, mais celle de tous les peuples qui y participent"* (*Le Figaro*, 8.2.96:6).

3.3.3 The use of French in the workplace

In addition to the omission of these two statements of principle, a number of ALF's proposals of more direct practical application were omitted from the government Bill. As noted earlier, the issue of language use within the workplace was not addressed by Tasca, but Toubon gave the impression that he intended to address this question. In his presentation of the Bill to Senate, he maintained that his aim was to guarantee that no foreign language would be imposed on French speakers in any aspect of their daily life (*"garantir au citoyen, au salarié, au consommateur, que l'emploi d'une langue étrangère ne lui soit pas imposé au détriment de la langue nationale"* (JO Sen 12.4.94:949).

However, despite having echoed the sentiments expressed by ALF, the employment-related provisions of Toubon's Bill followed closely in the spirit of the previous legislation. Rather than bringing about a substantial extension in the scope of the legislation, they focused upon the protection of the individual

²³ An unsuccessful attempt to introduce such a reference was made by Senator Legendre (RPR) in February 1996, during the course of the constitutional debate in Senate, concerning the financing of Social Security in France.

from the potentially damaging consequences of misunderstandings which could arise from the use of documentation drafted in languages other than French. Article 6 of Toubon's Bill specified that employment contracts relating to work to be carried out in France should be drawn up in French, with French explanations of any terminology deemed untranslatable, and that translations of the contract should be prepared on request in the case of foreign nationals. Article 7 did extend the existing provisions somewhat, by insisting on the use of French in specified written documentation in the workplace (internal regulations, documentation necessary for the employee to carry out his work) and collective agreements, but again this did nothing to address the more fundamental issue of languages other than French being used in institutions and companies operating in France.

3.3.4 The use of French in contracts

It was not surprising therefore that there was no real extension to the provisions of the 1975 legislation which made the use of French obligatory for contracts concluded between French public institutions and a third party (Article 8). ALF had sought the extension of this provision to encompass all *civil and commercial* contracts, but like Tasca, Toubon merely reiterated the provisions of the existing legislation, and insisted upon the use of French (Article 4) for all legal contracts involving the French public sector, with translations into one or more foreign languages in cases where foreign co-contractors were also party to the contract. Whilst not sufficiently stringent a requirement to satisfy ALF, this did maintain the obligation of the State to uphold the use of French, a principle which was to become a major tenet of the 1994 reform.

3.4 Conclusions regarding Toubon's proposals

Remarks made by Prime Minister, Edouard Balladur, to the *Académie Française*, in February 1994 suggest that the government was conscious of some of the limitations of the Bill. In this address, Balladur acknowledged that the best method of protecting French was through the quality of teaching rather than by legislation²⁴. However, echoing earlier arguments voiced by the attentive public²⁵, he argued that it was also necessary to maintain pride in the language, and that this was one of the objectives of the proposed reform²⁶. It is therefore perhaps surprising that Toubon chose not to include a reference to the French language as a component of national identity, in order to give substance to such an objective. Equally, the absence of ideologically based provisions may be interpreted as an indication of his determination to emphasise the practical application of the initiative, and help dismiss any suggestion that it was meant as a nationalistic measure.

Certainly, the Bill presented by Toubon went well beyond the field of consumer protection, and demonstrated the government's commitment to enhancing the profile of the language in France. Certain aspects of Toubon's Bill were not as stringent nor as comprehensive as proponents of reform might have wished, but both the subgovernment and attentive public of the traditionally recognised language policy community were later afforded every opportunity to present their viewpoint at the Committee hearings. In particular, they were able to

²⁴ "Pour Edouard Balladur tout est affaire de formation. La qualité de l'enseignement vaut mieux que toutes les législations du monde". *Le Quotidien de Paris* 12/13.2.94:42.

²⁵ Druon, for example, maintained that respect for one's language represented a form of self-respect ("*respecter sa langue, c'est se respecter soi-même*", *Le Figaro*, 4.12.92:36).

²⁶ "C'est aussi la "fierté" d'utiliser le français qu'il faut maintenir. Là est le mobile essentiel de tous les efforts vers la correction du langage" Chastagnol, *Le Quotidien de Paris* 12/13.2.94:42. At first sight, the provisions of the Bill might not appear to have offered a means of re-establishing pride in the language. However, links have been established (Hagège, 1987) between the introduction of foreign elements to the language, and the loss of pride in its use on the part of its speakers, who feel unable to take pride in a language which is being "invaded" by another.

address issues which had not featured in the government text, and press for further measures to close potential loopholes, thereby ensuring both the enforcement of the law and monitoring of its application.

4. Conclusions

In the initial stages of the legislative reform campaign, ALF was arguably the most active of the proponents of reform operating outside the parliamentary arena, and played a determining role in the presentation of the Socialist reform Bill to Parliament. Just as in the case of the constitutional amendment, there was no evidence to suggest that the Socialists would have contemplated reform of the 1975 legislation without the intervention of the attentive public. Indeed, there are indications that language reform did not figure as a high priority on the Socialist agenda: Tasca had to be reminded in November of her promise to consider reform, and the Bill itself was not presented until so late in the parliamentary session that it would have little chance of being debated before the legislative elections.

From the absence of substantive measures designed to bring about a real extension of the application of the 1975 legislation, it can be seen that the influence exerted by ALF on the Socialist government's legislative proposals was much less than the group had anticipated. Insofar as the practical application of the Socialist Bill is concerned, had it become law, it would merely have served to reaffirm rather than extend the 1975 legislation. Yet despite the fact that the Socialist attempt at reform was not brought to fruition, this phase of the reform campaign was significant, because it ensured that issues relating to the French language, notably legislative reform and linguistic standards, remained at the forefront of public attention, and were retained on the political

agenda. This prepared the way for the more comprehensive reform Bill subsequently submitted by Jacques Toubon.

The proposals for reform presented by Toubon in 1994 constituted a genuine extension of the existing legislation, and represented a positive response to the final demand contained in ALF's *appel*, that the government should "*transformer la loi du 31 décembre 1975 sur l'emploi de la langue française, afin qu'elle traite de tous les aspects de son usage en France et qu'elle soit effectivement appliquée.*" The group's efforts to develop its political saliency, and transform this into policy capacity appeared at this stage to have been reasonably successful. It should be noted, however, that in respect of nearly all of its provisions, the compromise version presented by Toubon was neither as complete nor as restrictive as advocates of reform had hoped. Much scope remained therefore for further intervention on the part of ALF.

Although proponents of reform had achieved a notable success in bringing the issue of language back onto the parliamentary agenda, their success had been achieved within the language policy community, rather than the wider legislative arena or amongst the public at large. On its publication, Toubon's Bill provoked strong, negative reactions from certain sectors which considered the proposals too draconian. There was much divergence on specific issues, notably those with economic and regional implications. Well before the Bill was debated in Parliament, there was heated debate about its provisions, inside and outside the parliamentary arena. It rapidly became clear that the Bill, in the form submitted, was unlikely to enjoy as smooth a passage as the constitutional amendment had done, and the extra-parliamentary protests proved to be a portent of the challenges the Bill was to face within the parliamentary arena. There were many hurdles to be overcome before the proposals contained in Toubon's Bill could

become law, not least of which was the opposition referred to above. This issue is considered further in the next two chapters, which examine the fate of the reform Bill once it embarked on the parliamentary process, and the extent to which ALF continued to act as a point of leverage within the political system.

CHAPTER 6. THE BATTLE JOINED: DIVERGENT VIEWS ON LEGISLATIVE REFORM

Between November 1993, when Toubon's proposals were published, and April 1994, when the Bill entered Parliament, the number of participants involved in the legislative reform debate increased dramatically, and clearly differentiated groups of protagonists emerged. These ranged from fervent supporters of reform, such as ALF, to regional language groups which supported some aspects of the Bill, and certain sectoral groups which were strongly opposed to many of its provisions.

This chapter analyses both the advocacy and veto pressure exerted during the six-month period leading up to the presentation of the legislative reform Bill. It examines the particular grievances, concerns and strategies of both newly-mobilised protagonists and those already involved in the pro-reform movement, and attempts to assess and explain the impact of their various representations on policy formulation and on attitudes towards legislative reform prior to the parliamentary debates.

1. The broadening of the debate

1.1 Official channels of expression

As has already been seen in the case of the constitutional amendment debate, consultation of interest groups at Committee stage forms an integral part of the French legislative process. Consequently, following approval of the Bill by the *Conseil d'Etat*, the Cultural Affairs Committee (the CAC), the Standing Committee responsible for reporting to Senate on Toubon's proposals, began the official process of consultation. The *Ministère de la Culture et de la Francophonie*, the *Délégation Générale à la Langue Française*, and the

Académie Française were invited to present the views of the subgovernment. DLF, ASSELAF, the UIJPLF and ALF were invited to represent the traditionally recognised attentive public of the language policy community. The other groups and individuals consulted were drawn from a wide range of professions, and included ambassadors, bankers, lawyers, and conference interpreters, as well as expert witnesses from such diverse sources as the *Conseil national du patronat français* (CNPf), the French national employers' federation, and the *Conseil Supérieur de l'Audiovisuel* (CSA), the broadcasting authority (a full list of the forty-two individuals consulted is contained in Appendix XI).

It should be noted that no representation was granted at Committee stage in respect of the languages of either the immigrant or regional communities of France, even though reference was made to the latter in the proposed legislation. The implications of this lack of representation are considered further during the course of this and later chapters.

1.2 Media reception of the Bill

Since all those residing in France could be considered to have a stake in the outcome of the legislative debate, many individuals not affiliated to a particular group or sector also sought to make their views on specific provisions more widely known. Given the strength of emotion which this debate generated, there was substantial media coverage of the issue, which served as additional input to the CAC deliberations and subsequent parliamentary debates.

The Bill was greeted in the French press with a mixture of amused indulgence, cynicism and open hostility. Journalist Nathaniel Herzberg, writing in *Libération* (24.2.94:17), asked ironically whether it would be necessary to rename Eurotunnel's Shuttle, and require France Telecom to add accents to its

name. Other journalists, for example Dominique Jamet of *Le Quotidien de Paris*, dismissed the legislation as out of touch with reality, and therefore unlikely to be effectively implemented:

Ainsi en va-t-il des lois qui ne sont pas en prise sur la réalité, qui ne donnent pas la bonne réponse aux vraies questions, qui ne sont pas l'expression des mœurs. (Le Quotidien de Paris, 4.5.94:2)

Similarly, Jean-Pierre Péroncel-Hugoz, a regular linguistic columnist in *Le Monde*, maintained that the Bill contained too many dispensations, exceptions and omissions to be useful (*Le Monde*, 25.2.94:14); like Jamet, he believed that, since the proposals were inappropriate to address the problem, they would follow the same fate as the 1975 legislation.

More critical, Alain Le Goff, viewed the initiative as an ineffectual and inapplicable piece of intellectual interventionism ("*dirigisme intellectuel*"):

Publier une loi en ce sens me paraît aussi vain et futile, en cette période de très grave crise économique que d'en avoir édicté une pour réglementer le comportement des fumeurs en public. (Le Figaro, 7.3.94:2).

The parallel which Le Goff drew between this and the earlier *loi Evin*, designed to restrict smoking in public places, reveals his perception that this was first and foremost an infringement of public liberties. However, it is significant that this particular line of argument, which was later to prove pivotal in determining the final outcome of the debate, was not widely used at this stage in the debate.

Although Toubon, anticipating criticism, had announced his Bill as being "*une politique qui ne saurait être passéiste ou frileuse mais qui est généreuse et tournée vers l'avenir*" (*Le Monde*, 24.2.94:2), it still attracted accusations of neo-imperialism. Edwy Plenel, a political commentator for *Le Monde*, saw the attempt to reinforce the legislation as an attempt by France to relive its past

glory: "*La défense d'une langue vivante (...) devient ainsi un symptôme politique: la mise en scène de la nostalgie d'une gloire morte*" (*Le Monde*, 4.5.94:10). Overall, the tenor of press coverage was negative, the vast majority of commentators appearing either suspicious of the government's motives or sceptical about the likely effectiveness of the measures proposed.

Toubon did attempt to demonstrate popular support for the Bill prior to its presentation to Parliament, by commissioning an opinion poll. This was carried out by SOFRES from 4-5 March 1994, and revealed that 65% of those questioned felt that government commitment to language planning initiatives could help redress the situation, and 90% that the protection of French should be an important government objective. Furthermore, when questioned directly about the provisions of the Bill, respondents affirmed their support for the measures, ranging from 81% to 93% depending upon the particular provision concerned.¹ However, 38% of the respondents attributed the problems facing French to low standards of teaching in schools, and 35% to a lack of vigilance on the part of French speakers themselves, rather than to the excessive influence of American culture (21%), the fact that English is often required in the workplace (22%), or the internationalisation of economic affairs (12%)². Consequently, although this opinion poll provided the approbation Toubon sought, closer examination of the responses received would suggest that those questioned did not necessarily have confidence that the proposed legislation would tackle the cause of the problem. Furthermore, this poll was one isolated piece of evidence of public support for the Bill, and not widely reported in the press. In contrast, negative comment was widespread, and provided additional weight to help

¹ 81% were in favour of the imposition of French for shop signs, 83% for advertisements, 87% for notices in public places, 92% for offers of employment and internal company documentation, and 93% for instructions, guarantees, and bills.

² The figures given do not total 100% because agreement with up to two responses was permissible.

validate the claims advanced by individual sectors which were opposed to the provisions.

2. The emergence and impact of the secondary movements

The most significant counter-pressure was applied by the commercial and scientific sectors, whose principal grievances were economically based. Mobilisation represented a reaction to what each sector perceived to be threats to the economic well-being of its members, and was aimed at neutralising the effects of the proposed restrictions on their professional and commercial activities. These were amongst the first groups to react against specific proposals contained in the Bill, and to campaign to bring about a reduction of their impact. It is important to note that both of these counter-movements presented their case to the Committee in economic terms, focusing upon the negative impact which they believed the provisions of the Bill would have on their sectors. At this stage, the issues of freedom of expression and equality of treatment were only used as broad supporting arguments.

The reverse was true of the regional movement, whose mobilisation, like that of ALF, resulted from a complex interplay of rational and non-rational factors. Regionalist mobilisation represented both a response to the omission of substantial provisions regarding regional languages from the Bill, and the manifestation of pre-existing discontent and frustrations. The outcome of the constitutional amendment debate, and the refusal of the French government to sign the European Charter on Lesser Used Languages appeared to perpetuate the traditional marginalisation of regional languages in France. Although a number of the provisions sought by regionalist language speakers would serve to protect their economic interests, the main arguments which they advanced were culturally and ideologically based, centring primarily around the notion of

equality of treatment. Ironically, such arguments were later to prove successful when used by the commercial sector, and yet they failed to influence the Cultural Affairs Committee when used by the regionalist movement.

The campaigns of each of the three secondary movements are considered separately, since there was no collaboration between them at this, or indeed later stages in the legislative process.

2.1 Counter-pressure from the commercial sector

2.1.1 The initial reactions of the commercial sector

The provisions of the Bill which had the greatest impact on the commercial sector were those which obliged the use of French terminology and the provision of translations, and those which insisted upon the use of French as the medium of communication in specified situations. Of particular concern were Article 1, which specifically included advertisements within the remit of the linguistic legislation for the first time; Article 4, which related to commercial contracts; Article 10, which concerned audiovisual broadcasts; and Article 12, which related specifically to registered names.

The Bill affected different commercial interests to differing degrees, and it should be noted that not all of those representing the commercial sector were hostile to the measures. Stève Gentili, for example, President of Gimac (a business enterprise group in the Paris region) was an ardent supporter of the Bill, and maintained in an interview to *La Tribune* that "*le français, c'est le meilleur moyen de nous vendre*". Comments such as these were not widespread amongst the commercial sector, but it is noteworthy that, in those cases where support was evident, identical arguments to those of ALF were used:

Il faut casser le mythe de l'anglais - langue d'affaires en imposant d'abord le français comme langue de travail sur notre territoire. (...) Et il faut aussi mettre un terme à ce snobisme régnant dans les écoles de commerce ou de publicité, où parler anglais signifie être moderne, plus technicien, plus cultivé. (La Tribune, 5.5.94:2)

Amongst the most aggrieved by the proposed measures was the advertising sector, because of the extension of the legislation to advertisements, and the ban on foreign terminology in all broadcasts, including advertisements, where a French equivalent existed. The frustration of the advertising sector was all the greater because a number of earlier pieces of legislation had, only a short time previously, restricted the freedom of advertisers in France³.

As noted in Chapter 5, the advertising sector was active immediately the draft Bill was published, and successfully lobbied for a reduction in the number of translations required. Despite this triumph, the restrictions imposed on the advertising and audiovisual sectors remained considerable. In the spring of 1994, when the content of the Bill became more widely known, many of the advertising companies who were likely to be affected by the provisions expressed anger at what they viewed as yet further legal obstructions to their profession. Richard Claverie, Art Director at Saatchi and Saatchi (Paris), for example, vented his frustration in an article in *Le Figaro*, and like Le Goff (see Section 1.2) evoked the *loi Evin*:

Déjà depuis la loi Evin nous n'avons pas le droit de montrer des gens qui boivent et qui fument. Si, en plus, pour vendre des produits américains, nous devons parler français! (Le Figaro, 25.2.94:8)

The remarks made by the advertisers clearly revealed the extent to which they viewed the English language as an essential marketing tool in France, and indicated that any measures restricting its use would be fervently resisted. The

³ 1991: *loi Evin* legislation restricting advertisement of tobacco and alcohol; 1992: *loi Neiertz* regulating comparative advertising in France; 1992: *loi Sapin* regulating the purchase of space by advertising companies.

following statement by Maurice Lévy, Managing Director of the advertising agency Publicis, is representative of the many comments voiced by advertisers about the constraints on their profession, and what they considered to be the absurdity of the legislation:

*Une langue est une chose vivante, qu'il ne faut pas figer, ni par des textes, ni par une réglementation qui peut très vite devenir absurde. (...) Toute restriction dans l'usage des mots, dans les discours commerciaux, techniques, ou dans la fantaisie publicitaire, me paraît à la fois un exercice vain et contraint"*⁴.

Together with co-director Bertrand Siguier, Maurice Lévy attempted to make his sentiments more widely known, by deriding the law in much the same way as Etienne had derided the use of *franglais* in the 1960s. In conjunction with Jean-Louis Chiflet, author of *"Ciel, mon mari"*, they produced a nonsensical pamphlet entitled *"Sky, Mr. Allgood ! ou parler français avec Monsieur Toubon"*, which was published on 3 May 1994, the day of the first reading of the Bill in the National Assembly. *"Sky, Mr. Allgood"* was a stylistic exercise in which the entire text was composed of literal translations based on the official terminology prescribed in the revised version of the DGLF dictionary, published in 1994. Although not the best-seller which *Parlez-vous franglais ?* had proved, it received widespread publicity in the French press, and served to extend the debate beyond what might otherwise have appeared to be the parochial concerns of the advertising sector.

The *Union des annonceurs* (UDA) was ostensibly supportive of the aims of the Bill. However, this support was tempered with some caution, the UDA considering a number of the provisions of the Bill to be unacceptable, either because they were too imprecise or unrealistic, or because they appeared too restrictive, and might therefore be detrimental to the wider economic interests of

⁴ Personal communication M. Lévy to L. Wilcox 6.9.94

France. The UDA voiced its reservations regarding the potentially deleterious effects of the ban on foreign terminology in advertisements (Article 10.3) and registered names (Article 12), on the image of France, on French competitiveness, and on free trade in Europe. It described the restriction as

une innovation qui risqu[e] de faire peser des contraintes disproportionnées sur les annonceurs, en touchant notamment leurs produits ou leurs conditionnements, et par suite la libre commercialisation au sein de l'Union européenne. (Publicité et langue française, UDA, 1995:20⁵).

2.1.2 Inputs and outputs at Committee stage

Given that so many of the innovations in the Bill were commercially-oriented, it was important that this sector should be well represented at Committee stage. No fewer than seven representatives from the advertising sector were invited to present their opinions: two members of the UDA, three representatives from the BVP, and the Managing Director of the advertising agency Publicis. In addition, the Cultural Affairs Committee sought the views of a lexicographer and linguist from the French language monitoring unit of the CSA, and a member of the *Assemblée des chambres françaises de commerce et d'industrie* (ACFCI).

Like the UDA, the BVP expressed cautious support for the aims of the Bill. It drew the Committee's attention to the fact that the Bill provided no indication as to what constituted a French term, nor who should determine whether a term was French. Article 1 of the legislation might therefore be subject to wide interpretation, which could prejudice the commercial sector:

Ces dispositions ne sont pas parfaitement explicites. (...) Or, une loi pénale ne doit pas pouvoir générer plusieurs interprétations. (BVA statement to the Cultural Affairs Committee, 14.12.93)

⁵ This document synthesised the UDA's actions in 1994, but was not published until 1995.

In a similar vein, the UDA expressed concern that, if the measure were approved unmodified, judges would be allowed to arbitrate in linguistic issues. It criticised:

l'arbitraire - peu compatible avec le caractère pénal des dispositions de la loi - qui aurait résulté d'une appréciation par le juge du caractère "correct" ou "incorrect" d'une formulation. (Publicité et langue française, UDA, 1995:14)

Both bodies strongly recommended that explicit criteria should be defined for the foreign terminology which was to be translated. They urged that the criterion used should be that of the 1975 legislation, namely that a translation be required *only* in instances where there already existed an official neologism, published in the Official Journal.

In contrast, the representatives from the ACFCI, and CSA were less guarded in their support for the reform. The ACFCI offered to explain the application of the provisions to its members should the Bill become law:

L'ACFCI pourra être le relai des Pouvoirs Publics auprès des Chambres de Commerce et d'Industrie pour expliquer le sens de la loi, le moment venu, et les modalités de son application dans les entreprises⁶.

Nicole Gendry, the CSA representative, was more concerned with incorrect usage than with the alleged influx of anglicisms ("*[les spots publicitaires] comportent fort peu d'anglicismes, contrairement à ce que les téléspectateurs pensent.*" *Libération*, 13.4.94:4). However, she did urge that the loophole in the law concerning trademarks be closed to enable the CSA to exercise greater control ("*Il s'agit en réalité de noms de marque déposés, tels que Sensitive skin (peau sensible). Là, nous sommes impuissants, mais la traduction à l'écran est obligatoire.*" *idem*). The CSA's more supportive attitude towards the legislation

⁶ Extract from letter from Yves Robin, Directeur, ACFCI, to Senator Legendre, 9.3.94.

can be explained partly by the fact that, since 1986, this body has been charged with protection of the French language and culture, and has undertaken selective monitoring of broadcasts for errors of syntax, style and pronunciation⁷. Consequently, the revised legislation did not represent a substantial change to the regulatory role already played by the CSA.

Neither the ACFCI nor the CSA expressed strong views on the reform, nor did they attempt to convert those engaged in the counter-movement, yet their apolitical stance may have helped counterbalance the opinions of the advertisers, and added weight to the demands put forward by ALF. Certainly, the CAC made no recommendations to reduce the severity of the provisions relating to broadcasts, and it did support ALF's recommendation that the provisions of Article 10 be restricted to broadcasts for *language teaching* only.

With these exceptions, however, the outcome of the Committee deliberations was largely favourable to the commercial sector. The CAC accepted the argument advanced by the UDA, namely that Article 4 was too restrictive, and likely to put its members at a disadvantage compared with foreign competitors: *"cette exigence [la rédaction en français des contrats] risque de placer les entreprises publiques françaises dans une situation de concurrence défavorable vis-à-vis des entreprises étrangères"* (Rapport no. 309, 6.4.94:68). As a compromise, the Committee recommended (amendment no. 8) that the requirement for commercial contracts to be drawn up entirely in French should only apply in cases where the contract was to be executed in France. Similarly, in respect of Article 7, concerning the use of French in such companies, the CAC reporter, Senator Jacques Legendre, expressed the view that a pragmatic

⁷ Under the *loi no. 86-1067 du 30 septembre 1986 relative à la liberté de communication*, the CSA must *"veiller à la défense et à l'illustration de la langue et de la culture française"*. However, the CSA did not itself instigate proceedings against offenders, and simply recorded instances of non-compliance with linguistic legislation, and reported them to the DGCCRF.

approach was essential: *"Il ne paraît pas réaliste en effet d'imposer la rédaction ou la traduction en français des documents liés à l'activité internationale des entreprises"* (idem).

Furthermore, no action was taken by the Committee on Gendry's suggestion that the loophole in Article 12, concerning trademarks, be closed; again, the CAC claimed that the application of the proposals to the totality of the French commercial sector would constitute an unreasonable restriction on their activity:

Cela reviendrait en effet à les handicaper vis-à-vis de leurs concurrents étrangers en restreignant leur capacité de choix d'un signe distinctif, d'une part, et en rendant plus difficile leur communication internationale, d'autre part (pp.78-9).

Perhaps the most notable victory for the commercial sector at this stage was obtained by the BVA and UDA. Following their hearings, the CAC expressed the view that Article 1 was too broadly drawn : *"elle place les usagers de la langue française dans une situation juridique d'incertitude"* (p.58). To remedy this, the Committee recommended that, in each instance where an article made reference to the use of French terminology, the phraseology should be amended, to the effect that it would only be applicable where *officially approved* terminology existed. The decision was perhaps more consequential than might appear at first sight, since it applied to the whole Bill, and substantially restricted the application of the legislation.

2.2 Counter-pressure from the scientific sector

2.2.1 The initial reactions of the scientific sector

In contrast to the concerns of the commercial sector, which related to the totality of the Bill (at least insofar as it had implications for French commerce), those of the scientific community centred around the proposals made in Article 5, which

concerned the language of use in conferences, colloquia and publications. To recapitulate, Article 5 stated that in no case should a conference arranged in France by French nationals or by a French company prohibit the use of French:

Aucune manifestation, aucun colloque ou congrès ne doit être organisé en France, par des personnes physiques ou morales de nationalité française, sans que le français puisse être utilisé lors des communications et débats.

Subsequent clauses stipulated that documents distributed to participants before and after meetings should be drawn up in French, with the option of translations into one or more foreign languages, and that the text of any paper delivered in a foreign language must be accompanied by a summary in French. Public funding for conferences and publications would also be withheld for non compliance with the legislation, and exemptions would only be granted in cases where the majority of participants were not French speakers.

Although the scientific debate centred primarily on the provisions of a single article, the question of the language to be used in the scientific domain in France was, in many respects, the most sensitive of all those discussed in connection with the legislative reform, because it entailed the risk of ridicule and embarrassment for French scientists. This was later also to be the object of the most lengthy debates in Parliament, both because of its sensitivity, and because there was divergence of opinion within the scientific community itself. Although there was agreement on such issues as the need for greater State funding for the translation of scientific publications into French, and their subsequent distribution at international level, there was considerable divergence over the extent to which French should be obligatory as the language of science in France. These differences of opinion were most marked between ANSULF, which welcomed the measures, and the *Académie des sciences*, which argued against the primacy of French, insisting that the obligations imposed by the

revisions to the legislation would threaten the future of France as a centre of scientific excellence.

Bernard Cassen of ANSULF voiced the response of the pro-reform scientific lobby when he claimed that

Malgré son manque d'ambition, le projet de loi Toubon a le mérite d'aller à contre-courant de cette pseudo-modernité qui fait office de prêt-à-porter pour les faiseurs d'opinion à la mode. (Le Monde diplomatique, April 1994).

However, the threat of new restrictions in respect of conferences and research publications provoked an immediate, hostile response from members of the *Académie des sciences*. This body reacted to the proposals by sending a statement to Jacques Toubon on 14 December 1993, raising particular objections to the nature and extent of the translation facilities to be provided, and the limited nature of the exemptions. The statement, which received almost unanimous support from its members⁸, argued that the government text was too protectionist in tone, and therefore liable to produce a negative impact on the credibility of the French scientific community at international level. More specifically, the *Académiciens* asked the government to accord French scientists the right to use a foreign language if necessary in the course of their work, whether this be for research, training or publication of findings:

l'Académie des sciences (...) demande solennellement que (...) la communauté nationale et ses dirigeants reconnaissent à la communauté scientifique française, à laquelle l'Académie a l'honneur d'appartenir et qu'elle a la fierté de représenter, la liberté d'apprécier l'opportunité de l'utilisation d'une langue étrangère appropriée, chaque fois que l'exigent sa mission de recherche et de formation à la recherche, la diffusion de ses découvertes, et leur discussion contradictoire dans des colloques scientifiques spécialisés. (Déclaration: Recherche Scientifique, Langue Française, Francophonie 14.12.93)

⁸ In a secret ballot of members of the *Académie des Sciences*, there were only two abstentions.

When Toubon did not respond to these objections, the *Académie des sciences* formalised its approach, and on 3 March 1994, submitted a *proposition de résolution* to the Minister. This called for the words "*qui ne concernent que des étrangers*" to be replaced by "*dont les participants sont en majorité non francophones*". In response, Toubon reassured the *Académie des sciences* that only minimal obligations to use French would be imposed⁹, on the basis of which the *Académie* assumed that its recommendation would be followed. As the text of the Bill presented to Parliament reveals, this was not to be the case.

2.2.2 Inputs and outputs at Committee stage

However, at Committee stage, Paul Germain, Permanent Secretary of the *Académie des sciences* was afforded the opportunity to expand upon the arguments advanced in the December statement referred to above. Presenting his case to the Cultural Affairs Committee, he argued that because conferences and similar events often comprise hundreds of parallel sessions and involve thousands of papers, an obligation to translate every document into French prior to the event would make France a much less economically attractive conference venue, and place the scientific community in France at an unfair disadvantage compared with its counterparts in other non-anglophone nations. Furthermore, since the use of languages other than French was only permissible in the case of conferences which were attended *entirely* by non-French nationals, or related to initiatives to promote French overseas trade, Germain argued that exemptions would be few, since it was highly unlikely that international conferences would be held in France at which there were no francophone participants¹⁰.

⁹ Jacques Toubon wrote a letter of reassurance to Paul Germain, saying "*Je comprends votre démarche*" (Personal communication from P. Germain to L. Wilcox, 18.5.94.)

¹⁰ "*C'est ridicule. Un colloque en France sans scientifiques français, ça n'a aucun sens*" (Germain, quoted in "Toubon boute l'anglais hors du français", by N. Herzberg, *Libération*, 24.2.94:17).

The validity of at least some of these arguments appears to have been accepted by the Committee. In his official report, Legendre described the requirement in Article 5 for papers delivered in a foreign language to be accompanied by a French summary, as unrealistic, evoking (like Germain) *"le facteur temps"*, *"les difficultés pratiques d'application"* and the *"coût supplémentaire"* (rapport no. 309, 6 April 1994, p.70). The CAC recommended that such a requirement be deferred to the publication stage.

One further concession was made to the *Académie des sciences*, in the form of a slight reformulation to the wording of the article. The CAC recommended (amendment 10) that the positive formula *"Tout participant (...) a le droit de s'exprimer en français"* be substituted for the negative formulation (*"aucune manifestation, aucun colloque ou congrès ne doit être organisé en France (...) sans que le français puisse être utilisé lors des communications et débats"*), and this proposal was later accepted in Parliament. By removing the emphasis from prohibition, and placing it upon the right of the participant to use French freely in France, the amendment helped reposition the Bill as a measure concerned with broader values, in this instance freedom of expression, without fundamentally altering the sense of the clause. Although this was a very minor concession when judged against the totality of the new measures imposed in this field, it did represent a serious attempt to address the concern expressed by the *Académie des sciences* regarding the negative image of France that the Bill might convey.

Contrary to the expectations of the *Académie des sciences*, however, the CAC was not only unsympathetic to its objections to the prohibition of "all English" conferences, but also highly censorious of the scientific sector. The Committee accused French scientists of contributing to the decline of French-language scientific publications: *"en délaissant de façon presque systématique les revues*

françaises, les chercheurs français ont en quelque sorte signé l'arrêt de mort de ces publications" (rapport no. 309:19-20). The factors accounting for this intense reaction are considered in Section 3, after discussion of the campaign led by regional language supporters.

2.3 Regionalist attempts to expand the Bill

Alongside the veto pressure discussed above, regional language speakers offered passive support for the reforms, provided that wherever action was taken in support of French, equivalent measures should be taken to protect regional languages¹¹. Their actions constituted not so much a counter-movement, since those involved were not against change, as a parallel movement to that of ALF, albeit one which was only loosely affiliated to the pro-reform movement.

Only one article in the text, Article 19, dealt specifically with the regional languages of France, and it is perhaps significant that this was placed after those articles concerned with issues of procedure and sanctions. Indeed, it is possible that the particular positioning of this article near the end of the Bill represented an attempt (albeit one which was to prove unsuccessful) to defer many of the objections raised by the regionalists until late in the debate.

Article 19 merely proclaimed that none of the provisions of the legislation would impact negatively on any legislation which was already in force in respect of regional languages¹². The regionalist language movement considered that this brief reference offered insufficient guarantee of protection, particularly as the teaching of these languages was regulated by circulars (some issued by

¹¹ These sentiments were later repeated during the parliamentary debates: "*Je veux bien que soient repris dans ce projet de loi les termes figurant dans la Constitution, mais, en ce cas, je souhaite qu'il soit bien précisé que les langues régionales ne sont pas exclues*" JO Sen 13.4.94 p985.

¹² This was somewhat limited, encompassing the *loi Deixonne* of 1951, the *loi Haby* of 1975 and a number of regulatory texts relating to the audiovisual sector.

government Ministries, others by local education authorities), and not by full legislation. Moreover, the pledge made in Article 19 of the Bill was viewed with some suspicion because similar government promises, given earlier, had been broken. Reference has already been made (Chapter 3) to the attempts made by French regionalist parliamentarians to bring about the incorporation of a reference to their respective languages in the constitutional amendment introduced in 1992. Whilst this was not achieved, the regionalists received many assurances during the course of the parliamentary debates that the future of their languages would be protected, and that the French government would give serious consideration to the signing of the European Charter for Lesser Used and Minority Languages. However, in October 1992 the same constitutional amendment was cited by the Prime Minister, Pierre Bérégovoy, as an argument in support of the French government's refusal to sign this Charter¹³. In 1994, this refusal remained an area of contention between the French government and speakers of regional languages. The latter, fearing that reinforced legislation to protect French would, like the constitutional amendment, be used to the detriment of regional languages, called for increased guarantees to be incorporated into the Bill.

In the absence of representation at Committee stage, these groups were forced to find other means to make their voice heard. They attempted to make clear their position and canvass support for their cause through their writings in the press¹⁴, and through direct representations to parliamentarians. The Breton Cultural Council, for example, which claimed to speak on behalf of the major Breton cultural associations, petitioned both deputies and senators:

Le Conseil Culturel de Bretagne, qui rassemble des représentants des collectivités régionales, départementales et locales bretonnes, ainsi

¹³ See Senate debate of 12.4.94 (JO Sen 12.4.94:960-1).

¹⁴ See for example Kalvez, *Le Monde* 19.3.94:2.

*que les représentants des associations culturelles bretonnes les plus importantes, est très inquiet du projet de loi (...). Il tient à attirer votre attention sur les graves menaces que fait peser ce texte sur la langue bretonne et les autres langues régionales*¹⁵.

Also during the period of the Committee hearings, Senator Goetschy (Haut-Rhin) wrote to the CAC reporter, on behalf of French regionalists, urging that the Bill should be expanded to encompass references to regional languages¹⁶. Goetschy also commissioned an opinion poll by the *Institut français d'opinion publique* (IFOP), in order to demonstrate that there was popular support for the regionalist cause. This poll, conducted from 31 March to 1 April 1994, sought views on the status which should be accorded to regional languages in France, and was conducted throughout the country, and not simply in areas where regional languages were spoken, to lend greater credibility to the regionalists' arguments. The poll revealed that 93% of those questioned viewed regional languages as an integral part of French culture, 88% felt that they did not represent a threat to the French language, and 77% would be in favour of a law to recognise and protect such languages¹⁷.

Although these were encouraging results, which provided the regionalists with ammunition for their cause, this sector had no official input into the debate until the Bill entered Parliament. Furthermore, there was no reaction from the CAC to the objections voiced, other than a statement in the Committee report (No. 309, 6.4.94:42-43) to the effect that the legislation was not designed to suppress regional languages. The reasons for this disappointing outcome for the regional movement are considered in the following section, which examines in turn the

¹⁵ Extract from letter, dated 22.3.94, from Jean-Louis Latou, Per Denez and Tangi Louarn of the *Conseil Culturel de Bretagne* to individual parliamentarians (Mercator, 1994:6-7).

¹⁶ These representations constituted part of a broader ongoing campaign. During the period June 1992 to January 1996, Senator Goetschy exchanged no fewer than fifty-five letters with various parliamentarians on the subject of the European Charter (source: personal communication from H. Goetschy)

¹⁷ The results were reported in Senate by Henri Goetschy (JO Sen Débats. 12.4.94)

principal factors impacting on the particular successes and failures of each of the secondary movements.

3. Factors impacting on the impact of the secondary movements

3.1 Commercial counter-movement

Amongst the major strengths of the pro-reform movement identified in Chapter 4 were its organisational strength, ideological cohesion, and proven track record. In comparison, the campaign launched by the commercial sector was poorly orchestrated. Certainly, counter-movements may be disadvantaged by their late entry into a debate, particularly if the movement against which they are prompted to mobilise determines the timing of this mobilisation (Zald and Umseem, 1987). In this instance, however, neither of the secondary movements can be considered to have been disadvantaged in this way. ALF had announced its intention to press for legislative reform in June 1992. This meant that the various groups concerned did have time to assess the potential implications for their particular sectors, and to determine their response. Furthermore, although Toubon had announced his intention to go ahead with the legislative reform as early as June 1993, the promised Bill was not in fact placed before Senate until the parliamentary recess in December of that year, and it was not registered for discussion in Senate until the following March. This further delay gave those not previously involved in the debate the opportunity to make known their views, should they wish to do so, through the press and by means of direct representations to parliamentarians and other individuals involved in the legislative process.

Despite the advance notice given of the reform, no attempt was made by the commercial sector to anticipate the proposals which the Bill would contain, nor to campaign for the total withdrawal of the project. It was not until it became

clear that Toubon was firmly committed to legislative reform, and that the Bill was to be debated, that commercial interests mobilised in opposition. Even then, only the issue of the number of translations was addressed, yet this was far from the most significant of the matters likely to impact on the sector. No organisational structures were put into place to facilitate discussion of the measure, nor were efforts made to elaborate a concerted plan of action. The UDA and BVP did not put aside competitive considerations and join forces to campaign, even though they had almost identical objectives. This would seem to suggest that, prior to publication of the Bill, the commercial sector was unaware of the true strength of the pro-reform movement, and was convinced that Toubon's Bill, like that drawn up by Tasca, would never reach the parliamentary agenda. Certainly, its contents militated against recent trends in the national economic environment, which had, over the preceding two decades, gradually become more conducive to liberal trade policies, with a greater degree of consensus in favour of market openness and trade expansion.

A major asset, particularly of the advertising sector, was the ease of access which it enjoyed to the media, and thereby to coverage of its cause. Without this coverage, the debate would have become something of a non-event, particularly as ALF and its fellow campaigners did not have the funding to extend their campaign more widely via the national press, as the advertising sector attempted to do. However, given the organisational weakness of this counter-movement, the modifications to the Bill which were favourable to the commercial sector may have owed more to the potential of this sector, rather than to actual pressure applied.

Certainly, the economic strength of the commercial sector as a whole is such that no legislator can afford to ignore the views of any one of its constituent parts,

and the CAC was at pains to stress that it did not wish to jeopardise the activities of French-based companies: "*L'objectif du projet de loi n'est pas d'entraver l'activité des entreprises implantées sur le territoire national*" (JO Sen, *Rapport*, no. 309, 6.4.94:78). Furthermore, whereas defensive measures to enforce the use of French in the commercial sector might have appeared desirable whilst the Maastricht and GATT negotiations were raising fears about French identity and national sovereignty, they were accorded a lower priority once these issues were no longer at the forefront of government attention.

3.2 Scientific counter-movement

It may appear surprising that the CAC seemed inclined to take a pragmatic view of certain aspects of the legislation which impacted upon the commercial sector, yet was less receptive to the pressure exerted by the scientific community, whose concerns had similar foundations. This variance may be explained by reference to the nature and focus of the opposition organised.

The *Académie des sciences*, the principal protagonist involved in the scientific counter-movement, did enjoy a degree of legitimacy within the language policy community by virtue of the fact that Germain, in his capacity as Permanent Secretary of the Academy, was a member of the *Conseil supérieur de la langue française*. However, the advantage afforded by this legitimacy was somewhat diluted at Committee stage, where it became clear that opinion was divided within this sector between opponents and advocates of reform. In addition to Paul Germain, the CAC interviewed five scientific experts, including Daniel Pajaud and Rémy Chauvin, both members of ANSULF and supporters of the measures, and three representatives from the CNRS. As part of its information-gathering exercise, the Committee also instituted an enquiry, led by Professor

Jean-Louis Boursin, into the distribution of scientific publications¹⁸. Although the commercial sector was not unanimous in its opposition to the proposals, the divergence within the scientific community was much more marked, possibly because debate within this sector focused primarily upon a single issue, that of the language of use in conferences and publications. This narrow focus increased the risk of the scientific counter-movement appearing protectionist, whereas the more broad-ranging criticism emanating from the commercial sector had the effect of diffusing what might otherwise have been considered a parochial stance.

The Bill's opponents within the scientific and commercial sectors shared many concerns about the potentially adverse effects on employment prospects resulting from the obligation to use French. Even so, at no stage was there any attempt by the *Académie des sciences* to strengthen its support base by appealing to non-scientific interests who might also be affected by the provisions of Article 5. Nor did the *Académie* pledge support to the commercial sector in respect of other provisions of the Bill.

Nonetheless, certain recommendations were made by the CAC which were designed to lessen the impact of the proposed measures on the scientific community. In its report, the Committee stressed that it was not the objective of the measures to place obstacles in the way of those seeking to organise conferences in France ("*Ce n'est manifestement pas là l'objectif du projet de loi.*" *op.cit.* p. 70). Proof of this is found in the positive reformulation of Article 5, and the recommendation relating to translations. Equally, however, the concessions granted may be attributed in part to the fact that many of the conferences and colloquia likely to be affected by the provisions benefited from

¹⁸ *Journal Officiel, Bulletin de l'Assemblée Nationale*, (22: 7.12.93).

State funding. Consequently, if the proposals were to be approved, the additional costs incurred would have to be borne in large measure by the State.

Aside from financial considerations, there appeared to be a strong feeling within the Committee that the scientific community was compromising itself by the use of English. If anything, the intervention on the part of the *Académie des sciences* had quite the reverse effect to that which had been anticipated, because it created a greater awareness of the extent to which English was used in the scientific domain in France. Having discovered more about the linguistic constraints under which French scientists operated, certain parliamentarians became even more resolved to ensure that the scientific community should operate in French. Several statements made by parliamentarians during the later debate in Parliament reveal that they were genuinely shocked by the situation. Legendre maintained that the members of the CAC were "*profondément choqués par l'exclusion formelle de la langue française de colloques qui se tiennent en France*" (JO Sen 13.4.94:1003). Similarly, in the National Assembly, Jean-Louis Masson claimed to be "*très choqué par le communiqué émanant de certains membres de l'Académie des sciences*" and felt that the call for further exemptions was tantamount to admitting Anglo-American supremacy in this field: "*Cela revient à affirmer l'hégémonie des anglophones sur tout un système, et je suis navré que l'Académie des sciences apporte de l'eau au moulin de ce raisonnement*" (JO AN 4.5.94:1456). To some extent, therefore, the *Académie des sciences* fell victim to its own information campaign.

3.3 Regional interests

Given the intensity of the regionalist reaction to the omission of any reference to regional languages in the constitutional amendment, there was every reason to expect a similar, or increased level of regionalist activity in response to the very

cursory reference to these languages in the legislative reform Bill. It is therefore surprising that no representatives of regional language groups were invited to present an opinion to the CAC, despite their highly organised lobbying and attempts to demonstrate popular support for their cause. In view of the detailed nature of Committee hearings, and the limited time available, only a relatively small number of individuals are afforded the opportunity to present their case officially, such invitations being reserved for those groups and individuals perceived to represent a major body of opinion relating to the debate. The total absence of representation at Committee stage confirms criticisms made by Dorandeu (and noted in Chapter 2) that the representation of regional language groups within the subgovernment of the language policy community is somewhat illusory.

The lack of response to the concerns voiced by the regionalists also indicates that the provisions contained in the reform Bill were viewed purely as mainstream language issues, designed to reinforce the French language. Indeed, the Committee stated explicitly that,

L'objectif (...) n'est pas de combattre la présence des langues étrangères ou régionales sur le territoire national, mais tout simplement de s'assurer, dans un souci de protection du citoyen, d'une part, et de préservation de l'identité culturelle de la France, d'autre part, de la présence généralisée de la langue française. (JO Sen, Rapport No. 309, 1994:43)

It should, however, be noted that the regionalist movement had certain qualities which would suggest that it had greater political saliency than the scientific and commercial interests which were represented at Committee stage. Regional language groups by definition already constituted part of the language policy community, and were therefore more knowledgeable about the policy issue under discussion than members of the commercial and scientific sectors.

Furthermore, the leaders of many of the regional language groups were also elected regional parliamentarians or councillors, who therefore had access to the political arena, and were better versed in the operation of the political system than those acting on behalf of the counter-movements. Ironically, however, it would appear that none of the members of the CAC representing areas where regional languages were spoken¹⁹ were firmly committed to the regional language cause; none took an active part in the parliamentary debates²⁰, and the only member of this Committee to speak out in favour of the regionalist cause in the subsequent parliamentary debates, Ivan Renar (PC), was not himself a regionalist²¹. The outcome of the Committee deliberations could have been quite different had the CAC included such fervent regional language supporters as Henri Goetschy and Louis Jung. However, as Matthews contends, although institutionalisation may enhance political saliency, and thus the likelihood of a group's demands being satisfied, it is no guarantee that the interests represented will prevail: "Mere representation on advisory committees neither demonstrates or guarantees that the interests represented share in the exercise of state power" (1993:239). Indeed, as the parliamentary debates were to reveal, parliamentary representation was insufficient in this instance to secure the guarantees sought by regional language speakers.

4. Ongoing advocacy pressure from ALF

Despite concessions granted to the counter-movements, the main principles of the reform Bill remained unchanged. In his report to Senate on the Bill, Legendre described the measure as *"une intervention nécessaire"* (op. cit., p.15).

It was deemed necessary because of *"l'insouciance, parfois même l'inconscience"*

¹⁹ Pierre Schiélé (*Haut-Rhin*), Claude Saunier (*Côtes d'Armor*) for example.

²⁰ Lovecy (1982) suggests that the regional political elite have increasingly aligned themselves with national priorities in order to secure economic, as opposed to cultural gains for their regions.

²¹ Renar represented the *Nord* department. His contribution is considered further in Chapter 7.

des Français vis à vis de leur langue, leur empressement coupable à recourir à l'anglo-américain" (idem). This view was reasserted later in the report in a reference to *"le recours intempestif à l'anglo-saxon"* (p.22), and French culture was described as *"contaminée"* (p.23). Indeed, the report began by quoting the words of former President Georges Pompidou *"Si nous reculons sur notre langue, nous serons emportés purement et simplement"* (p.5). Furthermore, the Committee was receptive to certain of the language groups' proposals which were designed to reinforce the content of the Bill, and make its provisions more precise.

In marked contrast to the regionalist groups, French language groups were well represented at Committee stage, ALF, DLF, ASSELAF, and the UIJPLF all being invited to present their viewpoint. As the chief activist amongst these, ALF enjoyed the highest level of representation, no fewer than four of the forty-two individuals interviewed by the Cultural Affairs Committee being drawn from the group. Indeed, this was the highest number of individuals from any single organisation, language group or other institution. This level of representation can be considered as an indication of the credibility which the group had established amongst the subgovernment during the short time since its creation. In addition, a further three members of the group were consulted by the Committee, in their capacity as representatives of other bodies²². There was therefore considerable opportunity, both direct and indirect, for the views of ALF to be presented.

The arguments which ALF put to the Committee were those formulated in the *enjeux économiques* and *enjeux sociaux* documents discussed in the previous chapter. These arguments had been refined considerably over the two-year

²² Philippe de Saint-Robert as President of ASSELAF, Yves Marek as *Conseiller technique* with the *Ministère de la Culture*, and Michel Guillou as Director of AUPELF.

period since the publication of the *appel fondateur*, but the essential message remained constant. Equally, members of the group remained committed to the introduction into the Bill of the proposals which had been omitted from Toubon's Bill. To recapitulate, these included the provisions relating to the French language as an element of French patrimony; the role of France in the francophone community; the imposition of more stringent obligations regarding the use of French in the workplace, and French as the language of contracts; and also monitoring of the legislation.

In response, the CAC did agree to recommend the inclusion of the following supplementary article prior to article 1:

Le français, langue de la République, est la langue de l'enseignement, du travail, des échanges et des services publics. (Amendment No. 1)

This amendment, which synthesised a number of separate articles in ALF's Bill, clearly designated specific functions fulfilled by the French language in France, thereby encapsulating the objectives of the legislation, and indicating the scope of application of the measure. Nonetheless, it was less extensive than that proposed by ALF because it omitted any reference to the constitutionalisation of the language. The CAC was also unresponsive over certain more substantive issues, notably the group's calls for the incorporation of references to France's role within the francophone community, and to French as the language of education.

In contrast, ALF's recommendation regarding the submission of an annual report on the legislation was accepted by the examining Committee, and later approved in both Houses without debate. Indeed, the proposals were even extended

slightly, to include the monitoring on an annual basis of the status of the French language in international institutions:

*Chaque année, le Gouvernement communique aux Assemblées, avant le 15 septembre, un rapport sur l'application de la présente loi et des dispositions des conventions ou traités internationaux relatives au statut de la langue française dans les institutions internationales.*²³

In the interests of precision, the CAC also recommended a change to the provision concerning the places where the legislation would apply. The form of words used in Article 2 of Toubon's Bill was more extensive than ALF had anticipated, but the Committee considered that the wording (which imposed the law in any "*lieu ouvert au public*") was imprecise, and might lead to the article being interpreted narrowly to refer only to enclosed public places, thereby losing its effectiveness. Consequently, in designating the locations where the legislation would apply, it recommended (amendment no. 3) that the article be complemented by the words "on the public highway" ("*sur la voie publique*"). This amendment was later accepted in both Houses of Parliament, although the entire provision was later contested by the Constitutional Council.

The overall outcome of the Committee deliberations indicated that the pro-reform movement was maintaining its position within the legislative arena. Furthermore, the results of Toubon's opinion poll (referred to in section 1.2) reveal that members of the public were more concerned by falling standards than the loss of French cultural specificity. This would seem to suggest that, although the issue of language teaching had touched a chord amongst the wider French population (just as spelling reform had done in 1989), the more culturally-based arguments had not been espoused with the same enthusiasm. Efforts to generate

²³ This later became Article 20 of the final version of the legislation.

more public sympathy for the pro-reform movement might have enabled these groups to campaign more effectively for those proposals which figured in ALF's draft Bill, but which were omitted from the government text. However, no attempt was made by ALF or other French language groups to broaden the appeal of the movement, nor to counter the negative press comment discussed at the beginning of this chapter. Instead they confined themselves to attempting to influence the relevant reporting Committees. This could suggest a degree of complacency on the part of ALF and its supporters. Equally, it may be attributed to the fact that the movement had been campaigning for almost two years by that stage, and consequently it was losing some of its initial impetus. Part of ALF's strategy had been to anticipate the arguments which were likely to be advanced by opponents of reform, and to present counter-arguments in advance. Whilst this strategy helped strengthen the case for reform, it did mean that by the time the Bill reached Committee stage, the French language groups involved had already expounded most of their arguments, whereas the secondary movements, only recently entering the debate, had a fresh perspective to offer.

5. Conclusions

Language planning in France has been portrayed in earlier chapters as being largely insulated from parliamentary scrutiny. With the notable exceptions of the 1975 legislation and the 1992 constitutional amendment, the vast majority of initiatives prior to 1994 were the result of the combined efforts of State officials and intellectuals operating within a relatively closed policy community. In contrast, the scope and nature of the proposals contained in the legislative reform Bill of 1994 were such as to generate extensive discussion amongst both linguistic and non-linguistic interests, and to give rise to a number of secondary movements. The choice of the legislative route meant that input from non-linguistic interests was automatically invited, in the form of the Committee stage

consultations discussed in this chapter. As a result, the range of protagonists actively involved in the debate expanded considerably beyond those normally associated with non-legislative language planning issues. At Committee stage, ALF and the language groups affiliated to it were no longer the only politically salient representatives. Although this expansion of the debate was at the instigation of the pro-reform movement, the proponents of reform do not appear to have fully anticipated the nature of the opposition, nor appreciated the necessity of winning public and media support for an issue which was to become the object of open parliamentary debate.

It has been seen that official representation was granted to some, but not all of the movements involved. The counter-movements led by the commercial and scientific sectors each had certain characteristics which afforded them a degree of political saliency, which ensured representation of these sectors. The political significance of the *Académie des sciences* owed much to the prestige of this institution, and the well-established links which it enjoyed with the language policy community; that of the commercial sector derived primarily from its wider economic strength and media contacts. However, it could be argued that the regional language groups had a higher degree of political saliency than either of these sources of opposition. Not only were their members familiar with both the political process and the issue sector in question, but they also displayed greater organisational, if not strategic strength than the counter-movements. Seemingly, political saliency was not sufficient to ensure the representation of regional interests, and although France operates within an apparently pluralist tradition, in that institutions exist for the representation of interest group viewpoints, access is not afforded equally to all who have a stake in a particular issue.

The rationale behind the selection of the groups and individuals to be interviewed by the Cultural Affairs Committee does not appear to have been based entirely on either the extent of their political saliency or their perceived relevance to linguistic issues in France, but on broader political and ideological factors. The legislative reform Bill was designed to reinforce the value position of the French language, and in so doing also to provide a means of asserting French cultural specificity. Representation at Committee stage of groups such as ALF, DLF and ANSULF could only serve to reinforce these objectives, since these groups were all anxious to enhance the values attaching to French. However, the representation of regional language interests would not have contributed to fulfilment of these objectives, and might instead have had the psychological effect of diluting the force of the specificity being promoted.

The decision to marginalise regional interests, or at least separate out questions of French and regional languages, must also be viewed in its historical and ideological context. Regionalism has traditionally been associated with opposition and resistance to the policies and procedures of the established State (Lovecy, 1982), and as the following remarks by Philippe de Saint-Robert reveal, suspicions of regional motivation were still in evidence in certain quarters as late as 1986. The former language commissioner, commenting on the Giordan report on regional languages instituted by Jack Lang in 1981, suggested that it represented a desire to right historical wrongs ("*l'idéologie de revanche historique*") and, more seriously, constituted a denunciation of the Republican ideal of national unity ("*[la] dénonciation de l'oeuvre républicaine d'unité nationale*", de Saint-Robert, 1986:63).

Thus, the exclusion from the Committee hearings of the regional groups, which had a legitimate (albeit arguably indirect) interest in the policy issue under

debate, may be regarded as a deliberate strategy to ensure that attention should not be diverted from the main thrust of the legislative reform, namely the protection of the French language. Certainly, the only references to freedom of speech and equality of treatment contained in the CAC's report were made in connection with the French language, and not in relation to the right to express oneself in a regional language, or indeed an immigrant or other community language. This exclusion from the Committee hearings significantly limited the ability of regional language groups to influence the formulation stage of the policy process, and did not bode well for their quest to secure additional guarantees for the status of their languages in France.

Insofar as the issues raised by the scientific and commercial counter-movements were concerned, the Committee stressed the right of French speakers to use French in conferences in France, together with the right of French citizens to be educated in French, to have access to French documentation in the workplace, to have contracts drawn up in French etc. There is no indication that the Committee anticipated the use of counter-arguments to suggest that, if these rights became obligations, this would be in contravention of the French Constitution, although such arguments were later to be used successfully by the commercial sector.

At this stage in the debate, however, the arguments advanced by the counter-movements centred around the concerns of the scientific and commercial sectors over the relatively low welfare values associated with French in comparison with those associated with English, the main currency in use in many domains in both sectors. Certainly, the calls by opponents of the legislation for exemptions for their sectors to use languages other than French ran counter to the spirit of the legislation. However, the CAC recognised that language planning measures to

support French would be inadequate to enable the language to replace English as the medium of communication in these domains. It was therefore prepared to adopt a pragmatic approach to some of the provisions of the proposed legislation which were likely to be detrimental to these sectors, and thus to the wider economic interests of France.

Analysis of the outcomes of the CAC deliberations reveals a positive correlation between concessions granted to the various movements and their official representation at Committee stage. This suggests that access to the reporting Committee constituted a powerful mechanism for pressure groups seeking modifications to the Bill. It must, however, be acknowledged that the sheer number of protagonists in the debate at Committee stage complicates analysis of the impact of any particular actor. Whilst certain broad conclusions may be drawn regarding the political saliency and policy capacity of those involved, it is clear that in some instances no firm correlation may be established between the input of any one group and a particular policy decision. Sometimes, proposals which appeared to have been rejected at one particular stage of the legislative process were accepted at a later stage. This phenomenon has been referred to as the "delayed drop" (Hawes, 1993:170). It has already been observed in the case of the recommendation regarding the monitoring of the legislation. This proposal formed part of ALF's original draft Bill, and although not adopted by Toubon, it re-emerged at Committee stage. Similarly, a number of the proposals made by ALF, which were not taken up at the Committee stage, were subject to this "delayed drop" phenomenon, appearing later as amendments during parliamentary debate, and subsequently being incorporated into the Bill.

Notwithstanding these instances of delayed drop, which may be explained both by changing contextual factors and the impact of additional inputs to the policy

process, there are clear indications in many other instances of the input of particular groups being translated directly into outputs by the Committee. Indeed, the Cultural Affairs Committee made a series of proposals in response to the representations of both opponents and proponents of reform.

Given that the CAC was composed of a cross-section of the members of Senate, its official report on the Bill (No. 309, 6 April 1994) provided some indication of the likely reaction of the House when the government text was presented for debate. However, further amendments could be, and indeed were proposed in Parliament by parliamentarians not belonging to the Committee. Equally, other figures who attempted to make their voice heard through the media also had the potential to exert an influence on the debate. Consequently, it was not possible to predict the extent to which the Bill would remain in the form presented by Toubon. Its fate at the hands of Parliament is considered in the next chapter.

CHAPTER 7. LANGUAGE, PARLIAMENT AND IDEOLOGY

At any given time during the Bill's passage through the legislative process, several sets of protagonists were directly active in respect of any one issue (for example French and regional language groups, pro- and anti-reform scientists). Consequently, the intervention of the various movements, whether to attenuate the impact of the Bill on their sectors or to extend its provisions, is discussed in respect of specific issues, rather than in terms of separate campaigns. Campaigning undertaken after Committee stage by the four movements discussed in the previous chapter is examined, together with its impact on policy formulation. The chapter concludes with discussion of the factors affecting the relative effectiveness of the various extra-parliamentary actors, and the extent to which the values which each movement promoted were accepted by Parliament.

1. Parliamentary support bases and levels of group activity

The pro-reform movement led by ALF had succeeded in bringing a legislative reform Bill onto the parliamentary agenda, and had made a significant contribution at Committee stage. Once the Committee consultations ended, however, it assumed a much lower profile. The CAC report suggested that the Bill would be favourably received in Senate, and ALF had acknowledged champions in the National Assembly, including Xavier Deniau, Jacques Toubon, and Alain Juppé. Moreover, as a government initiative, the Bill was likely to receive a large measure of support from the government benches, although the extent of support from parties of the centre was less certain. Given that Tasca's proposals had represented an acknowledgement of the need for legislative reform, Toubon's Bill could be expected to receive some degree of support from the Socialists. Furthermore, pledges of support had been received from individual members of the Communist party earlier in the campaign, in the form of replies to the questionnaire which ALF distributed to parliamentary candidates.

ALF did make one final attempt to present its viewpoint before the Bill entered Parliament, in the form of a letter to the Parisian daily *Le Quotidien de Paris*. This letter, written by the President of ALF, Philippe Rossillon, and emotively addressed to the "*massacreurs de la langue de la République*", was published on the morning of 12 April 1994, the morning of the first reading of the Bill in Senate. The arguments contained in this letter differed in emphasis from those used earlier in the campaign, and focused primarily on human rights, and the protection of the weak from the strong, insisting that "*seule la loi démocratique permet de protéger le faible des abus du fort*". Amongst those in a position to dominate ("*les forts*"), Rossillon listed both multinational companies which conducted their business solely in English and insisted on the use of English in France, and publishers of scientific publications and organisers of scientific conferences who rejected the use of French. Portrayed as "*les faibles*" were the French consumer, the French employee ("*qui prend des cours du soir pour améliorer son anglais et éviter la prochaine vague de licenciements*"), French researchers, and French scientists participating at conferences held in France. Rossillon presented the Bill as a means of protecting French citizens from such "abuse": "*c'est à redresser ces torts faits à une majorité de nos concitoyens que tend la législation linguistique française en premier lieu*". His language, and particularly the use of the *faible/fort* opposition, was such as to appeal to members of the public of all political persuasions, and the strategic timing of the publication of the letter maximised the chances of its being read in particular by parliamentarians involved in the debate.

Like their French language counterparts, the regional language groups also reduced their lobbying activity once the Bill entered the parliamentary arena. At that point, representation of their cause devolved to regionalist parliamentarians, a number of whom were closely involved with regionalist language groups.

Detailed discussion of intervention in respect of regional languages is therefore deferred until later in the chapter.

However, unlike the language groups, the specific interests of members of the commercial and scientific counter-movements were not represented by particular parliamentarians. There was no real evidence of substantial parliamentary support for the commercial sector prior to the first reading of the Bill. Insofar as the scientific sector was concerned, two eminent scientists, Messrs Jean-Michel Dubernard (surgeon) and Jean Bardet (cardiologist), both deputies in the National Assembly, were strong advocates of the provisions to reinforce the use of French in the scientific domain. Awareness of this opposition within Parliament led the *Académie des sciences* to continue its campaign, while the scientists' language group ANSULF, for its part, continued to advocate reform. Indeed, the scientific community was arguably the most active of the extra-parliamentary protagonists involved in the debate once the Bill reached Parliament, with opposing factions intervening throughout the period of the readings of the Bill.

In contrast, the pressure group activity of the principal activists within the commercial sector all but ceased once parliamentary debate began. Having presented their case to the CAC, the advertisers, who had been amongst the first and most voluble of the protesters in this domain, were resigned to some tightening of the legislation, albeit resolved to overcome the difficulties which such reinforcement was likely to bring. For Maurice Lévy of Publicis, this was *"une contrainte de plus, mais ce n'est pas un drame"* (*Les Echos*, 6.5.94). Similarly, for Patrice Parmentier of the advertising agency CLM BBDO, the law was simply an obstacle to be overcome: *"la loi Toubon ne va pas empêcher de dormir les publicitaires. Nous sommes habitués aux contraintes"* (*idem*). Nonetheless, this resignation was later to be translated into renewed mobilisation once the Bill had completed its passage through the legislative process.

2. Reception of the Bill

The initial reaction to the Bill in Senate was that it was a timely and necessary measure: *"ce projet de loi vient (...) à point nommé et il présente un intérêt indéniable"*, Jean Cluzel (UC) (JO Sen 12.4.94:953). There was general agreement in both Houses regarding the extent of the problems for the French language emanating from foreign terminology: in Senate, Richert (UC) spoke of *"la gangrène des termes étrangers"* (JO Sen 12.4.94:953), and Lauriol (RPR) referred to *"le scandale trop souvent constaté qui consiste à priver complètement les Français chez eux, de l'usage de leur langue"* (*ibid* p957) as the most serious aspect of the problem. Links were established in both Houses between the alleged "contamination" of the language and the decline in standards of language use. The view was widely articulated (by Cluzel (UC) in Senate, and Fanton (RPR) and Hostalier (UDF) in the National Assembly) that the legislation could only be successful if accompanied by measures to improve standards of language teaching and learning, and the quality of French in the media.

Whilst the practical application of the proposed legislation was viewed as a means of redressing the power and welfare values associated with French, the Bill was also portrayed in both Houses as a way of enhancing the interpersonal values conveyed by the language. In the National Assembly, Georges Sarre (RL) spoke of the need to maintain the French language since it represented a "powerful factor of social integration" (*"un facteur puissant d'intégration sociale"*, JO NA, 3.5.94:1366). Similarly, in Senate, the Bill was described by Ivan Renar (PC) as a means of preventing the loss of French identity in favour of a broader European identity: *"il paraît souhaitable d'éviter sa dilution [celle de l'identité française] dans une identité européenne incolore et sans saveur"* (JO Sen 12.4.94:971).

To some extent, the optimism of the pro-reformists regarding the support they were likely to receive appeared to be confirmed by this positive reception of the proposals in Parliament. However, whilst the rationale underlying the Bill was not questioned, its tone was heavily criticised by the Socialist party, and there were indications from the outset that not all of its provisions would enjoy an easy passage. On the first day of the debate in Senate, François Autain (PS) spoke of the *"caractère inutilement répressif"* of the text (JO Sen 12.4.94:964). This view was supported in the National Assembly by Socialist Didier Mathus, who described the reform as unnecessarily defensive in tone (*"une ligne Maginot législative"*), and asked bluntly *"Va-t-on, dans le pays des droits de l'homme, aller en prison pour délit de vocabulaire ?"* (JO NA 3.5.94:1377).

It should however be noted that it was not only the left-wing which was critical of the reform Bill. In the National Assembly, Laurent Dominati (UDF) described it as proposing *"aucune mesure d'action positive"* (*ibid* p.1385), and moved amendments rejecting every article because he considered that the law was too modest to be effective. Similarly Xavier Deniau regretted the lack of ambition and dynamism in the text proposed, regretting *"le manque de souffle du présent projet de loi"* and *"le manque d'ambition"* (JO Avis 1178, 28.4.94:15).

Despite these comments, there was little dissent over the broad principles of the Bill, although Autain did hint at the possible unconstitutionality of the text, suggesting that:

Non seulement elles [les dispositions] portent atteinte à l'exercice des libertés fondamentales, mais encore elles nous semblent entachées d'inconstitutionnalité. (JO Sen 12.4.94:965)

Toubon attempted to dismiss this idea by insisting on the fact that the Bill was intended to permit rather than prevent freedom of expression:

Il n'est pas question d'interdire. La loi a pour objectif d'interdire qu'on interdise. Je crois que nous sommes là en plein dans la liberté d'expression et dans les droits de l'homme. (JO Sen, 13.4.94: 984).

The logic of this assertion was spurious in the extreme, since the freedom of expression offered by Toubon was so restricted as to give French nationals no choice other than to use their native tongue (provided that this was French and not a regional language). However, no further attempt was made at this stage in the legislative process to contest the constitutionality of Toubon's proposals, and the question of whether the legislation impinged upon the fundamental liberty of freedom of expression seemed to constitute only a peripheral issue.

3. Statements of principle

The relative consensus on the broad objectives of the Bill was translated into acceptance of most of the statements of principle it contained, and the introduction of others for which the pro-reformists had lobbied.

3.1 The status and role of the French language in France

The first of these statements of principle concerned one of the fundamental proposals made by ALF which had been omitted from the government text, namely that a statement be made affirming French as the language of State. This omission was addressed in Senate by the Communist group, which moved an amendment (no. 21) to include a reference to the constitutional status of the language. The full text of this amendment is cited, because of its similarity to the wording used by ALF.

Langue de la République en vertu de la Constitution, la langue française est un élément fondamental de la personnalité et du patrimoine de la France.

Furthermore, the Communist group supplemented this reference by the words:

Elle est la langue de l'enseignement, du travail, des échanges et des services publics.

a statement of principle which again had formed the basis of separate articles in ALF's draft Bill. Having agreed upon the principle of including such an article, the Senate accepted the Communist group's amendment in preference to that proposed by Legendre, although it was slightly modified, with the substitution of the word "*personnalité*" for that of "*identité*", which might have been perceived to have nationalistic overtones.

This first clause of the supplementary article was agreed by both Houses of Parliament, and revealed a general acceptance that the French language constituted an integral and inseparable part of French national identity. It served to establish a link between the somewhat symbolic constitutional amendment and the measures of more practical application contained in the proposed legislation. Furthermore, it established the wider remit of the legislation and confirmed its extension from a measure primarily concerned with the domain of consumer protection, to one with a much wider socio-economic and socio-cultural application, encompassing issues of education, employment and commerce. Indeed, this supplementary article even extended ALF's text by introducing into this prefatory statement a reference to French as the language of education, the workplace, commerce and the public sector, and a reference to the role of the language as a means of uniting the francophone world¹. Whilst most of these references were expanded upon in subsequent articles of the Bill, and are therefore discussed later in this chapter, the reference to the francophone community only figured in the first article, and is therefore considered further below.

¹ ALF had chosen to use separate articles (nos. 2.2, 2.3, 10) to designate French as the language of administration, education and the workplace.

3.2 France and the francophone community

As discussed in Chapter 3, earlier attempts to include a reference to France's role in this community had failed, apparently because of potential conflict which might arise from the introduction of such a reference into a Bill relating to European issues. Despite the fact that the situational context had altered slightly since 1992, no attempt was made in Senate to introduce any reference to the francophone community into the 1994 Bill, nor was any such suggestion made by the *Commission des affaires culturelles, sociales et familiales*, the National Assembly's examining Committee.

However, when the *Commission des affaires étrangères* was later called on to give its opinion, Xavier Deniau (the reporting officer) did react to the government's omission. In his report, he noted the absence of a reference to the francophone community: "*On regrettera en particulier l'absence de toute mention relative à la diffusion du français à l'étranger*" (*Avis 1178 JO AN 28.4.94:14*). Given his position as President of AFAL, and also his close relationship with ALF, Deniau was not only fully conversant with the objectives of the French language groups, but also sensitive to the political climate, and well placed to determine the most opportune moment to introduce such an amendment to ensure that it had the greatest likelihood of being accepted. During the first reading of the Bill in the National Assembly, Deniau's proposed amendment (no. 56) to supplement article 1, which affirmed that the French language was "*le lien privilégié des Etats constituant la communauté francophone*", the exact wording originally used by ALF, was accepted by the National Assembly, and subsequently incorporated into the final version of the legislation. This reference to the francophone community had both a practical and symbolic significance, in that it granted a legal status to the concept of a francophone community, and also, by use of the word "*privilégié*", emphasised the notion of the sanctity of French, and thereby helped reinforce the interpersonal values associated with the language.

It should be noted that regionalist parliamentarians did not voice any serious objections to the clause giving recognition to the francophone community, even though such an amendment would recognise all of the forms of French spoken outside of French territory, whilst two other amendments (nos. 32 and 60) which would have similarly recognised the regional languages spoken in France, were rejected. Indeed, whilst the incorporation of the reference to the francophone community represented a relative success for the French language groups, it did nothing to assuage the anxieties of the regionalists, who had achieved no concessions whatsoever in respect of the status of their languages, and therefore continued their campaign by proposing amendments in respect of subsequent articles of the Bill. This issue is developed more fully in Section 6.

3.3 French as the language of education

A further relatively consensual issue was the question of education. As noted in Section 1.1, members of the Communist group in Senate sought the incorporation in the supplementary article (no. 1A) of a reference to French as the language of education, alongside the statements of principles already discussed. They also attempted to expand upon the content of Article 9, and proposed an amendment (no. 33), which expounded the obligation of the State to promote the national language:

Les missions du service public de l'enseignement tendent à favoriser la maîtrise de notre langue, la connaissance de ses origines et de sa constitution et ses usages diversifiés.

In the event, when the group was advised that an additional clause to this effect was to be inserted into 1989 legislation outlining the objectives of French

education², the amendment was voluntarily withdrawn. However, it is noteworthy that once again the arguments propounded by ALF to the Cultural Affairs Committee were subject to the delayed drop phenomenon referred to in Chapter 6, and were later translated into specific amendments by the Communist groups in Parliament.

During the debates surrounding Article 9 in both Houses of Parliament, Toubon emphasised the government's commitment to raising the profile of language teaching, and promoting plurilingualism. Furthermore, he pledged to use the forthcoming French presidency of the Council of Europe in 1995 as a platform for further initiatives to encourage diversity in the teaching of languages. This last promise represented a positive reaction to the first demand in ALF's *appel fondateur*, namely that the government diversify the teaching of foreign languages in France. The extent to which Toubon's professed commitment to further reform was translated into policy initiatives is examined in more detail in Chapter 8.

4. Commercial issues

The majority of the measures discussed hitherto were relatively uncontentious, and were not affected by the later referral of the law to the Constitutional Council. In marked contrast, those affecting the economic interests of France were subject to substantial criticism, notably from the Socialist groups in Senate and the National Assembly (and subsequently the Constitutional Council). Much of the Socialist intervention during the parliamentary debates provided support for the arguments advanced by the commercial counter-movement, although it should be noted that the Socialists did not give unanimous support to this sector. Nor indeed did all of the commercially-based provisions prove contentious. Both of those relating to the use of French in the workplace (Articles 6, concerning such issues

² Amendment no.14 proposed the insertion of the following statement into the *loi no. 89-486 du 10 juillet 1989 d'orientation sur l'éducation*: "*La maîtrise de la langue française et la connaissance de deux autres langues font partie des objectifs fondamentaux de l'enseignement*".

as the use of French for employment contracts, and Article 7, which extended the requirements for translation to a broader range of documentation) were readily accepted as employee protection measures. Indeed, Didier Mathus (PS) disparagingly described Article 6 as one of the only useful articles in the Bill³.

Acceptance of these two measures by Parliament did not significantly diminish the potential for discrimination in the workplace resulting from the exclusion of French, which had been one of ALF's major concerns. However, the Socialist group in Senate did attempt to address the issue of workplace discrimination, albeit not in the manner sought by the pro-reform movement. An amendment to Article 7 (no. 54), tabled by Claude Estier (PS), proposed that all company documentation which affected the employee should be accompanied by one or more translations where one or more employees did not understand French. This amendment was rejected following arguments by Legendre, on behalf of the CAC, that it might cause employers to reject applications from foreign nationals because the law would then impose too restrictive obligations on them⁴. The proposed amendment is nonetheless significant, in that it was clearly aimed at preventing discrimination against foreign, rather than French nationals, thereby revealing that the motivation of the Socialist group was primarily employee protection, rather than defence of the French language. This was one of the few contentious areas where the parties of the left were in agreement, as will be discussed more fully later in this chapter.

This economic orientation is more clearly observable in the reaction of the Socialist groups to certain other articles in the Bill which had potentially wide-

³ *Rapport no. 1158*, 21.4.94:13.

⁴ There was a further unsuccessful attempt in Senate to tackle the issue of discrimination, this time by the Communist group, who tabled an amendment to Article 6 (no.23), proposing the automatic translation of the contract for foreign nationals. However, this amendment was subsequently rejected in the National Assembly as unnecessarily bureaucratic, given that many foreign nationals employed in France were likely to be fluent in French.

ranging repercussions, and were likely to impact negatively on commercial operations either within France, or between France and her trading partners. Those which gave rise to the most heated debate were provisions relating to translations, trademarks and the audiovisual sector. The discussions concerning these key issues are particularly noteworthy, because the defeats suffered by the advertising lobby and the Socialists were contributory factors to the later re-emergence of this debate, and the referral of the Bill to the Constitutional Council after its adoption by Parliament.

4.1 The debate concerning translations

As noted in Chapter 5, following intervention by the advertising sector prior to the publication of Toubon's Bill, the requirements concerning translations had been reduced, such that Article 3 required only one translation where a foreign language was used. Relatively satisfied with this outcome, the commercial sector undertook no further lobbying, despite the fact that it had an interest in ensuring that no additional restrictions were imposed on its members. However, the question of the number of languages required in translation was taken up by the Socialist groups in both Houses, and in this instance their intervention did not serve the causes promoted by the two counter-movements. Examination of the issue of translations is especially interesting, both because the final outcome of this particular debate established principles of general application to the entire Bill, and because the relevant provisions underwent a series of dramatic reversals during the course of their passage through the parliamentary process.

In Senate, the Socialists called for the reinforcement of Article 3, which had been diluted by earlier intervention from the advertising sector. In the name of plurilingualism, they tabled an amendment (no. 47) to re-establish Toubon's original requirement for a minimum of two languages in translation, arguing that this would help diminish the hegemony of English and ensure that other languages

were also promoted (JO Sen. 13.4.94:991)⁵. With the support of regional parliamentarians anxious to promote their languages against more widely spoken European languages, this amendment was adopted in Senate. However, when the Bill reached the Assembly, the government attempted to reverse the decision in deference to the business community. It proposed a compromise solution, which was intended to address the fears expressed earlier by commercial interests, yet at the same time respond to the particular reproaches (of the type contained in ALF's *appel-fondateur*) regarding the use of languages other than English by State officials⁶. This amendment (no. 28), which was approved, proposed one obligatory translation as standard, for all signs and advertisements visible to the public highway, but insisted on two or more translations in the case of those displayed by the State or those acting on its behalf. A similar amendment (no. 67) was proposed in respect of Article 4 by Senator Hamel (RPR), and later accepted, making it obligatory for private individuals acting on behalf of the State to draft contracts in French. Together, these two amendments helped place a greater responsibility upon the State (rather than the individual) for the promotion of the French language, thereby endorsing one of the guiding principles of the earlier Bill proposed by Tasca.

4.2 The debate concerning trademarks

Although Toubon's Bill prohibited the use of languages other than French for commercial designations, brand names etc. (Article 12), it did not address the use of foreign terminology in trademarks, a practice which had been used to circumvent the previous linguistic legislation. Furthermore, the Cultural Affairs

⁵ Legendre's report reveals that the CAC had decided not to intervene to re-establish a requirement for more than one translation, because it feared that such a requirement might mean the introduction of English in places where it would not have otherwise been used eg. Alsace, where a requirement for two languages would logically mean the use of French and German, whereas a requirement for three would probably result in the introduction of English.

⁶ In the *appel*, the group had claimed that "*même au sein de 'l'appareil d'Etat' (...) quelques 'décideurs' se sont mis en tête de la [la France] faire renoncer à sa propre langue et de la faire parler anglais, ou plutôt américain*".

Committee had not remedied this omission, despite lobbying by both the language groups and the CSA. However, the equivalent examining Committee for the National Assembly, the *Commission des affaires culturelles, sociales et familiales* (CACSF) did table an amendment to Article 1 (no. 1) to the effect that pre-existing legislation relating to trademarks should not constitute an obstacle to the application of the linguistic reform Bill⁷. Francisque Perrut, the CACFS reporter, specifically stated that the amendment was designed to combat evasion of the law by the advertising sector (*"cet amendement tend à combler une lacune de la loi de 1975, largement exploitée par les publicitaires"* JO AN 4.5.94:1456). This amendment, adopted in the National Assembly without debate (4.5.94), and subsequently approved in the Senate second reading of the Bill (26.5.94), established a principle of general application throughout the Bill. In practice, it ensured that Article 12 could be effectively implemented, by making it illegal to use a trademark which incorporated a foreign message or reference unless it were accompanied by a translation as legible, audible or intelligible as the original.

The new restriction met with fierce opposition from the Socialist groups in both Houses. They argued that it was detrimental to French commercial interests, because France had to compete with foreign companies which were not bound by similar constraints. The Socialist groups in both Senate and the National Assembly tabled amendments⁸ calling for the suppression of Article 12. In Senate, Legendre, echoing the arguments presented by ALF, successfully argued that corporate bodies should set an example. In the National Assembly, the Socialists withdrew their amendment calling for the suppression of Article 12 before the debate, and the article was adopted. No reason was given for this

⁷ *La législation sur les marques ne fait pas obstacle à l'application des premiers et troisième alinéas du présent article aux mentions et messages accompagnant ou désignant une marque enregistrée.*

⁸ Amendments no. 62 in Senate and no. 55 in the National Assembly.

withdrawal, and it is possible that the Socialist group had already decided to refer this provision to the Constitutional Council if it were approved by both Houses.

4.3 The debate concerning the imposition of French as medium of audiovisual broadcasts

Similar amendments proposing the suppression of Article 10 (relating to the imposition of French as the medium of audiovisual broadcasts) were tabled in both Senate and the National Assembly. In Senate, Françoise Seligmann argued that the provision was a "terrible constraint": *"cet article nous choque car il comporte une contrainte terrible !"* (JO Sen 14.4.94:1095), and also that it was likely to alienate the youth of France, accustomed to a diet of English language films and television productions. In a similar vein, Didier Mathus (PS), speaking in the National Assembly, described Article 10 as "pernicious": *"l'article le plus pernicieux, celui qui tend à instituer une police de la langue"* (JO AN 4.5.94:1480), and likely to open the way to a form of "linguistic cleansing": *"L'article 10 (...) ouvre la voie à une sorte de purification lexicale du langage de l'audiovisuel et de la publicité"* (JO NA 3.5.94:1377).

However, the responsibility of the media for the alleged degradation of the French language had been a dominant theme in the general discussion preceding the presentation of the Bill in Senate. With the exception of the Socialist group, there was evidence of substantial parliamentary support for measures to further regulate the audiovisual sector from both the extreme left, and centre right. Philippe Richert (PC) and Jean Cluzel (UC) both attempted to establish a link between the alleged degradation of the French language and falling standards in the language used in the media, and Cluzel urged that the revised legislation should be supported by measures to promote language learning and greater control of the media:

Cette loi ne doit pas être une loi alibi. Elle doit s'accompagner (...) des moyens indispensables pour améliorer l'apprentissage de la langue et de sa discipline à l'école, assurer à la radio et à la télévision un parler correct, et le cas échéant, contrôler et sanctionner les abus. (JO Sen 12.4.94:955)

Given the otherwise strong parliamentary support for the proposals, Toubon refused to consider Socialist calls in Senate for the suppression of Article 10, and to the frustration of the Socialist group and commercial counter-movement, Article 10 was approved in both Houses. Moreover, two further attempts were made to extend the scope of the provisions concerning the audiovisual sector, by imposing conditions on their public funding. The first of these (amendment no. 58) related to Article 10. Tabled by Xavier Deniau in the National Assembly, on behalf of the *Commission des affaires étrangères*, it proposed that audiovisual productions should not be eligible for public funding unless the original version were in French (as had been proposed in Article 5 of ALF's draft Bill) or, in the case of joint ventures, in the language of the party providing the majority of the funding⁹. The second (amendment no. 35) related to Article 11, which concerned the obligation of the broadcast media to contribute to the promotion and protection of the French language. This was tabled by the Communist group in Senate, and proposed that (other than in the case of specific collaborative cultural projects) no audiovisual production could be publicly funded unless the original version were in French. However, in both cases, Toubon spoke out against the proposals, possibly fearing that too restrictive measures would lead to the total rejection of the measures concerning the audiovisual sector¹⁰, and both amendments were withdrawn without further debate.

⁹ In the debates in both Houses, parliamentarians cited the example which had figured in ALF's literature, of the film *Charlemagne*, which was co-produced in French/German/Italian and used an English dialogue: Ivan Renar in Senate (JO Sen 14.4.94:1140) and Xavier Deniau, in the National Assembly (JO NA 3.5.94:1482).

¹⁰ Toubon argued that further restrictions might therefore threaten the competitiveness of France in Europe, since the criteria employed in France for determining State funding to the audiovisual sector are amongst the harshest in Europe: CNC funding is reserved for productions made in the French language when they are financed 80% by French capital. (JO AN Avis no. 1178, 28.4.94:30).

The only concession granted in respect of Article 10 was an exemption for musical productions written wholly or partly in a foreign language. This amendment (no. 12), proposed on behalf of the National Assembly reporting Committee, the CACFS, did represent a concession to one sub-sector of the commercial sector, but it did nothing to address the concerns of the advertising and broadcasting industries.

Throughout the period leading up to the parliamentary debates, lobbyists representing the business world made their voices heard, and certainly their input prior to the debates can be seen to have had some positive outcomes. The pressure exerted by commercial interests (especially the advertising sector) contributed to modification of the law to make the use of French terminology obligatory only where a French equivalent approved by the Terminology Committees existed, and limitation of certain of the more coercive obligations to people operating in an official capacity in the public sector. Notwithstanding this pressure, the limitations introduced were perhaps not as great as opponents of the legislation might have wished. The protagonists involved in the counter-movements were unsuccessful in reducing the scope of the legislation in respect of audiovisual productions, and in fact had to accept some broadening of the areas to which it would apply. For its part, the UDA felt that, despite the modifications introduced, the Bill was still too repressive:

Si grâce à l'intervention de l'UDA un grand nombre d'assouplissements ou d'éclaircissements ont été apportés au texte - voire certaines dispositions dangereuses supprimées - , il n'en reste pas moins que la loi est en effet porteuse de nouvelles contraintes pour les annonceurs. (UDA, La lettre des annonceurs no. 403, 15.7.94:8).

The factors accounting for this unsatisfactory outcome for the commercial sector are examined in Section 7, after discussion of the action taken by the scientific and regional movements.

5. Conferences, colloquia and associated publications

The previous section reveals that Parliament, like the CAC, adopted a pragmatic approach in respect of the interests of the commercial sector. However, the attempts by the scientific sector to achieve recognition for scientific research as a component of foreign trade had failed at Committee stage, and as a result this sector was unable to secure exemption from certain provisions of the legislation. Furthermore, as a result of campaigning by the scientific counter-movement, the gravity of the position of French in this domain had by this stage been made more widely known. This resulted in the government, and other pro-reform factions within Parliament, becoming more determined to reinforce the provisions of Article 5. Indeed, Marc Lauriol (RPR) described Toubon's proposal as *"bien modeste"* (JO NA 12.4.94:957), and Ivan Renar (PC) described it as a minimum requirement: *"le minimum sur lequel nous ne pouvons céder sans risquer de laisser libre cours à des régressions irréversibles"* (*ibid*, p970).

When the Bill reached Parliament, the provisions of this article which gave rise to greatest contention were (as at Committee stage) the obligation to use French as the language of delivery; the requirement to provide translations into French for conferences, colloquia and their associated publications; the nature of the exemptions to this requirement; and the question of public funding of such events which were not conducted in French. Opposing factions both inside and outside the parliamentary arena intervened throughout the debates in respect of these issues, and a total of nine amendments were proposed to this article in Senate¹¹. In

¹¹ One of these was the modification of the article from a negative to a positive formulation, which, as discussed in Chapter 6, section 2.2.2 was accepted without debate. No further

order to chart this intervention, and better appreciate its impact, the Senate and National Assembly debates concerning Article 5 are considered in turn.

5.1 The debate in Senate

The first of the proposals to reinforce Article 5 came from the Communist group, which called for a full French version of all papers to be made compulsory, including those delivered *during* a conference (clause 2). This amendment (no. 27) reiterated the proposals made by ALF in article 4.1 of its draft Bill. However, the CAC contended that such a requirement was too severe, and likely to impose an undue financial burden on the organisers of conferences. Indeed, even though the CAC had not proposed its own amendment to reduce the impact of clause 2, it did express the view that even the government's version imposed too onerous a burden on conference organisers, given the constraints of time normally associated with international conferences and colloquia. As a compromise solution, the government suggested that the requirement for full French versions be limited to preparatory documentation, working papers distributed to participants, and ensuing conference proceedings. This proposal (amendment no. 71) went forward to the National Assembly, where it was approved. Although the severity of the measure had been contained, it nonetheless imposed an additional burden on the scientific community.

The Socialist group, however, was adamantly opposed to the application of such restrictions to private bodies. In an attempt to attenuate the severity of the provisions, it proposed the re-establishment of the version of Article 5 which had been proposed by Catherine Tasca. François Autain (PS) considered not only that this earlier version, which had applied only to government sponsored conferences, was less ambitious and therefore easier to apply, but also that it would not

discussion of this amendment is undertaken here, nor of other amendments which brought only minor modifications to the text.

dissuade overseas conference organisers from choosing France as a venue (JO Sen 13.4.94:1000). This view also found favour with Pierre Fauchon (UC) and Michel Poniatowski (GRI)¹². However, Toubon argued that if the provisions applied only to State sponsored conferences, this would implicitly legalise the banning of French when an event was not State sponsored. In this stance, he was supported by the Communist group. After a lengthy debate, the amendment (no. 50) was rejected by 232 votes to 74¹³.

In anticipation of strengthening Article 5 still further, the Communist group proposed that full translations should be required in all cases of publicly-funded foreign language publications. However, the amendment (no. 26) was not accepted, possibly because such a requirement would have made it illegal to publish in English in the principal scientific reviews in France, namely those of the CNRS and INSERM, which had changed from being French- to English-language publications. Even though amendment 26 was rejected, the fact that it was proposed at all does indicate that there was strong feeling that the scientific community was compromising itself by the use of English, and that insisting on a higher profile for French was the only way to promote a return to its use in the scientific domain.

More successfully, the Communist group also proposed that provision be made for simultaneous translation in conferences initiated or funded by a public body (amendment no. 30). Again, this reiterated ALF's proposal (Article 4.1 of the group's draft Bill)¹⁴. The principle underlying this motion was generally

¹² In support of this amendment Michel Poniatowski (GRI) used identical arguments to those advanced by the *Académie des sciences*, that "*un texte trop rigoureux (...) écarterait de notre pays beaucoup de colloques et de congrès*" (JO Sen. 13.4.94:1002).

¹³ A further restrictive amendment (no. 36), tabled by Marc Lauriol (RPR), was also approved in Senate, imposing as a minimum requirement that foreign language publications, reviews, and speeches distributed in France should be accompanied by a summary in French in all cases where they emanated from a public body, or were in some way publicly funded.

¹⁴ Mme Bidart-Reydet (PCF) explained that the objective of this amendment was to ensure both that a speaker could adequately discuss conceptual aspects of his or her research and that those

applauded, and it was accepted by both Houses, subject to the requirement (imposed by the National Assembly) that translation be *consecutive*, rather than simultaneous¹⁵, as a means of reducing the financial burden on those concerned.

Insofar as the application of the provisions was concerned, the *Académie des sciences* had sought exemptions for events where the majority of participants were non-francophone, whereas the Bill insisted that that this exemption should apply only to those attended solely by non-francophones. Unusually, on this occasion the Communist group in Senate allied itself with the Academy, and proposed that the exemption be extended to events where non-francophones were in the majority, claiming that this was in direct response to these demands ("*répondant (...) aux attentes de la communauté scientifique*", JO Sen 13.4.94:997). The arguments of the *Académie des sciences* are also clearly evident in Renar's defence of his amendment (no.28): "*Devons-nous imposer à nos auditeurs de ne pas pouvoir percevoir la subtilité du débat en ne nous exprimant qu'en français ?*" However, Legendre, on behalf of the CAC, took a firm stance against the proposal, claiming that it would be impossible to apply, in view of the difficulty of defining the term "*francophone*", and the Communists agreed to withdraw it.

5.2 The reaction of the scientific community

The series of restrictive measures introduced as a result of the debates in Senate caused consternation amongst sectors of the scientific community. These debates had revealed an unusual strength of feeling in support of legislation to regulate linguistic activities in the scientific domain.

choosing to use French could be understood by all participants: "*l'anglais offre-t-il pour autant un éventail conceptuel suffisamment ouvert pour traduire les nuances du travail du chercheur ?*" (JO Sen 13.4.94:998).

¹⁵ The final version of the Bill simply stated that "*un dispositif de traduction doit être mis en place*".

The pro-reform language group ANSULF determined to capitalise on these sentiments. In the period between the parliamentary debates in Senate and the National Assembly, Daniel Pajaud, President of ANSULF, wrote directly to those parliamentarians standing for the European elections in June 1994 (ANSULF, 1994b:1). He asked candidates to reflect on whether they would prefer to express themselves in French in the European Parliament, or whether they would agree to use a foreign language, and whether they would vote in favour of a single language for Europe (should this become an issue), or advocate plurilingualism. By encouraging them to analyse their attitudes towards language use in their own professional domains, ANSULF aimed to bring about a better appreciation of the situation in which French scientists found themselves when effectively denied the right to use their mother tongue.

For its part, the *Académie des sciences*, fearing that still more restrictive measures might be imposed in later debates, renewed its activity prior to the first reading of the Bill in the National Assembly in the hope of bringing about the reversal of some of the Senate's decisions. On 28 April 1994, in the period between the debates in the upper and lower Houses of Parliament, the Permanent Secretary of the Academy, Paul Germain, addressed a letter directly to each member of the National Assembly. In this appeal, entitled "*La science française est en danger!*", he pleaded:

Surtout n'acceptez pas qu'on limite l'emploi de l'anglais dans les colloques scientifiques, sinon Paris sera déserté, car les colloques auront lieu ailleurs. (JO NA 3.5.94:1389)

Germain called on members of the Assembly to modify the article, such that its provisions would become applicable at events where non-francophone participants represented at least two thirds of those present. However, although the contents of this letter were later cited in the general debate preceding discussion of the

individual articles in the National Assembly¹⁶, the arguments it contained failed to convince many of those to whom it was addressed, including those members of the Socialist group who had opposed other attempts to reinforce the legislation.

5.3 The debate in the National Assembly

Indeed, in the National Assembly, Louis Mexandeau (PS) argued that the language used to deliver a message was irrelevant if the message itself were sufficiently important. Georges Sarre (PS) described the fundamental argument advanced by the *Académie des sciences* as "*faux et absurde*" (JO NA 3.5.94:1464), and proposed a much more restrictive amendment (no. 74), obliging *any* participant at any of the events covered by Article 5 to express him- or herself in French. Whilst this amendment was rejected as too prohibitive, another (no. 81), tabled by Francisque Perrut on behalf of the CACFS, to extend the requirement for full translations to conferences organised by private individuals or bodies exercising a public service function, was adopted without opposition. This decision was consistent with the principle of placing the onus to protect the language on the State and its representatives.

However, Xavier Deniau's proposal (amendment 57) that public funding be reserved for publications appearing in French *in the first instance*¹⁷, was more cautiously received. Although Toubon intervened to argue against the requirement that a French publication should precede a foreign language publication: "*Une telle contrainte ne me semble pas de nature à favoriser la diffusion de la recherche française*" (JO NA 4.5.94:1472), the Assembly did vote for public funding to be granted *only* where a French language publication was forthcoming: "*les aides publiques ne peuvent être attribuées qu'aux travaux*

¹⁶ Louis Mexandeau (PS) stated that he had received an entreaty from the Academy: "*J'ai reçu une lettre, une oblation de l'Académie des sciences*" (JO NA 3.5.94:1389).

¹⁷ "*Les aides publiques sont réservées aux travaux d'enseignement et de recherche dont la publication se fera en premier lieu en français*". (JO NA 4.5.94:1471).

d'enseignement et de recherche qui font l'objet d'une publication en français". On the Bill's return to Senate, however, on 26 May 1994, this revision was overturned, in favour of the less coercive formulation "*les travaux d'enseignement et de recherche bénéficiant d'aides publiques doivent faire l'objet de publications en français*". On 13 June, the National Assembly, on second reading of the Bill, insisted that public funding for such research should be conditional upon the publication of the work in French *or* a translation into French of any publications arising from the work. Following the failure of the two Houses to agree upon this provision, Article 5 was duly referred for arbitration to a *Comité mixte paritaire*, which recommended that the National Assembly version should stand, but in order to take account of the reservations expressed in Senate, a degree of flexibility should be exercised in respect of cases meriting exemption.

It can be seen from the foregoing discussion that the parliamentary debates, rather than diminishing the impact of Article 5, resulted in a vast array of amendments which reinforced its provisions, thereby giving satisfaction to the pro-reform movement. Although the CAC had accepted the validity of some of the arguments put forward by the *Académie des sciences*, most of the amendments which the Committee proposed, and indeed many of those later debated and accepted in Parliament, imposed even more restrictive measures on the scientific community than the government Bill had done.

The severity of the measures introduced did cause consternation amongst some parts of the scientific sector, but it should be noted that the counter-movement achieved a small measure of success during the parliamentary debates, in that application of some of the provisions was restricted to the public sector. However, any minor success enjoyed by opponents of the reform in containing the scope of the legislation was counterbalanced by a substantial reinforcement in respect of the provisions relating to the publicly funded conferences and

publications. In an interview to *Le Monde* on 21 June 1994, Philippe Lazar, director of the *Institut national de la santé et de la recherche médicale* (INSERM) described the outcome of the debate as a rearguard action, which could only hamper scientific exchange at international level. Lazar regretted that scientific research had not been granted the same dispensations as commercial transactions, and attributed this to a failure on the part of the scientific community to explain fully the economic rationale underpinning their use of English¹⁸. This relative failure, like that of the commercial sector, is examined further in Section 7, after consideration of the intervention in respect of regional languages during the parliamentary debates.

6. Regional issues

Under the French political system, any parliamentarian tabling an amendment to an article has the opportunity to address the House concerned, and explain the rationale behind his or her proposal. Consequently, although regional language interests had been excluded from the Committee hearings, they were able to participate in the policy process on a more equal basis once the debate entered Parliament.

The amendments proposed in support of regional languages were of two types, but both were intrinsically linked to the status of these languages, and thus to the power values associated with their use: the first involved incorporation into the Bill of statements of principle which would give substance to the government's assurances that regional languages enjoyed equal legal status with French; the second related to the practical application of this equality, through an extension of the provisions of many of the articles contained in the Bill to regional languages.

¹⁸ "Cela signifie que nous n'avons pas bien réussi à faire comprendre les raisons pour lesquelles nous nous efforçons de publier en anglais" (*Les Echos*, 21.6.94:7).

6.1 Establishment of broad principles regarding regional languages

The first amendment relating to regional languages (sub-amendment no. 37) was tabled by Henri Geoetschy (UC) in Senate. It proposed the addition of the words "*sans préjudice aux langues régionales de France*" to the supplementary article (1A), which affirmed French as the language of the Republic. Goetschy, who feared that legislation would act as "*une sorte de nouvelle machine de guerre contre les langues régionales (...) qui sera peut-être détournée et utilisée contre les langues régionales*" (JO Sen 12.4.94:962), argued that such a reference was necessary if France were to continue to affirm the French tradition of respect for the principle of equality ("*prouver au monde entier qu'en France il n'y a pas d'exclusion*" JO Sen. 13.4.94:985), and Philippe Richert (PC) spoke of "*la défense du français face à l'invasion des termes étrangers et à l'hégémonie de l'anglo-américain*" (JO Sen 12.4.94:964), advocating plurilingualism in order to halt Anglo-american hegemony, which he termed "*la gangrène*" (*ibid*). Jean-Jacques Weber (UDF) specifically stated that he felt that regional languages should figure "*en tête de la loi, car c'est l'endroit le plus important*" (JO NA 4.5.94:1443).

However, neither appeals to the long-established principle of equality nor attempts to appropriate the language of the mainstream reformists brought about the desired effect. Indeed, Weber was bluntly reminded by Yves Marchand (also UDF) that the Bill under discussion concerned the French language, and that such a reference to regional languages would have to wait for a regional language Bill to be proposed. Toubon asked the proposers of the amendment to withdraw it, on the grounds that the Bill was primarily concerned with the French language, but he did agree to recommend acceptance of such an amendment if it were tabled later, against the article dedicated to regional languages, namely Article 19.

Although the regionalists in Senate agreed to meet Toubon's request, the same proposal reappeared in the National Assembly¹⁹. Further amendments were also moved to this supplementary article (nos 32 and 60, identical in their wording), proposing that the regional languages of France also be recognised in the law as forming part of French national heritage: *"Les langues régionales de France font partie intégrante de ce patrimoine"*. Regionalist deputy Le Pensec (PS) cited the opinion poll referred to in Section 2.3 as evidence of popular support for this amendment, and even suggested that the legislation was contrary to article 128 of the Maastricht Treaty, which places an obligation on member states to respect national and regional diversity in developing their national cultures: *"La communauté contribue à l'épanouissement des cultures des Etats membres, dans le respect de leur diversité nationale et régionale, tout en mettant en évidence l'héritage culturel commun"* (JO NA 3.5.94:1394). However, Toubon did not even acknowledge this comment in his response to Le Pensec's intervention, and yet again, when a vote was taken, the motion was rejected.

Having failed to secure references to the status of regional languages within preliminary articles of the Bill, regional parliamentarians in both Houses put Toubon's promise regarding Article 19 to the test, and proposed a series of amendments which would extend its remit. The first (no.64), tabled by the Socialist group, proposed that provisions of the law would apply in a spirit of respect for the promotion and development of regional cultures and languages, but Legendre maintained (without explanation) that this reduced the regulatory impact of Article 19, and recommended its rejection. A second amendment (no.45) sought an assurance that regional languages were not foreign languages under the terms of the legislation. However, Legendre argued that this was unequivocal;

¹⁹ Two sets of deputies moved amendments (nos 33 and 61) both identical to those tabled in Senate, a vote was taken, and the motion rejected. The first was composed of diverse regionalists, the second of two regionalists (Le Pensec, Mexandeau) and the whole of the Socialist group.

again, this amendment was rejected in a vote. However, a third amendment (no.44), which clearly specified that the legislation did not conflict with the *use* of regional languages (*"ne s'opposent pas à leur usage"*), was approved in both Houses. This amendment constituted one of the only significant gains in respect of the status of regional languages.

6.2 The use of regional languages

Regionalist parliamentarians attempted to broaden the scope of the legislation to encompass regional languages within the provisions of a number of the articles, in order to enhance the status of the languages. Arguably the most significant of these concerned the use of regional languages to designate regional specialities (Article 1), in written publications (Article 8), in education (Article 9), and in audiovisual broadcasts (Article 10).

In a further attempt to secure guarantees that the legislation would not be used to restrict the use of regional languages, both regionalists and Socialists again proposed amendments (nos. 34 and 62) to Article 1. These amendments (once again identical in content) called for a specific exemption for the names of well-known products of foreign origin and those bearing regional designations, thereby protecting the terminology used on signs relating to regional cultural events or describing gastronomic specialities. In response to this proposal, Toubon argued that words such as *kouign aman* (a Breton cake) might be regional in origin, but that they nonetheless formed part of the French language: *"il s'agit de mots qui, quoique régionaux, font partie de notre langue"* (JO NA 4.5.94:1451), and that consequently no specific exemption was required. Following a vote, the amendment was defeated.

Perhaps somewhat surprisingly, the issue of which language was permitted to be used in offers of employment published in the press proved particularly

controversial, but only in respect of the references which affected speakers of regional languages. Article L311-4 (3) of the *Code du Travail* already regulated this area, and prohibited the publication in newspapers and journals of offers of employment in France if they contained non-French terminology. Article 8 of the Toubon Bill provided for two exemptions: the first related to offers of employment which were intended only for foreign nationals²⁰, and the second allowed other languages in advertisements appearing in publications written *principally* in a foreign language. A number of regionalists in Senate (including Messrs. Goetschy and Jung) sought an exemption for publications destined for regions bordering neighbouring countries. They argued that, since neighbouring countries currently enforced no similar ban on the French language in their publications, such a ban in France might be detrimental to the employment prospects of inhabitants of border regions wishing to work abroad. Although this proposal was rejected, Senate agreed, as a concession to the regional movement, to a proposal by Legendre (amendment no. 74) that the wording be amended to take account of publications *partially* ("*en tout ou en partie*") in a foreign language. After only short debate in the National Assembly, however, this proposal was rejected in favour of a further amendment (no. 11) which reverted to Toubon's original formulation, namely *principally*²¹. Although the CAC was willing to recommend the re-establishment of this wording, members of Senate (accepting regional arguments) voted, during the second reading of the Bill, to adopt an amended, but still essentially broad formula, which would exempt "*publications rédigées en tout ou en partie en langue étrangère*". When, on second reading of the Bill, an impasse was reached (the National Assembly insisting on the word "*principalement*"), Article 8 was, like Article 5, referred for arbitration to a *Commission mixte paritaire*. This Committee upheld the decision

²⁰ Following intervention by Legendre, on behalf of the CAC, the first exemption was withdrawn, thereby strengthening the legislation in the direction sought by its proponents.

²¹ It was argued by Francisque Perrut, reporter to the CACSF, that it was more precise, and therefore less liable to provide a loophole, since a publication with only one paragraph in a foreign language could qualify for exemption.

of the lower chamber, in the interests of precision, and to ensure that employment opportunities were afforded to French native speakers²².

Debate in Parliament on this issue was not extensive, and consequently the true and full motivation of those supporting and opposing this particular provision is not readily apparent. Certainly, the economic arguments presented by the regionalists were, *prima facie*, valid, and yet the more precise wording proposed in the original government Bill, and upheld by the National Assembly would appear to be more in keeping with the spirit of the law. Given that this was not a key provision of the Bill, it is perhaps somewhat difficult to explain the tenacity with which members of Senate held onto their position, unless they anticipated that a less stringent provision would provide further guarantees for regional languages.

In contrast however, the regionalist faction enjoyed more success in respect of its attempt to extend the provisions of Articles 9 and 10, concerning education and audiovisual provision respectively, to regional language teaching. Insofar as the teaching of languages other than French was concerned, Article 9 provided for an exemption to the requirement for French to be the language of education in the cases of international schools in France, for the teaching of foreign languages and cultures, and in cases where teaching staff were foreign nationals. There was, however, no specific exemption in the Toubon Bill for teaching in regional languages. Regionalists in Senate, fearing that the revised linguistic legislation might make illegal the operation of bilingual schools using regional languages, moved an amendment (no. 41,) which sought to extend the provisions of the article to the teaching of regional languages and cultures; this was unopposed in the National Assembly, and was incorporated into the final version of the legislation.

²² *Rapport* no. 1429 JO NA, no. 547 JO Sen (23.6.94), prepared by Messrs Fuchs and Legendre.

In a further attempt to safeguard the teaching of regional languages, three amendments were tabled in Senate, calling for the exemptions granted in Article 10, in respect of educational programmes broadcast in foreign languages, to be extended to similar regional language programmes²³. Although this exemption was approved in both Houses, and incorporated into the final version of the legislation, it represented only a minor concession in respect of the status of regional languages.

7. Conclusions

Insofar as the instigators of the pro-reform movement were concerned, the outcome of the parliamentary debates was mainly positive. A revision of the 1975 legislation had finally been accomplished and, although not quite as extensive as the mainstream French language groups might have hoped, the text approved by Parliament (*projet de loi no. 190 relatif à l'emploi de la langue française (texte définitif) du 1er juillet 1994*²⁴) covered substantially more areas than the 1975 linguistic legislation. Furthermore, the text which left Parliament was more precise than that presented by the government. Modifications introduced during the debates had rendered it less ambiguous, and thereby restricted the opportunities to use reinterpretation as a means of evading the law.

What is particularly significant at this stage of the debate is the absence of direct involvement on the part of the French language groups which had initiated the reform. Having helped bring the Bill to Parliament, they withdrew from the political arena. However, as the following chapter will reveal, the debate was far from over when the Bill left Parliament.

²³ Similar amendments were proposed by several regionalists (no. 43), by the Communist group (no. 34) and by the Socialist group (no. 61).

²⁴ A copy of the full text can be found in Appendix XII

It was clear from the parliamentary debates that reinforcement of the 1975 linguistic legislation was a highly emotive and, in many respects, controversial issue, and one which revealed significant divergence between political parties on some fundamental elements of the legislation. To some extent the brevity of the Socialist text, and the fact that there had been no parliamentary debate on its content, had masked the differences between the Bills prepared by the two governments of different political ideologies, and also the fact that there were substantial differences between their attitudes towards the principle of legislating in respect of language.

As noted in Section 5, the Socialists in both Houses attempted to reduce the impact of Article 5, thereby supporting the cause of the *Académie des sciences*, albeit indirectly. However, it is evident from comments by the Socialist groups in both Houses that this support was in spite of, rather than because of the campaign conducted by the Academy. Indeed, Louis Mexandeau (PS) implied that such a prestigious institution should not engage in this type of protest: "*J'attendais cette réaction de la part des limonadiers et des restaurateurs mais, je dois l'avouer, pas de la part des académiciens*" (JO NA 3.5.94:1389)²⁵.

Certainly, both the Socialists and members of the scientific counter-movement sought to maintain the *status quo*, but their respective motivations for doing so differed. In the case of the *Académie des sciences*, this stance was justified by reference to economic factors, whereas the Socialists justified their actions primarily by reference to the principle of plurilingualism. The Socialists did offer support for the measures which gave added protection for French commerce and the French employee, but at that stage in the debate, their major concern was that a franco-centric approach risked damaging relationships within the francophone

²⁵ It should be noted that a number of well-argued supporting articles also appeared in the French press, which served to reinforce the arguments of the Academy, in a less alarmist tone. See in particular, the article by scientist Claude Allègre in *Le Point*, 21 May 1994.

community, and that a severely defensive approach to language planning might also harm the international image of France, an image which had been carefully cultivated during the Socialist periods in office by the development of a predominantly pluralistic francophone language policy. Nonetheless, the Socialist groups in both Houses did support those measures in the Bill which Toubon presented as being designed to give additional protection to French commerce and the French employee. Elsewhere, however, their intervention helped ensure that certain amendments containing more stringent proposals were rejected.

On occasions, Jacques Toubon also intervened to attenuate the severity of proposed modifications to his Bill, particularly those relating to audiovisual productions. Ostensibly, this intervention constituted a bid to ensure that French goods remained competitive internationally, but equally it may be interpreted as an attempt to reverse the protectionist image which France had acquired following demands for a cultural exception in respect of the GATT negotiations the previous year. Such an explanation would also account for the absence from Toubon's text of statements of principle concerning French identity and the francophone community. The Bill was not overtly promoted by the government as a measure to support French identity when it was first presented to Parliament. However, the majority of the right-wing seized the opportunity to introduce such an orientation into the Bill during the debates, and was supportive of the CAC's proposal to supplement the Bill with statements of principle regarding the role and status of French.

In this, right-wing parliamentarians were supported by the Communist groups, who explicitly acknowledged their desire to combat Anglo-American hegemony. It is interesting to note that the rationale given for Communist support for the introduction of more stringent provisions relating to the workplace was that they would help ensure that French speakers were not disadvantaged in France by

being obliged to operate in a foreign language. The logic of discrimination could equally have served to support the case of the opponents of reform, since the arguments of the *Académie des sciences* were based on the potential discrimination which would arise if scientists were obliged to operate in French. The rationale for the Communist support for this provision, and indeed for many other aspects of the Bill, might therefore equally appropriately be attributed to more longstanding sentiments of anti-Americanism.

Examination of the reactions provoked by the Bill amongst the different political tendencies provides interesting insights into the extent to which genuine political consensus exists in respect of linguistic issues in contemporary France. Despite evident differences, the debates reveal that there were areas in respect of which it was generally considered legitimate to legislate in favour of French, notably in respect of recognition of French as the language of State and of the francophone community, and provisions concerning language use within conferences and colloquia, commerce, the workplace, the audiovisual sector, and education. In addition, the debates concerning both terminological and translation issues had clearly established the importance accorded to the State as the guardian of the national language. Indeed, this tenet came to be one of the main principles to emerge from the final version of the law. However, no attempt was made to address the issue of oral communications within multinational companies based in France, and it would therefore appear that the sphere of private sector employment was one of the areas where the State felt unable, or unwilling to intervene to eliminate discrimination.

Despite the limitations of the text voted by Parliament, the pro-reform movement had reason to be satisfied with the outcome. Although by no means all of the proposals that originally featured in ALF's draft Bill were incorporated into the Bill during the parliamentary debates, a number of those omitted at Committee

stage were subsequently introduced following intervention by both Xavier Deniau (RPR) and the Communist groups in Senate and the National Assembly.

It is noteworthy that the parliamentarians who took an active part in the debate appeared to be remarkably well informed about the views of both the pro-reform movement and also the counter-movements, and used these to support their own arguments. In Senate, for example, Jean Cluzel cited an interview given earlier by Maurice Druon of the *Académie Française*²⁶, in which Druon insisted that "*la radio et télévision portent une responsabilité écrasante dans la dégradation de la langue parlée et écrite*" (JO Sen 12.4.94:954)²⁷, and in the National Assembly explicit reference was made to the pressure exerted by the *Académie des sciences*. It would seem therefore that both the pro-reform and counter-movements were effective in their efforts to raise awareness of the issues and make their respective views known amongst parliamentarians.

Whilst it is not possible to determine the precise impact of any particular protagonist in the debate, it would appear from the comments made in Parliament about the counter-movements that pressure group intervention did not have wholly positive results. Certainly, intervention by the commercial and scientific communities brought the issues concerning these sectors to the fore, and helped ensure that they were fully debated in both Houses. However, the poor reception of the arguments advanced by the *Académie des sciences* has already been noted. Similarly, insofar as the commercial counter-movement was concerned, the reinforcement of some of the Bill's provisions, particularly those relating to trademarks, has been attributed to the intemperate nature of some of the comments made by advertisers in the press prior to and during the parliamentary debates. The UDA criticised what it termed "*les propos peu judicieux, voire suicidaires*,

²⁶ Druon, it will be remembered, was one of the expert witnesses interviewed by the Cultural Affairs Committee.

²⁷ The interview in question appeared in *Le Figaro* on 16.3.93.

tenus par certains créatifs d'agences dans plusieurs interviews" (UDA, 15.6.94:8).

This was a reference to claims made by some advertisers that the law could be evaded by registering a trademark in a foreign language. Such comments served to antagonise many parliamentarians; in the words of the UDA, *"forts de tels propos et agacés qu'on veuille les ridiculiser les parlementaires (...) avaient une réponse toute trouvée, et ils n'ont pas manqué d'en user"* (ibid). By deriding the law, these individuals and groups confirmed the resolve of those in authority to exert more control over linguistic usage in the commercial sector, and in particular to strengthen the provisions relating to advertisements in order to avoid any further evasion of the law in the future.

At both Committee stage and during the parliamentary debates, there was no attempt by the counter-movements to pool their resources or to coordinate their discourse in the way the pro-reform movement had done. Both focused upon the particular impact of the provisions on their own sectors, and made no attempt to counter the arguments advanced by the opposition. In each case, the overall achievements of the commercial and scientific counter-movements were modest, and rather than bringing about radical change to the Bill, they may have helped prevent even more restrictive measures being introduced. Although the isolated nature of the counter-movements may be considered a disadvantage, the fact that the two sectors did not collaborate served to emphasise the breadth of the opposition.

The regionalists did attempt to ally themselves with the pro-reformists, emphasising the two principles of plurilingualism and equality of treatment. Whilst this strategy had only limited success, it did bring the debate relating to the European Charter for Regional Languages onto the parliamentary stage, and forced the government to state its position on the issue. In his address to Senate (13.4.94:983), Toubon stated that the European Charter was impractical and

imposed an unacceptable level of obligations: "*la charte européenne est manifestement impraticable en raison de sa complexité et des obligations qu'elle crée.*" (JO Sen, 13.4.94:983). His manifest opposition to the charter did nothing to assuage regionalist anxieties about the future treatment of their languages or the likelihood that the right-wing government (or indeed a future left-wing government) would sign the European Charter.

If the regional groups had been determined to bring about incorporation into the Bill of the relevant amendments relating to their own languages, they could have considered withholding their support for the Bill as a whole. This they chose not to do, and consequently, it might be argued that their persistent intervention during the course of the debates on the Toubon Bill was intended to encourage the government to concede on the issue of signing the charter, rather than in expectation of being able to bring about the incorporation of references to regional languages within the Toubon Bill itself.

It might have been expected that the Socialists would support the cause of the regionalists, given that they had relied heavily upon the principle of plurilingualism to support their arguments against certain provisions of the Bill. As the debates reveal, this was not the case, and the Socialist conception of linguistic pluralism remained as ambivalent in 1994 as it had been during the constitutional amendment debate two years earlier, when regionalist arguments in favour of plurilingualism had been rejected. The issue of equality of treatment was, however, to be appropriated as a Socialist theme when the Bill had completed its passage through Parliament.

Once the 1994 legislative reform Bill left the parliamentary arena, the regionalists did not intervene further. Instead, they pursued their campaign for recognition of their languages through other channels. Other protagonists, however, were less

resigned to the outcome of the parliamentary debates, and determined to pursue the issue further. The unexpected turn of events after the Bill left Parliament is examined in the following chapter.

CHAPTER 8. POST-PARLIAMENTARY ACTIVITY

1. Referral of the Bill to the Constitutional Council

Members of the subgovernment of the language policy community declared themselves satisfied with the outcome of the parliamentary debates. Maurice Druon of the *Académie Française* described the reform as "*une bonne opération*" (*Le Figaro Magazine*, 26.6.94), and in an interview with Alain Kimmel, Toubon spoke of a fruitful debate ("*un débat fructueux*", *Les Echos*, September-October 1994:28), describing the law which emerged as one which was likely to be effective: "*Toutes ces mesures devraient permettre une application effective de la nouvelle loi*", (*idem*).

In contrast, the Socialists offered no comment upon the Bill's completion of the parliamentary process. Throughout the debates, they had expressed their dissatisfaction at what they considered to be the protectionist, repressive and undemocratic nature of the legislation. Indeed, on several occasions, they had called for the suppression of entire articles, and when they failed to achieve this, they had either abstained from the vote on amendments or voted against the government. Whilst conceding that amendments had been made to the text, the Socialists described these as merely "cosmetic": "*ces adoucissements sont le plus souvent restés cosmétiques*", (*JO Informations Parlementaires*, 2.8.94:11247). Despite this dissent, however, the question of the constitutionality of the legislation was only hinted at during the debates, and there was no indication that further action would be taken.

It came as something of a surprise, therefore, on 1 July 1994, when a group of sixty parliamentarians, including the entire Socialist group in the National Assembly (led by Martin Malvy), together with a number of deputies supporting

the regionalist cause¹, placed an appeal before the Constitutional Council, asking it to pronounce on the constitutionality of nine of the twenty-four articles of the law. Although there was some support from non-Socialist regionalist parliamentarians, this was only peripheral, the initiative for the referral coming initially from the Socialist group; in the interests of concision, the submission is therefore referred to, in the discussion which follows, as the Socialist referral.

In the normal course of events, it is rare that there is a problem with the constitutionality of legislation in France, because Article 39 of the Constitution requires all government Bills to be referred to the Council of State before their discussion in Cabinet and subsequent communication to Parliament, in order to ensure that they do not conflict with the Constitution. Referral to the Constitutional Council is not a common practice², but if any aspect of legislation enacted by Parliament is considered to be in some way incompatible with the Constitution, it may be referred to the Constitutional Council, which is empowered to carry out judicial review of the text³, and pronounce on the constitutionality or otherwise of the Bill concerned. Once a Bill adopted by Parliament is referred to the Constitutional Council, it is suspended, and if it is deemed to be unconstitutional, it cannot be promulgated.

Unlike the parliamentary debates, the debates of the Constitutional Council are not made public, not even in summary form. Following deliberations behind closed doors, the Constitutional Council issues a single decision, with no concurring or dissenting opinions. The statement simply indicates the points of law examined, and names those articles deemed to be unconstitutional.

¹ These were Messrs. Zuccarelli, Moutoussamy, Michael, Fauchoit, and Charles.

² Between 1974 and 1988, only 150 cases were referred to the Constitutional Council. In 65 of these, the legislation was deemed partially unconstitutional, and in only 8 cases was it deemed to be totally unconstitutional (*Quid*, 1995: 753).

³ For a comprehensive discussion of the powers of the Constitutional Council, see Stone (1989).

Furthermore, there is no appeal against the decisions of the Constitutional Council. The only way to introduce a measure which the Council has rejected is by revising the Constitution, although as Maus (1989:21) points out, no attempts have hitherto been made to supersede a decision of the Council in this way. In practice, therefore, referral to the Constitutional Council constitutes the final stage of the policy-making process. Consequently, the decision of the Council in this instance was to be critical in deciding the fate of the legislative reform, and in determining how far the legislator could go in regulating the exercise of such a fundamental aspect of personal liberty as language choice. The Constitutional Council had, in the past, been required to pronounce on issues relating to the freedom of the individual⁴, but never before on one aimed at the entire French population.

The full motivation of the decision by the Socialist group in the National Assembly to refer the legislative reform Bill is not immediately evident, particularly given that the constitutionality of the measure was not seriously contested until the Bill had completed its passage through both Houses of Parliament. The decision to request adjudication on the text may be accepted at face value as an attempt to uphold the fundamental principles of equality and freedom of expression. Equally, however, given that the defensive measures had attracted widespread criticisms in the French press, it may be considered as an attempt to minimise the potentially damaging impact which reinforcement of linguistic legislation might have on the image of French language planning and on the attitudes of the outside world, both anglophone and francophone, towards France. It has been suggested by Bréhier that opponents of the reform had at first been reluctant to voice their opinions too strongly "*de crainte d'être accusés*

⁴ In 1971, this body ruled that the *loi Marcellin* was unconstitutional. This law, which enabled the law to impose an *a priori* prohibition on the formation of a society, was deemed contrary to the Constitution, and to the 1901 law of free association. For a full account of this issue, see Hayward (1983:140-141).

d'être un agent de l'impérialisme américain" (Le Monde, 31.7.94:7). However, as the parliamentary debate progressed, the increasing veto pressure from the commercial sector provided a degree of legitimacy for the Socialists' referral.

2. The objections raised

In total, nine out of the twenty-four articles of the law were referred to the Constitutional Council. The principal areas of contention were the following requirements:

- 1) The obligation to use codified terminology, in other words, expressions approved by the Terminology Committees, in all the circumstances where the law was to apply.
- 2) The alleged discrimination against those companies operating in both private and public sectors (notably in the advertising sector).
- 3) The issue of the language to be used in conferences, colloquia and publications.
- 4) The severity of the sanctions to be imposed.

It should be noted that the article numbers of the text as modified by Parliament were different from those in the Bill originally submitted by Toubon. However, when referring the Bill to the Constitutional Council, the parliamentarians concerned maintained references to the numbers of the original Bill⁵. In order to minimise risk of confusion, the referrals are discussed here in terms of the nature of the issue referred, rather than article numbers.

⁵ The nine articles referred to the Constitutional Council were listed as Articles 1, 2, 3, 5, 5 bis, 10, 11, 12 and 15. However, Article 1 refers to Article 1 of the original Bill, which was to become Article 2 of the version voted by Parliament. Similarly, Article 5 refers to Article 6 of the Bill voted by Parliament, 5 bis to Article 7, 10 to Article 12, 11 to Article 13, 12 to Article 14 and 15 to Article 17.

Unlike the parliamentary Committees, the Constitutional Council does not conduct hearings, but there is no obstacle to the presentation of information by interested parties. Shortly after the referral of the Bill by the Socialists, a complementary submission was made by constitutional law expert Guy Carcassonne, on behalf of the *Association des Agences Conseils en Communication* (AACC), a consortium of advertising agencies, until then not directly involved in the debate.

Carcassonne did not make his submission until two weeks after the referral of the Bill, which allowed time for reflection on, and development of the arguments advanced by the Socialists. Indeed, whereas the submission by the parliamentarians took the form of a four-page document outlining the aspects of the Bill which they deemed unconstitutional, Carcassonne's contribution amounted to a lengthy (forty-six page) critique of the law, in which he identified the precise areas where he believed the law to be in contravention of the Constitution and of the Declaration of Human Rights.

For all its brevity, however, the *recours* filed by the Socialist parliamentarians was emotively phrased. They contended that the text voted by Parliament

porte une atteinte délibérée et radicale au principe de libre communication des pensées et des opinions, ainsi d'ailleurs qu'à la liberté d'entreprendre et à la liberté du commerce et de l'industrie.
(JO IP 2.8.94:11247)

Similarly, the document submitted by the AACC questioned the logic of attempts to arrest natural language evolution, describing it as either excessive vanity or latent xenophobia ("*une vanité outreuidante ou une xénophobie latente*", Carcassonne, 1994:4). Whilst admitting that the action of the AACC was motivated by commercial interests, Jacques Bille, Vice President of the

association, maintained that it was also taking a stance against the law because of the principles involved:

Certes, nous sommes loin ici d'être seuls visés, mais nous le sommes aussi. Indépendamment des difficultés d'ordre commercial que cette loi provoquerait si elle venait à être appliquée, elle pose des questions de principe sur lesquelles nous prenons la liberté d'attirer votre attention. (Covering letter to Carcassonne's submission, 11.7.94)

The areas of contention were, for the most part, common to the Socialists and the AACC, and in many instances the arguments which each party put forward were very similar, which is perhaps unsurprising given that the AACC's legal counsel, Guy Carcassonne, was a former adviser to Socialist Prime Minister, Michel Rocard, on issues of constitutional law. Both the Socialists and the AACC had equally strong feelings about the undesirability of the law, but they were forced to adapt their arguments to suit the forum concerned, and frame their arguments in terms of constitutionality, because the Constitutional Council was being asked not to offer a viewpoint on the desirability of the legislation, but to determine a point of constitutional law. Consequently, arguments centred on the contention that the legislation constituted a contravention of the fundamental principles of freedom of expression, equality of treatment, and the more legalistic principle of the proportionality of the penalty to the offence.

2.1 The principle of freedom of expression

As noted in our introductory chapter, the right to freedom of expression enjoys constitutional status in France. It is protected by Articles 34 and 61.2 of the Constitution, which encompass the commercial and industrial rights of French citizens, and Articles 4 and 11 of the *Déclaration des droits de l'homme et du citoyen*, which proclaim the free exchange of ideas and opinions a constitutional right which can only be withheld in the interests of public order or to uphold other

values enshrined in the Constitution. In addition, there was now the complicating fact that, since 1992 the French language had also been enshrined in the Constitution, as language of the Republic.

One of the major principles established by the law was the obligation to use codified terminology in a number of designated cases:

Le recours à tout terme étranger ou à toute expression étrangère est prohibé lorsqu'il existe une expression ou un terme français de même sens approuvés dans les conditions prévues par les dispositions réglementaires relatives à l'enrichissement de la langue française.

In the text voted by Parliament, this provision applied indiscriminately to both the public and private sector. Neither the Socialists nor the AACC contested the principle that codified terminology should be imposed on the State and its representatives from the private sector (for example the use of officially accepted terminology in respect of contracts to which the State was party, or the organisation of conferences by the State). However, both parties did object to the obligations which it placed on private individuals and bodies.

In their submission, the parliamentarians reiterated the arguments used in the parliamentary debates regarding the difficulty of determining what constituted a French term under the provisions of the law, and the potential for arbitrary decisions to be taken. They also regretted the fact that the audiovisual sector would have to adopt "*la novlangue officielle imposée (...) par les arrêtés de terminologie*" (JO 2.8.94:11249).

The AACC developed this argument further by suggesting that the power accorded to the Terminology Committees would, if these provisions of the law were approved, be both exorbitant and unconstitutional:

Cette disposition est inacceptable (...) en ceci qu'elle donne au pouvoir réglementaire - en fait à des commissions administratives composées - (...) le pouvoir exorbitant de définir le champ d'exercice d'une liberté fondamentale. (...) Il est totalement inconstitutionnel de le confier, de surcroît sans la moindre précision, le moindre cadre, ni la moindre limite, à une autorité réglementaire. (Carcassonne, 1994:17-18)

Like the Socialists, Carcassonne argued that the obligation to use officially approved terminology thwarted creativity, making this the monopoly of Terminology Committees and, indirectly, the *Académie Française*:

les alinéas contestés aboutiraient à doter des institutions publiques (...) d'un monopole de création linguistique. (ibid, p.19).

In particular he condemned the requirement to use codified terminology in public places or on public transport (as laid down in Article 3) as radical and ridiculous⁶, but arguing primarily that it contravened the Declaration of Human Rights :

nul, pas même le législateur, n'est en droit d'imposer à des personnes privées, quelles que soit leur activité, des modes d'expression particuliers, au-delà de ce qu'exigent des considérations d'hygiène, de santé ou de sécurité publique. (ibid. p. 27).

The Socialists argued that even if the protection of French had, through the constitutional amendment of 1992, become an object of constitutional value, a proposition of which the group was not entirely convinced ("*ce qui n'est d'ailleurs nullement certain*" JO IP, 2.8.94:11247), then it might be possible to impose the use of French within the public sector, but not to regulate the linguistic usage of private individuals. Equally, the Socialists claimed that whilst the maintenance of public order could justify the prohibition of, for

⁶ Examples of the hypothetical "*applications purement et simplement loufoques*" cited included the insistence that notices such as "English spoken here" should be accompanied by one stating "*On parle français ici*" (Carcassonne, 1994:22).

example, defamatory or racist language, it was not possible to make a similar case in respect of the systematic imposition of government-authorised terminology on the private individual, and that the regulation of the content of an individual speaker's language constituted an infringement of human rights.

Likewise, the AACC maintained that if legislation were to place constraints on freedom of speech in France, then the objective of the legislation must be either to uphold one of the values enshrined in the Constitution, or to maintain public order. The AACC argued that, if indeed the French language did enjoy "constitutional value", then it was the responsibility of the legislator to ensure that legislation designed to uphold this value did not conflict with other values enshrined within the Constitution:

[i]l reviendrait au législateur de concilier la liberté d'expression avec la défense de la langue française et non, comme le fait la loi qui vous est déférée, de sacrifier l'une à l'autre. (Carcassonne, 1994:12).

Moreover, the AACC argued that it was wrong to sacrifice a principle which was clearly defined within the Constitution, namely the freedom of expression, for one which was only implicit, namely the protection of the French language (*ibid.* p.16). It acknowledged that the maintenance of public order sometimes required that freedom of speech should be limited, but questioned whether there existed any form of specifically linguistic public order whose maintenance justified the limitation of freedom of expression:

En l'espèce, la question qui se pose est celle de savoir s'il existe un ordre public linguistique dont la défense pourrait justifier des limitations à la liberté d'expression. (ibid. p. 11).

The arguments outlined by the AACC indicated that the advertising sector was firmly of the opinion that no such category of public order existed. In any event,

it was argued, that even if a "linguistic public order" could be proved to exist, it should be reconciled with pre-existing legislation governing advertisements, namely Articles 15-17 of the law of 29 July 1881, relating to the freedom of the press, and law no.79-1150 of 29 December 1979, both of which guarantee the right to advertise in public in France.

Insofar as the principle of freedom of expression was concerned, the Constitutional Council ruled that, whilst the legislator had the right to impose the use of French on agents of the State, the concept of freedom of expression implied the right to select the terms best suited to the expression of a speaker's thoughts (*"la liberté d'expression implique le droit pour chacun de choisir les termes les mieux appropriés à l'expression de sa pensée"*, JO Lois et Décrets 1994, 151-227, 2.8.94). Consequently, it was not possible for the legislator to oblige the use of official French terminology on private individuals or bodies. However, the Council also decreed that, since French was recognised in the Constitution as the language of the Republic, it was permissible to impose the use of codified language on the public sector and its representatives. As a result, those articles making specific and exclusive reference to the use of French in an official capacity (for example the requirement for the public sector to draft contracts in French) were not included in the ruling, and were not modified.

The Constitutional Council's decision had repercussions on a number of articles in the Bill, and resulted in the partial censure of several articles. More detailed discussion of the final decision is undertaken in Section 3.

2.2 The principle of equality of treatment

The AACC contested the constitutionality of the articles regulating the audiovisual sector, on the basis that they contravened the principle of equality as

established by both the Declaration of Human Rights and the Constitution. Not only did Carcassonne describe these provisions as an unprecedented attack on the freedom of expression (*"une atteinte extravagante à la liberté d'expression. Elle est absolument sans précédent"*. 1994:27), he also represented them as an unfair imposition on the audiovisual sector, and particularly the advertising community. Indeed, he argued (1994:29-30) that either the protection of the French language was a value enshrined in the Constitution, and therefore equally applicable to all forms of communication, or (as the AACC maintained) it was not an object of constitutional value, and consequently no obligation nor prohibitions should be imposed. Furthermore, in the letter to the Constitutional Council which accompanied the AACC's submission, Jacques Bille reminded the Council of the restrictive legislation already in force in respect of advertisers, and protested that the *loi Toubon* represented a further constraint on the sector he represented: *"La profession que nous représentons a vu récemment ses activités gravement contrariées par plusieurs lois"*.

The AACC also evoked the principle of equality of treatment in respect of the question of trademarks. Parliament had taken the decision that the provisions of the legislation relating to trademarks would apply to the public sector and to those acting in the name of the Republic, whether in an administrative, industrial or commercial capacity. The AACC argued that it was unjust to impose obstacles to the operation of companies such as Air France, the SNCF, and the RATP, when similar barriers were not imposed on their competitors who were operating exclusively within the private sector. Although (as noted above) the Constitutional Council ruled against the imposition of terminological restrictions in respect of audiovisual broadcasts and trademarks, in the name of freedom of expression, in neither of these cases did it accept that the provisions of the law were incompatible with the principle of equality of treatment.

However, the Council did uphold a similar appeal on the grounds of inequality of treatment in the case of the public funding of scientific and teaching projects. It will be remembered that the version of the Bill which left Parliament made public funding of scientific events dependent on the publication of the proceedings in French (Article 5 bis). Both the Socialists and the AACC argued that it was unconstitutional to make public funding for research and teaching purposes dependent on a commitment on the part of the recipients to produce either a publication in French in the first instance, or a translation of any foreign language publication which ensued. They argued that this requirement did not respect the principle of equality as established in the Constitution, and also that it imposed a *charge publique*, which (under Article 40 of the Constitution) was not permissible following a parliamentary amendment. The Constitutional Council upheld this appeal, agreeing that the article imposed

des critères d'attribution de subventions à la recherche qui, ne prenant en rien en compte la qualité des travaux, sont constitutives d'une rupture d'égalité constitutionnelle (JO 2.8.94:11248).

The decision by the Council in this instance represented a pragmatic interpretation of the notion of equality, since there are no longer any prestigious pure science publications in the French language. Consequently, an obligation to publish in French could be deemed to constitute an unfair barrier to French researchers.

2.3 The principle of the proportionality of the penalty to the offence

A final issue, raised initially by the Socialists in the National Assembly, and developed by the AACC was the alleged violation of the principle of the proportionality of the penalty to the offence. In the National Assembly, the Socialists had argued against the penalties which could be imposed for hindering

an authorised official in the investigation of non-compliance with the legislation (6 months prison sentence or a fine of 50,000 French francs, Article 15). The AACC argued that this was too severe, given the variety of situations which might give rise to a conviction ("*la dureté des sanctions est tout simplement suffocante*" Carcassonne, 1994:35), and that the measure was therefore in contravention of Article 8 of the 1789 *Déclaration des droits de l'homme et du citoyen*, which stipulates that the law must impose only those penalties which are strictly necessary⁷. Furthermore, the AACC argued that although it was not possible to determine fully the constitutionality or otherwise of the penalties which might be imposed, since the level of the fines would be set later, it was unacceptable that no ceiling had been fixed ("*le législateur est resté en-deça de sa compétence en ne définissant pas au moins un plafond, et en laissant toute latitude au pouvoir réglementaire*", Carcassonne, 1994:37)⁸.

The AACC also expressed concern at the lack of control over the selection of the language associations which would be authorised to initiate prosecutions, maintaining that they are often obsessive about their cause, and could easily become language vigilantes:

Connaissant le caractère souvent obsessionnel et intolérant [des associations], il y a tout lieu de penser que, dotés des moyens juridiques que leur offre la loi, la France ne va pas tarder à découvrir des cohortes de censeurs vigilants, délateurs pétris de bonne conscience, que le législateur aura encouragés et armés.
(*ibid*, p.36)

Notwithstanding these objections, the Constitutional Council decreed that the penalties which would be imposed were in no way unconstitutional, and

⁷ "*La loi ne doit établir que des peines strictement et évidemment nécessaires*" (Article 8).

⁸ The AACC appears not to have given consideration to the practical problems of imposing such a ceiling.

consequently it chose to make no modification to the provisions relating to sanctions.

3. The outcome of the referral to the Constitutional Council

The Constitutional Council decreed that whilst the legislator may, under Article 2 of the Constitution, impose the use of French, such a restriction must take account of other principles established by the Constitution:

il incombe au législateur (...) d'édicter des règles concernant le droit de libre communication et de la liberté de parler, d'écrire et d'imprimer, il ne saurait le faire, s'agissant d'une liberté fondamentale d'autant plus précieuse que son existence est une des garanties essentielles du respect des autres droits et libertés, qu'en vue d'en rendre l'exercice plus effectif ou de le concilier avec d'autres règles ou principes de valeur constitutionnelle⁹.

On the basis of this decision, the Council declared that seven of the nine articles referred for adjudication were at least partially unconstitutional¹⁰. It did, however, uphold the provisions imposing the use of French in respect of advertisements, audiovisual broadcasts, trademarks, documentation used in the workplace, conferences and colloquia, contracts of employment, and education, as well as those relating to the sanctions to be applied. Whilst it found no evidence to suggest that the audiovisual sector would be unfairly discriminated against by the legislation, it did effectively rule in favour of the scientific counter-movement when it suppressed the requirement for public funding for teaching and research to be dependent on a publication in French.

Perhaps the most significant principle to emerge as a result of the Constitutional Council's ruling was that it was legitimate to impose the use of codified

⁹ *Décision No. 94-345 DC du 29 juillet 1994*, JO 2.8.94, copy in Appendix XIII.

¹⁰ These were Article 2 (clause 1), Article 3 (clause 1, sentence 2), Article 7 (clause 2), Article 8 (clause 2, sentence 2), Article 9 (clause 2, sentence 2, clause 4 sentence 2, and clause 8), Article 10 (clause 2), and finally Article 12 (clause 5).

terminology, but that this requirement must be limited to those acting in the name of the Republic. The rest of the population was free to choose "*les termes jugés par lui les plus appropriés à l'expression de sa pensée*" (JO 2.8.94). Thus, the outcome of the Constitutional Council deliberations was to protect the use and content of French in the public sector, but to restore freedom of choice to the private sector.

This decision constituted a considerable relaxation of the ambit of the law, but the outcome could have been much less favourable to proponents of reform had it not been for the success which they had enjoyed in respect of the 1992 constitutional amendment campaign. In Chapter 3, the incorporation of a reference to the French language as part of the constitutional amendment was described as a symbolic measure, rather than one of practical application. However, the decision taken by the Constitutional Council in 1994 reveals that this reference was in fact crucial in ensuring that some of the provisions voted by Parliament concerning the requirement to use French were maintained in the text. Given that the principle of freedom of speech was used to suppress the provisions regulating language usage within the private sector, it is possible that had such a reference to French not appeared in the Constitution, the Constitutional Council censure might have been more severe. Indeed, the Council could theoretically have decided that the entire legislation, with the exception of the statements of principle (establishing French as the language of the Republic, of education, etc.) were in violation of the principle of freedom of expression, and therefore unconstitutional.

By its decision, the Constitutional Council accepted that the constitutional amendment of 1992 accorded the protection of the French language a constitutionally recognised status. However, in the course of its discussion, the

Constitutional Council had to attempt to reconcile the long-established constitutional principles of freedom of expression and equality of treatment with this newly-established constitutional principle of protection of the French language. In so doing, it had to determine whether one "constitutional value" took precedence over, or was subordinated to another value which was also enshrined in the Constitution. The decisions taken by the Constitutional Council effectively served to delimit the application of the constitutional amendment. Since the French language had traditionally been recognised as synonymous with the concept of the French nation, the constitutionalisation of the language was widely acknowledged as giving substance to a previously unwritten, but key ideological principle. This principle had not been contested during the legislative reform debates in Parliament, but the principle was effectively limited by the Constitutional Council decision to impose specific responsibilities on public officials and those operating on behalf of the State. In practice, this ruling established French as the language of State, rather than of the whole nation as had been implied by the 1992 constitutional amendment.

The Constitutional Council ruling that any measure imposing the use of the French language on private individuals was in violation of the principles of freedom of expression and equality, as enshrined in the Declaration of Human Rights, served to erode further the equation between language and nation in France, reducing it to an amalgam between language and State. Furthermore, the decision had the effect, at official level at least, of subordinating the collective identity embodied in the French language to the principle of freedom of expression, which Article 11 of the *Déclaration* did in fact describe as the "most precious" of all human rights ("*une liberté fondamentale, d'autant plus précieuse que son existence est une des garanties essentielles du respect des autres droits et libertés*". JO *Lois et Décrets*, 2.8.94).

It can be seen, therefore, that this referral was significant not only in deciding the fate of the legislation under discussion, but also in determining the relative status of the fundamental values proclaimed in the Constitution.

4. Impact analysis

The text finally promulgated on 4 August 1994 (*loi no. 94-665 du 4 août 1994, relative à l'emploi de la langue française*¹¹) amounted to little more than a reinforced version of the Bill drawn up by Catherine Tasca on behalf of the previous Socialist government. Given that the Constitutional Council upheld the arguments advanced by the Socialists and the AACC, it was not surprising that Martin Malvy (PS) described the partial annulment of the law as *"une bonne nouvelle pour la francophonie et une excellente nouvelle pour la démocratie"* (*Libération*, 1.8.94:9). The only Socialist to openly express concern at the outcome was Jack Lang, former Minister of Culture, who considered the Constitutional Council's decision "ultra-liberal" (*"inspirée par une philosophie ultralibérale"*, *Libération*, 1.8.94:9)¹².

For those advocating the introduction of stringent measures, the outcome of the referral represented a serious reversal. Certainly, Thierry Priestley of ALF felt that the decision had stripped the law of meaning (*"La décision l'a vidée de tout son sens"*¹³). Maurice Druon of the *Académie Française*, whilst approving the reassertion of the centrality of French within the public sphere, regretted that the legislation was not more coercive in respect of the audiovisual sector:

¹¹ A copy of the full text can be found in Appendix XIV.

¹² As Minister of Culture, Lang had strongly advocated the promotion of French cultural specificity: *"la revalorisation d'un patrimoine et d'une spécificité française"* (Leonard, 1993:45).

¹³ Source: personal interview 25 July, 1994.

"Ce qui me rassure dans votre décision, c'est qu'elle confirme l'obligation faite au service public de respecter le français. Je déplore toutefois qu'elle ne puisse pas s'appliquer à la télévision qui est, pour l'heure, l'un des principaux facteurs de dégradation de notre langue". (Open letter to Robert Badinter, President of the Constitutional Council, *Le Figaro*, 4.8.94:26).

In the two years following its promulgation, the legislative reform did appear to be having the desired effect, in that, over the period 1990 to 1996, the number of investigations into possible contraventions of the legislation more than doubled. In 1990, the DGCCRF had investigated 186 instances of non-compliance with the 1975 legislation, but none of these was successfully prosecuted. In 1996, the number of cases investigated had risen to 366, with fines imposed in respect of 56 of these¹⁴. In the four month period from January to April 1997 alone, 27 cases had been successfully prosecuted, which extrapolates to a 75% increase over the previous year¹⁵. The increases both in cases reported and those successfully prosecuted may be attributed in part to the fact that the 1994 revision extended the areas covered by the law (the inclusion of advertisements, for example), and also to an increase in vigilance on the part of the DGLF.

The first prosecution under the revised legislation took place in January 1996 when The Body Shop was fined for offering for sale products labelled exclusively in English, in contravention of Article 2 of the legislation. Although the verdict went against The Body Shop, the penalty was small, ten fines of only one hundred francs each being imposed. Whilst it would have been possible to make an example of this, the first company to be prosecuted, there had been so much media speculation and criticism during the parliamentary debates about the

¹⁴ *Rapport au Parlement sur l'application de la loi du 4 août 1994 relative à l'emploi de la langue française* (1996). Paris: DGLF.

¹⁵ The majority of the prosecutions taking place in 1995 and 1996 were in respect of industrial products (72.% and 80.6% respectively), notably in connection with the labelling of cosmetics, personal hygiene products, shoes, electrical goods, furniture and computer products. (DGLF Report, 1996, *op cit.*)

finer which might be imposed, that it may have been deemed prudent to reserve harsher penalties for future prosecutions.

5. The referral as a catalyst to further language planning initiatives

Although Jacques Toubon claimed to be extremely satisfied with the outcome of the Constitutional Council referral ("*cette décision est positive pour la défense de la langue française*" (*Le Figaro*, 1.8.94:1), he acknowledged that the Council's decision had limited the scope of his proposals, and that the other initiatives outlined in his programme of reform in June 1993 should be pursued: "*Cette décision nous encourage à poursuivre une politique globale de la langue française et de la francophonie, qui comporte bien d'autres mesures que ce projet de loi*" (*idem.*)

Insofar as the groups advocating reform were concerned, therefore, a positive repercussion of the limitations imposed on the *loi Toubon* by the Constitutional Council was that they confirmed the Minister in his resolve to pursue a broader linguistic policy. Indeed, it should be remembered that legislative reform was only one of the five demands listed by ALF in its *appel* (see below). By the end of 1994, there were indications of a greater awareness amongst policymakers of the problems facing the language, and although no further major language policy measures were announced, there were signs that some at least of the four outstanding demands listed in ALF's *appel* were to be taken seriously.

The first of the demands to receive attention related to the development of information technology and audiovisual productions in French. In 1994, legislation was introduced making it obligatory for the audiovisual media to broadcast a minimum of 40% French songs and music¹⁶. In 1994, the DGLF

¹⁶ Article 12-I of *loi no. 94-88 du 1er février 1994, modifiant la loi no. 86-1067 du 30 septembre 1986, relative à la liberté de communication*.

invited bids for the funding of innovative projects designed to promote French as a medium on the electronic superhighways. However, it was not until 1997 that the francophone community announced plans to devote substantial funding¹⁷ to the promotion of French on the Internet.

In relation to the diversification of foreign language teaching, which had headed the list of ALF's demands in the *appel*, the government issued a statement that it intended to use the French presidency of the European Union in the first half of 1995 as an opportunity to promote linguistic diversity:

Assurer le respect des langues des Etats membres de l'Union européenne et permettre à chacun d'aller à la rencontre de l'autre, tels sont les objectifs de la Présidence française dans le domaine linguistique. (Brèves, 1er trimestre 1995:1)

This promise was followed up at European level with a resolution (31 March 1995) relating to the diversification of language teaching and improvement of teaching quality within Europe. At national level, France announced the implementation of widespread primary school teaching of a foreign language, to be selected from German, English, Arabic, Spanish, Italian and Portuguese, for 5-6 year olds as from September 1995, and plans for the teaching of a second foreign language for 13-14 year olds as from 1997 (*Brèves*, 4ème trimestre, 1995).

Toubon himself took no action in respect of the use of French in international institutions, but this issue was addressed by François Mitterrand. Reference has already been made (Chapter 5) to the French President's use of the fifth francophone summit in 1993 as a platform from which to issue a Resolution calling for a cultural exception in respect of the GATT. The summit also

¹⁷ 30 million francs, of which 10 million would be allocated to France (*Le Monde*, 22.5.97:35).

provided the forum for the publication of a further Resolution on the use of French in international organisations. This statement echoed the demands made by ALF that the status of French as a working language be respected in the UNO, and that sufficient resources be allocated to permit translation and interpreting into French (*Brèves, 1er trimestre, 1994*).

The only demand featuring in the *appel* which did not elicit a positive response from the State was that which called for a constitutional reference to French as the language of education and the workplace, and of the francophone community. As noted in Chapter 5, a further attempt was made to incorporate a reference to the francophone community into the Constitution, but yet again this was unsuccessful.

The announcement of the government initiatives outlined above suggest that the proposals outlined by ALF in July 1992 acted as a catalyst (if not an immediate one) to the introduction of a broad range of language planning initiatives. There is also evidence to suggest that the campaign exerted an impact on the wider French public in terms of consciousness-raising. The fact that this was a controversial debate helped bring linguistic issues to the notice of the general public, and raise the profile of the French language. The opinion poll (referred to in Chapter 6), which was conducted by Toubon in March 1994, revealed that the French language continues to be highly esteemed in France, and that 80% of those questioned were supportive of reinforced legislation. Insofar as the francophone community is concerned, the IPSOS opinion poll conducted in May 1986 on behalf of the *Haut Conseil de la Francophonie* (referred to in Chapter 2) revealed that only 33% felt an attachment to the francophone community,

whereas this figure had risen to 43% by January 1995¹⁸, although clearly, it is not possible to attribute this evolution to any one particular factor.

It can be seen that the referral of the *loi Toubon* to the Constitutional Council was significant for a number of reasons. Firstly, it brought about a substantial modification to the policy measure approved by Parliament, resulting in the reduction of its scope. Secondly, it subordinated legislation relating to language use in France to the principles of freedom of expression and equality of treatment. Finally, it acted as a further catalyst to the introduction of a series of language planning initiatives on the part of the French government.

As a result of its decision, the Constitutional Council emerged as the guardian of civil liberties, and consequently the 1994 referral may have paved the way for more challenges to the constitutionality of future laws regulating language. In France, legislation is already drafted in the knowledge that it may be referred for constitutional review. However, given the success of the opponents of reform in this instance, there could be an increase in the number of motions of "*irrecevabilité*" in the French Parliament, not only in respect of linguistic legislation, but also legislation in other policy areas. This would involve a vote on a law's constitutionality before it is even debated in Committee, and could significantly disrupt the legislative process.

Insofar as ALF, principal instigator of the pro-reform movement, was concerned, by 1995 the group had become institutionalised, and absorbed into the machinery of policy implementation. Following the referral of the text of the 1994 legislation to the Constitutional Council, the group made no attempt to press for further reform of this particular linguistic legislation. However, it

¹⁸ Poll conducted by Lavialle, reported in *Le Monde*, 19-20.3.95.

continued to be closely involved in the issue of language regulation, being one of the five associations authorised to carry out prosecutions¹⁹. In October of the same year, Thierry Priestley, a founder member of ALF, also formed a new, parallel association, *Droit de Comprendre*, to develop the work of the *sensibilisation* working party, to which he had belonged. This new group also launched a fresh campaign in the summer of 1994 in support of the French language at European level, and early indications are that DDC will be as proactive in its approach as its predecessor. Examination of the activities of this group is beyond the scope of this study, but it would appear significant that the name chosen for this association, placed the emphasis primarily on protection of the interests of the French speaker, rather than on those of the language.

In conclusion, the next chapter draws together our findings in respect of the extra-parliamentary actors involved in the two major language debates taking place between 1992 and 1994, and considers the broader issues which they raise about language planning and the role of language in France.

¹⁹ The bodies so authorised were Défense de la Langue Française, Avenir de la Langue Française, Association francophone d'amitié et de liaison, Conseil de la Langue Française, and the Association des Informaticiens de Langue Française.

CONCLUSION

Avenir de la Langue Française was born of deeply-rooted convictions on the part of members of the intelligentsia about their role in the language policy process; it was born of longstanding frustrations, and also the appearance of a significant political opportunity. Between 1992 and 1994, the group identified and articulated concerns regarding the French language, and demonstrated an ability to mobilise its resources in such a way as to bring pressure to bear within the policymaking arena. In this final chapter, we return to the questions raised in our introduction, assessing the extent to which the pro-reform movement led by ALF acted as a genuine point of leverage within the political system, and also the consequences of its intervention. It will be argued that, although the movement achieved a number of its objectives, the legislative reform finally enacted constituted something of a Pyrrhic victory, since the debates called into question the role of the intellectual in issues of language planning; furthermore, the Constitutional Council ruling of August 1994 both reduced the scope of the legislation enacted, and altered perceptions of the status of the French language.

If the impact of any social movement is to be fully circumscribed, and a valid assessment of its contribution made, three criteria must be considered: the extent to which it achieved change in policy, the implications of its actions on the policy process itself (these being the two criteria suggested by Gamson, 1990), and the extent to which it brought about change in social values (this third criterion being added by Rochon and Mazmanian, 1993). It should, however, be borne in mind that the full impact of any social movement can only be fully appreciated in the long term: a policy-focused movement may ultimately have wider repercussions on social values, and conversely a more broadly-based movement may eventually result in policy change if it brings about an evolution in public attitudes, and leads to demands for the introduction of policy

initiatives. However, such results may only be discernible after a period of time has elapsed.

The following discussion focuses upon the more immediate, albeit profound repercussions of the pro-reform movement. It considers the factors maximising and minimising the impact of ALF's intervention in the policy process, and evaluates the outcomes of the movement in terms both of specific policy change and broader changes to the policy process and social values. The chapter concludes by considering the future of language planning and the role of language in France, in the light of the decisions taken between 1992-94.

1. The pro-reform movement in the policy process

Detailed examination of the activities of the pro-reform movement (Chapters 3 and 8) suggests that ALF may be considered the primary instigator of the two major policy measures introduced during the period under discussion. Certainly, there was no indication prior to 1992 that the Socialist government intended to extend the constitutional amendment debate to encompass issues relating to language, or to instigate reform of the 1975 legislation. Indeed, there was nothing to suggest that significant nationally-focused language planning measures would have been introduced without the impetus provided by the pro-reform movement.

To return briefly to the linear model of the policy process proposed by Lasswell, and discussed in Chapter 1, it can be seen that ALF was highly active at the initiation stage of the process, preparing documentation for ministerial consideration in respect of both measures: the text of a supplementary article to the *projet de loi* in the case of the constitutional amendment, and a detailed proposal, which took the form of a draft *proposition de loi*, in the case of the

legislative reform. In addition, through its input into Committee stage hearings, and also its information dissemination activities, ALF made a substantial contribution to the information-gathering stage of the policy process, and to wider debate on the Toubon Bill.

1.1 Factors maximising the impact of the pro-reform movement

In Chapters 3 and 4, ALF's success in exerting influence at these initial phases of the policy process was explained partially in terms of the inherent political saliency of the group's members, and their acceptability to the existing policy community. Certainly, ALF was highly critical of official inaction, and its demands were frequently expressed forcefully and in emotive terms. Nonetheless, the movement was aimed at enhancing the value position of the French language, and as such was perceived to be supportive of the underlying normative order, rather than a challenge to the status quo. Members of ALF shared cultural values and ideological beliefs with the existing language policy community, notably about the use of a national language as a societal resource, to create and maintain national identity and integrity. As a result of these shared convictions, the two manifestos published in 1992 found a ready response amongst the attentive public of the language policy community. More important, the movement also proved acceptable to the subgovernment, despite the fact that it might at first have appeared almost to be setting itself up as a *ministère bis de la Culture et de la Francophonie* in the absence of government initiatives.

The elite nature of ALF's founder membership not only enhanced its standing within the language policy community, but also within the broader political arena. Given the predominantly technocratic nature of its executive, ALF enjoyed psychological, social and professional bonds with those empowered to

take policy decisions, and as a result was well placed to gain access to a wide variety of government institutions. Furthermore, many of the group's early activists themselves had direct experience, and thus expert knowledge of the machinery of the policy process. As a result, the stance taken by this group was more politically astute than that of the majority of its predecessors within the attentive public, and its strategies more directly focused towards the achievement of policy goals.

The political saliency of ALF, however, was only one of three separate, albeit closely interrelated factors impacting on the success of the movement in its early phases. The political opportunity afforded by the parliamentary debate on the Constitution in 1992, and the overall socio-political and economic climate in France in the early 1990s were also significant, since they helped ALF to translate its political saliency into policy capacity.

The two years over which the measures were introduced covered the period during which France undertook preparations for the ratification of the Treaty of Maastricht, and engaged in negotiations to bring about a modification of the GATT proposals. During these two years, external forces appeared set to bring about dramatic changes to the socio-economic and political fabric of French society and, through the organisation of a referendum on Maastricht, the French electorate was encouraged to take an active part in determining France's response to these changes. Whilst GATT and Maastricht were in reality discrete issues, they were closely linked in the minds of the French population¹. The link between the two issues clearly owes much to the fact that they came to the fore

¹ During the summer of 1992 in the lead up to the referendum on the Maastricht Treaty, posters throughout France, (but particularly in rural areas fearful of the impact of the treaty and of the outcome of the GATT negotiations) proclaimed "*Non à Maastricht ! Non au GATT !*" See Bourlanges, J-L *Le diable est-il européen ?* Paris: Stock (1992) for perceptions of threat from closer European integration

at approximately the same time. To this extent, the coincidence of these events can be seen to have had a cumulative and mutually reinforcing effect on French perceptions of the threat which they posed. Equally, it suggests that Maastricht and GATT were perceived less as specific issues than as a generalised threat to French prestige, economic prosperity, national independence and cultural specificity.

The emergence of ALF was thus facilitated by the fact that border issues were at that moment a key theme of political discourse in France. Following extensive discussion on the extent to which frontiers should be open to immigrants and to foreign goods, it was a small step, and an apparently logical extension to engage debate on the extent to which French frontiers should be open to foreign language imports. Thus, when first mooted in 1992, the proposals for both constitutional recognition of French and reform of the 1975 legislation were in harmony with the mood of a nation engaged in defensive nostalgia, and attempting to re-establish "a sense of collective identity, purpose and direction" (Kuisel, 1995:31).

Throughout 1993, the instigators of reform were able to take advantage of the widespread debate and negative reactions generated in connection with both the Maastricht and GATT negotiations to mobilise resources. Although the issues of sovereignty and identity raised by Maastricht were perhaps the most closely allied to the linguistic debate, opponents of GATT attempted to conflate symbolic and more substantive commercial and economic issues. Consequently, even after the referendum on Maastricht had taken place, there was an interdependence between linguistic and other political debates. This was most apparent on the occasion of the francophone summit held in Mauritius in October 1993, which provided a political opportunity for President Mitterrand,

who exploited the solidarity of the francophone community in support of incorporating a cultural exception for France within the GATT proposals. Indeed, it is significant that the francophone summit, and the presidential intervention in support of France's cultural identity coincided with the zenith of the pro-reform movement.

By the end of 1993, the pro-reform movement appeared to be going from strength to strength, and looked destined to achieve its objectives. It had enjoyed widespread support, both within the language policy community and within the wider political arena, with both left and right-wing governments demonstrating their commitment to reform. It had made a significant contribution to the incorporation of a reference to the national language in the Constitution, and further substantive reform appeared to be a real possibility. Furthermore, media coverage of the movement had been benevolent and, albeit gently mocking, far from disparaging.

1.2 Factors minimising the impact of the pro-reform movement

However, once the debate entered the legislative arena, the relative prominence and influence of ALF declined significantly. Thereafter, the movement encountered concerted opposition from sectoral groups, from the press and from the Socialist groups in Parliament. As the debate progressed, those who had launched the campaign appeared gradually to lose their capacity to influence political outcomes. Certainly, the difficulties inherent in any attempt to influence legislative proceedings from the outside constitute partial explanations for this evolution, but these were obstacles faced by both the pro-reform movement and the counter-movements which arose to contest the measures. Moreover, ALF was arguably more politically astute than its opponents. Explanations for this decline in the policy capacity of the pro-reform movement

at the decision-making stage of the policy process must therefore be sought elsewhere: in changes to the broader social and political environment, in the nature of the policy network governing language, and in the strategies which ALF adopted.

Once the deadline for the GATT negotiations (15 December 1993) had passed, linguistic issues no longer appeared to represent such a significant political resource for the French government. When the most immediate matters relating to the European and trade debates were complete, the impact of these issues in providing ideological support for the linguistic debates rapidly declined. No similar ideological issues sprang up to take their place, and help sustain the debate. On the contrary, in the aftermath of Maastricht and GATT, commercially-oriented issues relating to convergence criteria, rising unemployment and financial deficits assumed paramount importance on the political agenda. In the less nostalgic climate of 1994, negative press comment focused on the potentially harsh economic repercussions of the legislation. Furthermore, the challenges to the more economically-oriented proposals of the *loi Toubon* revealed the unacceptability of State attempts to intervene in linguistic issues which impact on France's international relations. Such intervention was resisted all the more fiercely because the dirigist role of the French State has steadily declined in recent decades, with an increasing deregulation of telecommunications and the financial market, and privatisation of a number of previously nationalised firms. In short, although the language reform Bill had already embarked upon the legislative process, and was scheduled for discussion in Parliament, by 1994 the overall political climate was far less favourable to linguistic reform than it had been two years earlier, and had the reform been proposed at this later stage, it is likely that it would not have reached the parliamentary arena.

Furthermore, ALF had failed to demonstrate and generate popular support for its proposals. Only weeks after the foundation of the group, members of ALF's executive explicitly stated that they intended that it should be allowed to develop into a mass movement, and publication of the first appeal was, according to the group, meant to mark the transition of the movement from a small *lieu de réflexion* to a *mouvement de masse*. However, this document only appeared in *Le Monde*, with a follow-up appeal in the same publication. Given that *Le Monde* is the most intellectual of the French daily newspapers, with a circulation of only 368,154 in 1992², it is scarcely surprising that the response came almost entirely from the professional classes, and that the appeal failed to mobilise the entire population.

Whilst popular support for a parliamentary Bill provides no guarantee of its success, it is likely to improve its chances of being accepted and implemented. This is particularly true when the legislation involved is concerned with language, and therefore impacts on the population as a whole. If ALF had been seriously committed to developing into a mass movement, it needed to capture media attention and sympathy, thereby generating wider public support. In the event, the only real expansion was to encompass fellow intellectuals, who already felt a strong sentimental attachment to the language. There was never any serious attempt to encourage grassroots support for the measures. Certainly, financial constraints limited the number of appeals which could be made. However, it could be argued that the group's efforts might have been better employed creating an awareness of the difficulties facing the French language amongst those sectors of society which had been seduced by the English language and Anglo-American culture, rather than amongst those who were already conscious of the problems.

² *Médiaspouvoirs*, no. 33, 1er trimestre 1994, p.188,

The decision by proponents of reform not to undertake a more broadly-based campaign amongst the general public (allegedly to avoid any nationalistic backlash) suggests that they may have overestimated their own ability to control events during the legislative process. This apparent error of judgement may be explained by reference to pre-existing patterns of language planning in France. It has been established (Chapter 2) that intellectual participation in issues of language planning has traditionally been dominated by the intelligentsia, interaction between the attentive public and subgovernment being perceived as mutually beneficial. Most of the language planning initiatives introduced prior to the 1990s were the fruit of collaborative efforts between the bodies belonging to the official linguistic infrastructure and private language groups, and took place outside the legislative arena. Thus, the language policy community constituted a cultural and ideological microcosm, and had traditionally operated as a closed, and relatively autonomous network, with little outside interference.

In view of the relatively consensual nature of language planning initiatives prior to the 1990s, and the fact that both the constitutional amendment and the legislative reform were well-received when presented to Parliament, it is likely that the advocates of reform anticipated that the 1994 Bill would be as welcomed by Parliament as previous non-legislative language planning measures (francophone summits, educational initiatives for example) had been. However, as opposition began to emerge, it rapidly became clear that the decision to choose the legislative route had wider implications than ALF had anticipated. It impacted on the nature and composition of the policy network governing language and on the final policy measure introduced. It also impacted on the way in which French was perceived, and the values traditionally associated with the language.

2. Expansion of the language policy network

The policy structure governing language in France, namely the policy community, had proved remarkably resilient over time. However, it had seldom been subject to major challenges. Opposition from regional factions had been overcome by the marginalisation of these groups as ideological outsiders, and no serious opposition had previously been forthcoming from French business interests. Indeed, mainstream French language initiatives had proved relatively innocuous in their impact on the commercial sector, hence both the ineffectiveness of these measures and the absence of serious efforts to contest them. In contrast, a number of the proposals made in 1994, to extend the scope of the 1975 legislation, were more contentious, and as a result were fervently resisted.

Certainly, continuing political consensus was evident in 1994, both inside and outside the parliamentary arena, in respect of certain issues which did not jeopardise France's international competitiveness, such as the status of the language and the key role it has to play in education. Furthermore, there was consensus in respect of the principle of language planning as a means of maintaining the unity of the French nation-state, enhancing French collective consciousness, inculcating a sense of national pride, and assuring the continuation of the francophone community. The readiness with which these proposals were accepted by Parliament indicates that there were areas in which it was considered acceptable, and indeed desirable, to legislate in respect of language.

Equally, however, many of the proposals contained in the Bill gave rise to considerable opposition. As it became evident that a revision of the 1975 legislation was imminent, the relatively closed, albeit fragmented, policy community expanded rapidly, and in *ad hoc* fashion, as newly-mobilised non-

linguistic interests (ranging from the Socialist group through the AACC to individual advertising executives writing freelance articles in the popular press) sought to break the influence of those advocating reform. Thus, the period between June 1993 and August 1994 witnessed the involvement of numerous protagonists within the language policy process, many of whom had previously not been closely involved in linguistic issues.

Given the scope and restrictive nature of the proposals, objections could reasonably have been expected from those directly targeted by the measures, particularly the advertising, audiovisual and scientific sectors. If the language policy community had not been confronted with concerted opposition prior to the 1990s, equally the commercial and scientific sectors had not previously faced such a prescriptive and restrictive linguistic initiative. Opposition was also almost inevitable from regionalists, aggrieved at their exclusion from the early stages of the policy process, and the minimal nature of the references to regional languages in the Bill. Despite the threat of opposition, the language groups advocating reform failed to maintain their pressure on the subgovernment during the crucial decision-making phase of the policy process. It would appear that ALF did not anticipate the strength of feeling which would be aroused by publication of the Bill, the determination of those opposing the measures, or the resources at their disposal. It should be noted, moreover, that the change of government, in March 1993, delayed the process of linguistic reform by twelve months, and increased the time available for the organisation and mobilisation of counter-movements. This also reduced the momentum of the pro-reform movement which, after an almost two year long campaign, was losing some of its initial intensity and dynamism.

By the time the Toubon law was referred to the Constitutional Council, the language policy network was displaying many of the characteristics of an issue

network. Whereas this network had traditionally been ideologically homogeneous, with a limited number of participants active in respect of any one issue, by 1994, it had become less consensual; areas of consensus were reduced in respect of some issues, and non-existent in respect of others. Furthermore, the language policy community had become more diffuse and amorphous, having been penetrated by diverse non-linguistic interests, whose intervention fluctuated throughout the two-year period, according to the extent to which they were directly concerned by particular issues.

Mény (1989) suggests that the particular significance of the evolution of a policy network resides in its impact on the actors concerned, and on their ability to shape policy decisions. It is therefore instructive to consider the impact of the destabilisation of the language policy community upon the relative authority, legitimacy and influence of the French intelligentsia in respect of language planning issues.

3. Language planning and the intellectual in the 1990s

It is perhaps somewhat ironic that the policy structure which ultimately prevailed in respect of language, an issue sector which had traditionally centred around the notion of community, was one which itself lacked a true sense of community, namely the issue network. This structure is characterised by a diversity of (self-) interests, and lack of co-ordination, and is only loosely held together by economic concerns. The evolution of the policy network governing language towards an issue network was significant because it called into question orthodox assumptions regarding the legitimacy of the intelligentsia as key determinant in language planning, and as central figure in the political arena. Indeed, the fact that many of the achievements of the intelligentsia who led the pro-reform movement remained largely symbolic in nature may suggest that the intellectual conception of language protection is increasingly at odds

with wider social, cultural and economic priorities. This in turn raises questions as to how long the intellectual conception of language protection can endure.

Birch (1993) notes that each ruling class develops a political formula by which it justifies its rule to the rest of the population. In France, the intellectual elite has traditionally presented itself as, *inter alia*, the defender of the national cultural heritage. Certainly, the campaigns discussed in this study were designed to stem the impact of the cultural transformation which had been gaining momentum in France throughout the twentieth century. Whilst the enthusiasm and dedication of ALF did create an awareness of the problems inherent in such an evolution, these very attempts to address the problem gave rise to criticisms that certain intellectuals were overly concerned with linguistic issues at the expense of France's commercial interests. Their attempt to commandeer language as a national resource was perceived, in certain quarters, as the *de facto* exclusion of French citizens from an international linguistic market whose currency is increasingly the English language. Thus, the challenge to the language planning measures also suggested misgivings regarding the dominant role of the intellectual elite in French society. Indeed, fears were expressed in Parliament about the potentially over-zealous approach adopted by certain language activists.

Given the special relationship traditionally enjoyed by intellectuals within the language policy community in France, the challenge to the deeply-rooted reverential attitudes towards the French language, and the evolution from a relatively closed policy community to an issue network represented dramatic and unexpected changes in the status quo. However, although the ruling of the Constitutional Council effectively overrode the wishes of the intellectual elite which had initiated the reform movement, this was not to imply their exclusion from the policy process, and as noted in Chapter 8, responsibility for

implementation of the legislation devolved to a select group of French language associations. Furthermore, there is no reason to suppose that the intelligentsia will relinquish its self-appointed role as critic of language policy, and thus cease to be prominent in the evaluation stage of the policy process.

4. Coercive reform and cultural conflict

It has been seen that the widening of the language debate to the legislative arena in the 1990s impacted substantially on the role of the intellectual in the language policy network. The choice of the legislative route had a further unexpected consequence, in that it indirectly resulted in an unprecedented delimitation of the role of the French language, and the values which it had traditionally conveyed. The reference to the national language which was incorporated in the Constitution in 1992 had been no more than a symbolic recognition of French as the language of the Republic, alongside references to the national flag and the Marseillaise. However, since French had traditionally been recognised as synonymous with the concept of the French nation, the constitutionalisation of the language was widely acknowledged as giving substance to this previously unwritten, but key ideological principle. Although this principle was in no way contested during the later debates in Parliament, it was effectively limited by the decisions reached in Parliament regarding the *loi Toubon*, which imposed new and specific responsibilities on public officials and those operating on behalf of the State. These appeared to ordain French as first and foremost the language of State, rather than that of the whole nation, as had seemed to be implied by the constitutional amendment. The equation between language and nation was further eroded when the Constitutional Council upheld the appeal by the Socialist group, and insisted that any of the provisions of the law which imposed the use of the French language on private individuals were in violation of the

principles of freedom of expression and equality, as established in the Declaration of Human Rights.

The impact of the combined decisions of Parliament and the Constitutional Council was therefore twofold: they redefined traditionally-held perceptions concerning the national language, and subordinated the values embodied in the French language to the principles of freedom of expression and equality. This had the effect of reducing the long-standing equation between French language and nation, to an amalgam between the language and the State. It is possible that, had there not already been a reference to the language in the Constitution, the Constitutional Council might have deemed the entire text of the *loi Toubon* unconstitutional. Thus, the impact of the constitutional amendment, an apparently symbolic and - in the eyes of many - insignificant measure, was more extensive than at first appeared. This amendment had granted a special status to the language, which both demanded consideration in future language planning decisions, and conditioned the way in which the law was interpreted. It not only endowed the national language with constitutional status, but also afforded greater legitimacy to the concept of language protection when the principle was contested in 1994.

The public challenge to language planning as being out of line with wider French interests represented an attack on the protected status of the national language, and thus the sanctity which it had acquired, and began the process of deconstructing the long-established myths associated with French. This process was continued by the Socialists, supported by the AACC, although not by means of economically based arguments. As noted in Chapter 8, until the referral of the law to the Constitutional Council, counter-arguments had been framed essentially in economic terms, but when it became clear that this approach had failed, those opposing the legislation were forced to reframe the issue in

ideological terms, namely as a battle in support of the principles of freedom of expression and equality of treatment before the law.

Although intellectual involvement in linguistic issues had been established through centuries of association with language planning, language protection formed only part of the self-imposed duties of the elite. French intellectuals have traditionally assumed a more general collective responsibility to react against society's preoccupation with materialistic values. Equally ingrained in the collective intellectual psyche is the obligation to uphold universal principles, such as truth, justice, freedom and equality. Language protection had not previously been a conflictual area, but the debate surrounding the *loi Toubon* gave rise to a conflict of interest amongst the intelligentsia, and forced choices to be made between protection of the sanctity of the French language and broader ideological concerns.

By reframing the debate as a struggle for natural justice, the Socialist group succeeded in marginalising the pro-reform movement. This strategy had the effect of portraying the cause of language protection (however venerated the language concerned) as having less noble connotations than the protection of fundamental rights deriving from natural law, and relating to issues such as human dignity, freedom of expression, and equality. Indeed, had the *appel* been published in August 1994, alongside a document in support of freedom of expression and equality of treatment, this would have presented the intelligentsia with a dilemma, and forced them to decide between a desire to protect the language and a duty to uphold other ideals pertaining to fundamental human rights. Faced with such a choice, the outcome might have been very different to that of 1992; after all, the concept of a society which allows all other freedoms but freedom of speech is self-contradictory.

That there was no reaction from the pro-reformists when the judgement of the Constitutional Council was delivered against them can be explained primarily by the fact that there is no appeal against decisions of the Constitutional Council (under Articles 61 and 62 of the Constitution). However, no submissions were made to the Constitutional Council by key protagonists advocating reform in order to counter submissions made by the AACC and the Socialist groups. ALF, Toubon, and Deniau, for example, were all silent on the issue, suggesting that they had recognised there was little chance of the arguments advanced by opponents being refuted.

Certainly, the more broadly-based ideological stance adopted by the Socialists and commercial interests in the final stages of the debate could not be contested on moral grounds. However, the Socialists' transition from an argument which was primarily rationally based to one which emphasised ideological considerations was both radical and abrupt. If plurilingualism had been uppermost in the minds of those opposing the provisions, it might have been expected that they would have supported the cause of the regionalists. Furthermore, had concern over freedom of expression been the primary motivating factor for the referral to the Constitutional Council, more emphasis on the potential unconstitutionality of the measure might have been expected at earlier stages of the legislative process.

Whatever the rationale behind the change of strategy of those opposing the legislative reform, the ensuing debate raised important issues relating to the permissible limits of State intervention in respect of language planning in a democratic polity. Can and should legislation be used to regulate language usage? Should the legislature be able to regulate and prohibit particular words, when these permit individual and collective expression of tastes, ideas and emotions? The impact of the *loi Toubon*, if the version approved by Parliament

had been promulgated, would have been felt not in a single sector, but by the whole of the French population. It would have related not simply to the choice of language (eg French or English), but to the choice of words to be used; it would have related not just to some, but to all forms of public expression³. Such restrictions would amount to the denigration of lexical creativity of the type shown by French authors from Rabelais to Queneau, and risk inhibiting artistic and literary expression. Indeed, to suggest that language has a special role to play as a symbol of national identity is a very different matter to saying that its purity should be protected by law, particularly when there is no affront to public order or other contravention of positive (as opposed to natural) law, nor any constitutional obligation to protect the language⁴.

Over the past decade, there have been attempts in France to extend the right of freedom of expression. Journalists, musicians, and radio and television presenters have not hesitated to publish what might be regarded as material likely to offend the good taste and cultural sensibilities of listeners or readers, in the name of freedom of expression. In February 1989, for example, a number of French newspapers, including *Le Figaro*, *Libération*, and *Le Nouvel Observateur* published extracts from Salman Rushdie's novel *The Satanic Verses*, despite the risk of offending members of its large North African Muslim population (Akhtar, 1989:47)⁵. The parallel drawn between language and religion is perhaps not inappropriate in considering the language policy measures under discussion, given the quasi-religious status to which the national language has traditionally been elevated in France, and the fact that the

³ Extreme cases might include the prohibition of menus drawn up in a foreign language, and even of the traditional sign "English spoken" without the statutory accompanying translation "*on parle anglais*"!

⁴ Indeed, only the Statutes of the *Académie Française* impose an obligation to maintain the "purity" and "eloquence" of the language, but these do not have the force of a law of general application.

⁵ Indeed, *Le Figaro* included a disclaimer to the effect that it was publishing the excerpts with the exclusive objective of keeping its readers informed.

measures amounted to the "excommunication" of foreign languages in favour of French. Moreover, both linguistic and religious issues give rise to emotionally charged conflicts, the resolution of which is not always most appropriately achieved through legal mechanisms.

As freedom of expression increasingly came to be viewed as an inviolable right even in the most sensitive areas, attempts to impose restrictions on language usage appeared anachronistic, and all the more so in a country which has provided a model for democratic republics throughout the world. The imposition of linguistic legislation is problematic in any multi-lingual democracy, but particularly so in one which prides itself on its tolerance, as does France. The linguistic debates brought into sharp relief some of the ambiguities of the French concept of equality before the law in respect of language, raising questions as to how a national culture which increasingly defines itself in pluralistic terms can continue to refuse linguistic and cultural rights to speakers of minority languages.

The rhetoric of pluralism used in the debates relating to both of the policy measures enacted suggested acceptance of an eclectic conception of French culture, and yet by the end of 1997, France had still not signed the European Charter on Lesser Used and Minority Languages, and showed no sign of doing so. The rejection of the demands of the regionalists elicited accusations of double standards, and suggested an ongoing preoccupation with dominating the language systems with which French enters into competition, the persistence of France's monolingual vision of the State, and a desire to impose its classic elitist culture (as symbolised by the French language) as the common code.

The imposition of such a code is less problematic in times of national insecurity, when expectations are that French should fulfil its time-honoured function as a

symbol of French might, and a means of rallying the population. Indeed, reception of language planning initiatives offers one of many litmus tests of national attitudes towards the nation, the State and language itself. It is clear from the support for the campaign to incorporate a reference to French within the Constitution prior to the referendum on Maastricht, and Mitterrand's use of the francophone community as a platform from which to appeal for a cultural exception for France, that language may still be used as a tool of national unity at politically strategic opportunities. However, closer examination of the language-related events occurring between 1992 and 1994 reveals that language planning is both highly selective and contextual, and that language may be seized upon when it is politically expedient, only to be relegated to a subordinate role in the ideological system when the political opportunity has passed.

Although the intrinsic utility of language as a tool of nationalism should not be underestimated, the rejection of many of the provisions of the *loi Toubon* points to an evolution in wider attitudes to the principle of language planning. This raises questions as to the likelihood of defensive language planning measures being introduced in France in the future, since language planning is, after all, a social construct. As such, the extent to which measures can be implemented depends upon their conformity with social attitudes and established norms in France, as well as with European Union legislation. Certainly, linguistic legislation has obvious limits, and can only prove counter-productive to the national cause if applied with an excess of zeal or in a way which jeopardises commercial relations at international level.

Even so, the introduction of further defensive language planning in the future cannot be ruled out. In view of the importance of contextual features in determining the timing and scope of language planning initiatives, and the

potential power of language as a means of generating positive sentiments towards national identity, one may anticipate that attempts to introduce defensive language planning might well be renewed if it were politically expedient to do so. Whilst the debates of 1994 would seem to suggest that language policy is an essentially contestable issue, there is, as Kuisel (1994), has pointed out, a love-hate relationship between the French and the mass culture at which so much criticism was directed. This linguistic schizophrenia provides a degree of uncertainty which makes predictions about language planning dangerous. In 1982, Trescases described the idea of an anti-anglicism campaign at that time as "unthinkable": *"A l'heure actuelle, un mouvement d'opposition à l'emprunt (...) est impensable autant qu'infaisable"* (1982:131), and yet only ten years later, such a movement was launched, and achieved some notable successes. Given the dedication of those involved in the pro-reform movement of 1992-94, and the fervour with which they embraced the cause of language protection and promotion, it is difficult to imagine that, should an appropriate political opportunity present itself in the future, the intellectual elite would not seize it, in a further attempt to influence the shape and direction of language policy.

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INTERVIEWS:

Dr. Susan Baddeley, Researcher, HESO-CNRS. 14 December, 1993, at HESO (Histoire et Structure de l'Orthographe), Paris.

Dr. Liselotte Biedermann-Pasques, CNRS 14 December, 1993, Paris.

Jocelyne Bruchet, Centre d'information, Délégation Générale à la Langue Française, 10 September, 1992, Paris.

Jean Dorandeu, Vice-President of the Comité français du bureau européen pour les langues minorisées. 14 December, 1993, Paris.

Jean Griesmar, civil servant, former conseiller d'Etat, 15 December, 1993 Paris.

Nicole Hennekinne, Conseiller au Service des Affaires Internationales, 25 July, 1994, Paris.

Jacques Legendre. Rapporteur to the Commission des Affaires Culturelles, 11 March, 1994, London.

Jacques Lacant, Vice-President of Défense de la Langue Française 14 December 1993. Paris.

Thierry Priestley, chargé de mission with the Ministère du Plan and founder member of ALF, 22 October, 1993; 13 November, 1993; 15 December, 1993; 25 July, 1994. Paris.

Albert Salon, former chargé de mission for francophone affairs, and Vice-President of Avenir de la Langue Française. 15 December, 1993, Paris.

Gérard Verroust, Computer Scientist, Member of AILF (Association des Informaticiens en Langue Française), and ALF, 15 December, 1993. Paris

APPENDIX I

KEY STAGES IN THE LEGISLATIVE PROCESS

(a) Stages leading to the incorporation of a reference to the French language in the Constitution: March 1992 to June 1992

22.4.92 Registration of *projet de loi constitutionnelle : de l'Union européenne* (no.2623) with the National Assembly, and referral to the *Commission des lois*.

30.4.92 Examination of the Bill by the *Commission des lois*.

5-7; 12.5.92 First reading of the Bill in the National Assembly. (It should be noted that the amendments relating to the French language constituted only a small proportion of the total Bill; although the debate spanned several days, the language question was only discussed in detail on 12 May.)

26.5.92 Publication of *rapport no. 375* by Jacques Larché on behalf of the *Commission des lois*. Referral of the Bill to Senate for discussion.

2-3; 9-11; First reading of *projet de loi no. 344* in Senate. (Again, the 16.6.92 debate concerning the linguistic aspects of the Bill took place on one day, namely 10 June.)

18.6.92 Second reading of the Bill (now *projet de loi no. 2797*) in the National Assembly, and adoption as *loi constitutionnelle 92-554*.

23.6.92 Congress of both Houses of Parliament.

25.6.92 Promulgation of the legislation.

(b) Stages leading to the enactment of *loi no. 94-665 du août relative à l'emploi de la langue française*

23.12.92 Registration of *projet de loi no. 240* (Tasca's Bill) with Senate.

8.1.93 Registration of this same Bill with the National Assembly (as *projet de loi no. 3178*).

27.1.94 Registration of *projet de loi no. 291* (Toubon's Bill) with Senate, and referral to the *Commission des lois* and *Conseil d'Etat*.

- 23.2.94 Transmission of the Bill to the *Commission des affaires culturelles* (CAC), and consultation of experts (February to April, 1994.)
- 6.4.94 Publication of *rapport no. 309* by Jacques Legendre on behalf of the CAC.
- 12-14.4.94 First reading in Senate of *projet de loi no. 291*, and referral of amended Bill to the *Commission des affaires culturelles, familiales et sociales* (CACFS) for examination prior to its presentation to the National Assembly.
- 21.4.94 Publication of *rapport no. 1158* by Francisque Perrut, on behalf of the CACFS.
- 3-4.5.94 First reading of the Bill (as *projet de loi no. 1130*) in the National Assembly, and referral of the adopted text to the CAC, prior to its second reading in Senate.
- 18.5.94 Publication of *rapport no. 437* by the CAC.
- 26.5.94 Second reading of the Bill (as *projet de loi no. 401*) in Senate, and referral to the CACFS, prior to its second reading in the National Assembly.
- 7.6.94 Publication of *rapport no. 1341* by Francisque Perrut on behalf of the CACFS.
- 13.6.94 Second reading of the Bill (as *projet de loi no. 1289*) in the National Assembly.
- 14.6.94 Referral of the Bill to a *Commission mixte paritaire*, to enable a compromise solution to be reached in respect of two of the provisions approved by the Senate.
- 23.6.94 Production of *rapports nos. 1429* (by Fuchs on behalf of the CACFS) and *547* (by Legendre on behalf of the CAC).
- 30.6.94 Adoption by Parliament of the text of *projet de loi no. 190* as the definitive text.
- 1.7.94 Referral of nine articles of the Bill to the *Conseil Constitutionnel* by Socialist and regionalist *députés*.
- 4.8.94 Promulgation of the final version of the law, *loi no. 94-665 du 4 août relative à l'emploi de la langue française* (commonly referred to as the *loi Toubon*).

APPENDIX II

THE PRINCIPAL ACTIVISTS IN ALF

Founder members

Bécue, Marc-Antoine

Bertin, Jacques - Journalist (Politis) and Director of the *Théâtre du Gymnase Marie Bell*.

Couteaux, Paul-Marie - also a member of DLF.

Debray, Régis - Writer and philosopher; member of the *Conseil d'Etat*.

Gallet, Dominique - Television presenter (*Espace francophone*)

Gallo, Max - University lecturer, writer, former Secretary of State. Member of the European Parliament. *Officier des Palmes académiques*

Germain-Thomas, Olivier - Writer and radio/television producer. *Chevalier des Arts et des Lettres*.

Grendel, Frédéric - Journalist, filmscript writer. *Chevalier de la Légion d'honneur de l'ordre national. Officier des Arts et des Lettres*.

Guillou, Professor Michel - University professor in engineering. *Directeur général* of AUPELF - UREF. *Chevalier de l'ordre national du Mérite et des Palmes académiques; Commandeur de l'ordre du Lion du Sénégal; Officier de l'ordre national de Côte d'Ivoire*.

Hourcade, Jean - Presidency or membership of a number of economic institutions, including membership of ECOSOC. Attaché to the *Mairie de Paris* with responsibility for international relations. *Chevalier de la Légion d'honneur*.

Makki, Mona: Television producer (*Espace francophone*).

Marek, Yves Technical adviser to M. Jacques Toubon.

Martin-Chauffier, Luc

Meric, Jean-Jacques - Former *Conseiller d'état*.

Miron, Gaston - Poet and writer (born in Quebec)

Moppert, François

Noguez, Dominique - English language specialist

Oppetit, Robert

Péroncel-Hugoz, Jean-Pierre: Regular columnist for *Le Monde*, writing on linguistic issues.

Priestley, Thierry - Senior civil servant (*Chargé de mission auprès du ministère du Plan*)

Ralite, Jack - Journalist. Formerly Communist *député*.

Rossillon, Philippe - Secretary General of the *Union latine* and President of *Amitiés acadiennes*. *Rapporteur du Haut Comité de la Langue Française* under de Gaulle.

Saint-Robert, Philippe - member of HCF; formerly first *Commissaire général à la Langue Française*; also member of DLF.

Salon, Albert - Senior civil servant (*sous-directeur de la francophonie, ministère de la coopération*). *Chevalier de la Légion d'honneur, de l'ordre national du Mérite et des Palmes académiques; Chevalier du Mérite de la République fédérale d'Allemagne*.

Schulman, Elie

Vincent, Serge - actor and active member of the *Syndicat indépendant des artistes*.

Members who became highly active during the year following the launch of the movement

Berger, Yves writer and literary critic. Former member of *Haut Comité de la Langue Française*. Also involved in ASSELAF. *Officier des Arts et des Lettres. Prix littéraire Prince Pierre de Monaco*.

Bergot, Philippe. Finance Director, *Charbonnage de France*.

Biloreau, Dominique - Education Inspector..

Bonnaud, Marc - Management Consultant

Daguet, Dominique - Editor of "Cahiers Bleus" (*Ministère des Finances*).

Griesmar, Jean - Former senior civil servant and senior manager with a private company.

Jeancourt-Galignani, Thierry - Executive with the ANPE.

Renaud, Robert - Teacher; former *conseiller culturel*

Sagui, Jean - Teacher and former consultant to the *Ponts et Chaussées*

Souillat, Jean - Secretary General of FIPF (*Fédération Internationale des Professeurs de Français*)

Thibault, Bernard - Manager with the ANAH, Member of the *Conseil d'Administration* of ASSELAF.

Van Deth, Jean-Pierre - Director of Expo-Langues, former attaché to the *Haut Comité de la Langue Française*.

Verroust, Gérard. Computer Scientist; member of AILF.

APPENDIX III

THE APPEAL LAUNCHED BY ANSULF, JUNE 1993.

Au sommaire :

Aujourd'hui l'Europe, une chance pour notre pays... à condition de préserver sa langue



Aston University

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APPENDIX IV
EXAMPLE OF LETTER SENT BY ALF TO MEDIA SECTOR

Yvan Gradis
56 bis, rue Escudier
92100 Boulogne, France
(1) 46.03.59.92

Projet pour l'Avenir de la langue française
Lettre-type aux médias (juillet 1993)

Madame, Monsieur,

J'ai regardé/écouté avec attention/intérêt/plaisir/bonheur l'émission ".....", diffusée par votre chaîne/station le 4 juillet 1993.

J'ai lu avec attention/intérêt/plaisir/bonheur l'article (intitulé ".....") figurant à la page de votre n° /de votre édition du 4 juillet 1993.

Votre entreprise sert la culture, l'information, la communication, toutes activités favorisées par le bon usage de la langue.

Comme moi, vous éprouvez sûrement le plaisir de vous exprimer avec précision en utilisant correctement la langue française, ce joyau universellement apprécié que nous aimerions tant partager avec le plus de monde possible !

Ne fermez donc pas les yeux sur l'anomalie que j'ai relevée dans l'émission/article précité(e):

.....

.....

Une faute isolée, quelle importance ? direz-vous.

Il est vrai qu'une langue évolue, par suite de toutes nos petites négligences, au rythme où descendent les glaciers : quelques mètres par an ! Mais pourquoi laisser fondre un glacier auquel nous tenons tant, vous et moi : la langue française ? Et ce délibérément !

Je vous demande de bien vouloir faire le nécessaire auprès du journaliste fautif, afin de le mettre face à ses responsabilités de gardien de la langue.

Egalement d'en aviser, plutôt que moi-même, qui n'ai aucun pouvoir, Association de la langue française (33, bd Exelmans, 75016 Paris), association à laquelle j'adhère, non pas comme puriste maniaque et chicanier, mais comme amoureux de la clarté française, meilleur rempart contre le confusionnisme et certains abus de pouvoir. Cette association est habilitée à ester en justice.

Veillez croire, Madame, Monsieur, à l'expression de mes sentiments les plus respectueux.

APPENDIX V

QUESTIONNAIRES SENT BY ALF TO POLITICAL PARTIES AND PARLIAMENTARY CANDIDATES

QUESTIONNAIRE AUX PARTIS POLITIQUES

à remplir et à retourner

à Avenir de la langue française 33, boulevard Exelmans, 75016 Paris

1) Trouvez-vous normal ou, au contraire, préoccupant que, dans l'enseignement secondaire et à l'université, il soit de plus en plus difficile, voire, en certains collèges, impossible d'apprendre d'autres langues que l'anglais ? Les 3/4 de notre commerce extérieur se faisant avec des pays non anglophones, le vrai dynamisme économique, la volonté de conquérir des marchés ne vous paraissent-ils pas plutôt imposer une réelle politique d'apprentissage des langues : de l'allemand, de l'espagnol, du portugais, de l'italien, de l'arabe, du japonais, du russe, du chinois autant que de l'anglo-américain ?

2) Au moment où la situation de l'emploi est de plus en plus critique, trouvez-vous normal ou, au contraire, préoccupant qu'à l'intérieur même d'entreprises, y compris publiques, sises en France, l'anglais soit de plus en plus imposé comme langue de travail ou de communication interne ?

3) Trouvez-vous normal ou, au contraire, préoccupant le nombre d'enseignes en anglais qu'on rencontre désormais dans les villes françaises, au point que des observateurs ont pu dire sans être démentis qu'on voyait actuellement plus de mots anglais à Paris qu'à Montréal ? Pensez-vous aberrant ou, au contraire, sage qu'une politique de dissuasion empêche à l'avenir cette métamorphose du paysage urbain ?

4) Même question pour les publicités uniquement en anglais dans les grands magasins, sur les affiches ou dans l'audiovisuel.

5) Trouvez-vous normal ou, au contraire, absurde et suicidaire que des films tournés en partie ou totalement avec des fonds publics français le soient en langue anglaise ?

6) Trouvez-vous normal ou, au contraire, aberrant que des organisateurs français de colloques scientifiques ou de congrès se tenant en France avec des aides publiques en excluent l'usage du français ?

7) Trouvez-vous normal ou, au contraire, dommage que les ressortissants des États francophones non membres de la C. E. E. (Québec, Sénégal, Suisse, etc.) ne soient pas accueillis dans les aéroports français dans une file spéciale, à l'instar de ce que font nos amis Britanniques avec les ressortissants du Commonwealth ?

8) Dans ces conditions, trouvez-vous inutile ou, au contraire, souhaitable et même urgent que la loi de 1975 sur l'emploi de la langue française, partielle et inappliquée, soit remplacée par une loi plus complète et qui soit effectivement appliquée ? Des parlementaires de toute tendance ont depuis longtemps préparé des propositions de loi en ce sens, Mme Catherine Tasca, secrétaire d'État à la francophonie et aux relations culturelles extérieures, s'appête même à déposer un projet de loi sur le bureau de l'Assemblée : votre parti s'engage-t-il à voter un projet ou une proposition de ce genre dès le début de la prochaine législature ?

Avenir de la Langue Française

33, BOULEVARD EXELMANS - 75016 PARIS - TÉLÉPHONE : 40 71 04 74 - TÉLÉCOPIE : 40 71 04 69

QUESTIONNAIRE AUX CANDIDATS

à remplir et à retourner

à Avenir de la langue française, 33, boulevard Exelmans, 75016 Paris

1) Trouvez-vous normal ou, au contraire, préoccupant que, dans l'enseignement secondaire et à l'université, il soit de plus en plus difficile, voire, en certains collèges, impossible d'apprendre d'autres langues que l'anglais ? Les 3/4 de notre commerce extérieur se faisant avec des pays non anglophones, le vrai dynamisme économique, la volonté de conquérir des marchés ne vous paraissent-ils pas plutôt imposer une réelle politique d'apprentissage des langues : de l'allemand, de l'espagnol, du portugais, de l'italien, de l'arabe, du japonais, du russe, du chinois autant que de l'anglo-américain ?

2) Au moment où la situation de l'emploi est de plus en plus critique, trouvez-vous normal ou, au contraire, préoccupant qu'à l'intérieur même d'entreprises, y compris publiques, sises en France, l'anglais soit de plus en plus imposé comme langue de travail ou de communication interne ?

3) Trouvez-vous normal ou, au contraire, préoccupant le nombre d'enseignes en anglais qu'on rencontre désormais dans les villes françaises, au point que des observateurs ont pu dire sans être démentis qu'on voyait actuellement plus de mots anglais à Paris qu'à Montréal ? Pensez-vous aberrant ou, au contraire, sage qu'une politique de dissuasion empêche à l'avenir cette métamorphose du paysage urbain ?

4) Même question pour les publicités uniquement en anglais dans les grands magasins, sur les affiches ou dans l'audiovisuel.

5) Trouvez-vous normal ou, au contraire, absurde et suicidaire que des films tournés en partie ou totalement avec des fonds publics français le soient en langue anglaise ?

6) Trouvez-vous normal ou, au contraire, aberrant que des organisateurs français de colloques scientifiques ou de congrès se tenant en France avec des aides publiques en excluent l'usage du français ?

7) Trouvez-vous normal ou, au contraire, dommage que les ressortissants des États francophones non membres de la C. E. E. (Québec, Sénégal, Suisse, etc.) ne soient pas accueillis dans les aéroports français dans une file spéciale, à l'instar de ce que font nos amis Britanniques avec les ressortissants du Commonwealth ?

8) Dans ces conditions, trouvez-vous inutile ou, au contraire, souhaitable et même urgent que la loi de 1975 sur l'emploi de la langue française, partielle et inappliquée, soit remplacée par une loi plus complète et qui soit effectivement appliquée ? Des parlementaires de toute tendance ont depuis longtemps préparé des propositions de loi en ce sens, Mme Catherine Tasca, secrétaire d'État à la francophonie et aux relations culturelles extérieures, s'appête même à déposer un projet de loi sur le bureau de l'Assemblée : vous engagez-vous à voter un projet ou une proposition de ce genre si vous êtes élu ?

Avenir de la Langue Française

33, BOULEVARD EXELMANS - 75016 PARIS - TÉLÉPHONE : 40 71 04 74 - TÉLÉCOPIE : 40 71 04 69

APPENDIX VI
TEXT OF *LOI NO. 75-1349 DU 31 DECEMBRE 1975 RELATIVE A*
L'EMPLOI DE LA LANGUE FRANCAISE



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APPENDIX IX
SUMMARY OF CHANGES IN RESPONSIBILITY FOR LANGUAGE
POLICY 1966 TO 1996

(Source: DGLF *La langue française*, Paris: 1997)



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APPENDIX X

**TEXT OF *PROJET DE LOI NO. 291 RELATIF A L'EMPLOI DE LA
LANGUE FRANCAISE***



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APPENDIX XI
HEARINGS BY THE *COMMISSION DES AFFAIRES CULTURELLES*,
FEBRUARY TO APRIL 1994



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APPENDIX XII

**TEXT OF *PROJET DE LOI NO. 190 RELATIF A L'EMPLOI DE LA
LANGUE FRANCAISE (TEXTE DEFINITIF)***



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APPENDIX XIII

TEXT OF *DECISION DU CONSEIL CONSTITUTIONNEL NO. 94-345 DU*
29 JUILLET 1994



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