Minority Language Protection in Italy: Linguistic Minorities and the Media

Aline Sierp

Abstract

This article deals with the Italian case of minority language protection in the media. After providing a general introduction to the development of the protection of minority languages in Europe in general and of minority language broadcast media in Italy in particular, the article focuses on the role that mass media can play in the preservation or weakening of minority languages. By comparing different measures of protection adopted by national and regional authorities in Italy, the article aims to illustrate how these measures can be translated into different levels of development of broadcast media provisions for linguistic minorities. The article explores some of the effects different protective measures can have on the survival, status and economic conditions of the linguistic minority on the one hand, and the relationship with the state and the majority group on the other.

AT LEAST 40 MILLION CITIZENS IN THE EUROPEAN UNION (EU) REGULARLY use a regional and lesser-used language,[1] accounting for more than 60 European regional or lesser-used language communities. Their recognition has come a long way. In the past, regional languages were seen as a threat to national integrity, were discouraged and even suppressed. During the 18th and 19th centuries in particular, the establishment of standardised national languages and universal education, the press and publication of books in these languages, followed the idea of the French Revolution "one state = one nation = one language" (Trim 2001: 53). In more recent times language has often been used as an instrument for enforcing nationalism and is seen as the cause for ethnic disputes resulting in intolerance and conflict. Policy makers often see multilingualism as a divisive, inefficient, useless and expensive force. Nevertheless, the idea that regional and minority languages spoken in European regions are an integral part of and enrich the European cultural heritage as a whole, is slowly starting to gain more ground.

[1] There is considerable debate about the politically correct term to be used for minority languages. Regional and lesser-used language is the term preferred by the European Parliament. In this article the terms 'linguistic minority', 'minority language' and 'regional or lesser-used language' will be used interchangeably.

ISSN 1815-347X online. Sierp, A. (2008). 'Minority Language Protection in Italy: Linguistic Minorities and the Media', *Journal of Contemporary European Research*, Vol. 4, No. 4, pp. 303-321. Available: http://www.jcer.net/ojs.index.php/jcer/article/view/120/117

However, minority language protection is not always guaranteed. Legislation relating to minorities varies considerably among different European states. Even within states legislation concerning different minorities might not always be coherent across different regions, provinces or federal states. The latter is particularly evident in Italy.

With twelve languages officially recognised by the Italian state, Italy can boast the greatest diversity of regional and minority languages in Western Europe.[2] Its legal framework of protection is, however, poorly developed and changes significantly from region to region. This article discusses these differences by analysing the various legislative tools at European, national and regional levels concerning one particular aspect of minority language protection: access to the representation in and the production of broadcast media. It evaluates the application of the legal framework concerning the protection of linguistic rights relating to the media sector, which has been drawn up by the EU and the Council of Europe. The legal framework is then tested by juxtaposing it with the actual situation of three different linguistic minorities in Italy, namely the Arberesh-, the Friulian-, and the German-speaking minority. These three languages have been selected because they represent three different levels of protection which the Italian state accords to its linguistic minorities. The overall purpose of the article is to shed light on the questions: (1) are linguistic minorities in Italy are adequately represented in the media? and (2) are their rights sufficiently protected by the proper application of European, national and regional legal provisions?

Minority languages and the mass media

According to the Council of Europe,[3] mass media plays a key role in the dynamic process of defining, preserving or weakening minority languages. It can contribute to ethnic cohesion and cultural preservation within a state by fostering the development of a spirit of tolerance and receptiveness towards linguistic pluralism. The media is, however, a two-edged sword. On the one hand its diffusion and the cultural homogenisation accompanying it, leads to the weakening of cultural plurality. On the other hand, it offers minorities an important tool for expression since mass media belongs to one of the key sectors of contemporary society and is important for the social and cultural reproduction of a community (see Cuatrecasas 2002).

The media allows minorities to bring their cause to the attention of the public by direct recourse to a medium reaching a big group of people of

[2] These 12 officially recognised languages are: French (120,000 speakers), Occitan (50,000 speakers), Franco-Provençal (70,000 speakers), German (295,000 speakers), Ladin (28,000 speakers), Friulian (526,000 speakers), Slovene (85,000 speakers), Sardinian (175,000 speakers), Catalan (18,000 speakers), Arberesh (a variant of contemporary Albanian) (100,000 speakers), Greek (3,900 speakers) and Croatian (1,700 speakers); all languages are protected by national law - 482/1999 'Norme in materia di tutela delle minoranze linguistiche storiche' (Law governing the protection of historical linguistic minorities) , adopted on 15 December 1999 and published in the *Gazzetta Ufficiale della Repubblica italiana* n. 297 on 20 December 1999.

[3] See Council of Europe, *European Charter for Regional or Minority Languages, Explanatory Report*, ETS No. 148, available at: http://conventions.coe.int/Treaty/EN/Reports/Html/148.htm, last accessed 20 December 2008.

different backgrounds in a very short time. The media helps to reconnect speakers to their language and culture. Media use can improve the skills of imperfect speakers, languages can be modernized by the addition of new technical vocabulary related to contemporary life and a standardization of language use can take place. Furthermore, the public presence and validation of minority languages used in the media has a considerable symbolic significance and is important for their survival. The use of minority languages in the media adds credence and importance to the minority community and may contribute in a subtle way to its determination to resist further assimilation to the majority group. Some scholars argue that it can even become a democratic tool by encouraging people to play an active role in the future of their region and their locality (Riggins 1992: 283-284). Furthermore, majority groups can use minority media to communicate directly with minority groups. Representing a minority community from within and through the medium of their language can prevent the emergence and spread of prejudices and stereotypes and might foster the identification of the majority group with the minority one. The media, therefore, can contribute to increased cultural dialogue through increasing awareness of the existing common roots and heritage of different communities living in the same territory (Cormack 2003).

The effects for the nation state might also be positive. Subsidizing minority media does not necessarily fragment the nation state but can help to better integrate minorities into national life. A positive attitude by the government might encourage minorities to perceive the state as a benevolent institution and prevent reactions in form of a violent secession (Jokovcic 2002: 7).

The right to minority language media access must be understood as part of a broader right, namely the right to participate in cultural life, a right that is part of the Universal Human Rights canon.[4] The right to plurality of information on the one hand and the right to equal representation of different groups in society on the other should not be an issue of contestation in democratic societies, which guarantee equality for all their citizens. It should be the democratic responsibility of policy makers, media corporations and journalists in charge of news and information in the media to provide a true reflection of the diversity of the society concerned (Frachon & Vargaftig 1995: 9). Legal provisions for the protection of linguistic minorities in the media are consequently expected to be fairly well developed. The reality, however, looks different.

The European level

Respect for linguistic and cultural diversity is one of the cornerstones of the EU, enshrined in Article 22 of the European Charter of Fundamental Rights (2000), which states "The Union respects cultural, religious and linguistic diversity". European institutions have confirmed in numerous instances the

[4] See especially Article 1 of the 1992 United Nations *Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities*, adopted by General Assembly Resolution 47/135, available at http://www.unhchr.ch/html/menu3/b/d_minori.htm, last accessed 20 December 2008 .

importance the EU attaches to the media's role in this respect. A European Parliament report on languages of minorities in the EU states that "[…] the media play an important role in safeguarding and promoting the knowledge and use of regional and lesser-used languages" (European Parliament 2003: 7). A similar thought is expressed in the Treaty of Amsterdam amending the Treaty on European Union (1997), which states in the Protocol on the system of public broadcasting in the Member States that "…the system of public broadcasting in the member states is directly related to the democratic, social and cultural needs of each society and to the need to preserve media pluralism".[5] Of further importance in this respect are the two resolutions on the Arfé reports in 1981 and 1983,[6] and the resolution on the Kuijpers report of 1987,[7] entailing detailed requests regarding the mass media and paving the way for action to be taken in support of minority languages at EU level.

The EU, however, is not the only supranational body expressing support for minority language media. On 26 October 1994 the European Broadcasting Union, the largest association of national broadcasters in the world, adopted an important declaration stating: "It (the service) must serve the entire population, offering programming for all sections of the population, including minorities. Therefore, it is essential that we make every effort to reflect the cultural, racial and linguistically diverse character of our societies accurately in our programmes and the workforce" (European Broadcasting Union 1994). Another example of the growing concern about minority languages in Europe is the publication of guidelines on the use of minority languages in the broadcast media by the Organization for Security and Co-operation in Europe (OSCE) (2003). In addition to that, the Council of Europe passed numerous recommendations regarding minority media provisions.[8] Most of them relate access to minority language media directly to the main principles of the Council of Europe which include human rights, democracy and equality. The Committee of Ministers of the Council of Europe stipulates in a recommendation on *The Media and the Promotion of a Culture of Tolerance* that "…while public service broadcasters have a special commitment to promote a culture of tolerance and understanding, the broadcasting media as a whole are a potent force for creating an atmosphere in which intolerance can be challenged" (Council of Europe 1997: 111).

The EU, the Council of Europe and the European Broadcasting Union clearly support minority language production as illustrated by the selection of declarations, recommendations and resolutions cited above. The generally positive attitude of different European institutions towards minority language media has been equally translated into the funding of several

[5] See 'Protocol on the system of public broadcasting in the Member States' *Treaty of Amsterdam amending the Treaty on European Union, the Treaties establishing the European Communities and related acts*, published in the Official Journal C 340, 10 November 1997, available at: http://eur-lex.europa.eu/en/treaties/dat/11997D/htm/11997D.html, last accessed 20 December 2008 .
[6] See European Parliament (1981). *Resolution on a Community Charter of regional languages and cultures and on a Charter of rights of ethnic minorities*, adopted by the European Parliament on 16 October 1981
[7] See European Parliament (1987). *Resolution on the languages and cultures of regional and ethnic minorities in the European Community*, adopted by the European Parliament on 30 October 1987
[8] See list of recommendations passed by the Council of Europe in Annex 2

activities promoting minority media production. The development of the EU support programme for the European audiovisual industry MEDIA Programme, the setting up of the European initiative Public Broadcasting for a Multicultural Europe (PBME), the approval of the "Television Without Frontiers" Directive (TVWF Directive) (European Economic Community 1989) and the European Convention on Transfrontier Television (Council of Europe 1989), which enshrined the principle of cross-border-broadcasting, are just some examples illustrating support on European level. At present however, there is no legal framework on EU level relating to regional and lesser-used languages. Following the principle of subsidiarity, the responsibility for the substantive implementation of minority language rights is considered to reside at member state level in the first instance (Nic Shuibhne 2002: 293). Another problem in this context is that even though the protection of minorities is one of the conditions for economic co-operation and membership, the effectiveness of EU policies is significantly hampered by the absence of a permanent monitoring mechanism and a lack of clarity with regard to the standards a given country is supposed to respect in this field (European Parliament 2003). Most states have taken legal precautions to ensure that the multilingual policy of the European institutions do not translate into multilingual obligations at state level.[9] Italy is a good example for illustrating this problem as the following analysis will show.

The reluctance of many member states to develop comprehensive measures for the legal protection of minority languages becomes evident when looking at two of the most important instruments for the protection of minority languages in Europe provided by the Council of Europe: the European Charter for Regional or Minority Languages (Charter) (Council of Europe 1992)[10] and the Framework Convention for the Protection of National Minorities (Convention) (Council of Europe 1995).[11] Both texts dedicate several articles to media provisions in minority languages, which should offer the base for protection of linguistic minorities in Europe. The scope of both instruments, however, is limited for several reasons.

The objectives and principles in both Council of Europe Charter and Convention are too broadly defined in order to allow for the creation of different policies to address individual minority situations on national level. Consequently, it lies within the jurisdiction of nation states to translate these guiding principles into concrete provisions. As a result, the extent of a country's commitment tends to vary significantly since this technical, non-confrontational approach offers too much leeway for nation states that are reluctant to implement the Charter or the Convention into national law. This

[9] One prominent example is France where a strict interpretation of the principles of equality and national sovereignty prevented the Legislator from granting any form of legal protection to linguistic minorities. In 1992 a clause was added to Article 2 of the Constitution stating that the language of the Republic shall be French. On the basis of this disposition, the Constitutional Council decided in 1999 (decision n. 99-412, 15 June 1999) that the European Charter for Regional and Minority Languages could not be ratified by France, because of its incompatibility with the French Constitution (see Benoît Romer 2001).

[10] It was adopted by the Council of Europe on 25 June 1992 and opened for signature by the Member States in Strasbourg, on 05 November 1992 and entered into force on 1 March 1998.

[11] It was signed on 1 February 1995 and came into effect in February 1998 after its ratification by twelve countries.

room for interpretation is illustrated by the following example which is focused on provisions regarding the media: "The Parties undertake, for the users of the regional or minority languages within the territories in which those languages are spoken, according to the situation of each language, to the extent that the public authorities, directly or indirectly, are competent, have power or play a role in this field, and respecting the principle of the independence and autonomy of the media …" (Council of Europe 1992: 13).

Another problem is that the lack of a reporting system does not provide for any enforcement mechanisms in the case of non-compliance by the nation states either. Clearer guidelines and enforcement measures are needed though to ensure the functioning of both instruments and to transform them into a reference legal standard for nation states. According to Snežana Trifunovska (2004), vaguely formulated provisions and little-developed monitoring mechanisms are the result of (1) the complexity of the problems related to the protection of minorities and the impossibility of formulating norms which would be applicable to all situations, and (2) the fact that most state parties perceive a certain danger in having clearly formulated standards. This might explain why many states have signed the Charter but have not ratified it yet despite being in the position to do so. One of these countries is Italy (Council of Europe 2002a). Before turning to the reasons for this, the policy analysis addresses the situation on the national and regional level. The case of Italy represents an example for a situation that could also be applied to other European countries.

The national level

In Italy there are a number of important laws governing the introduction of minority languages in the mass media. The main law in this context is Law n. 482/1999 'Norme in materia di tutela delle minoranze linguistiche storiche' (Law governing the protection of historical linguistic minorities)[12] stating in Article 12 that the state assures the protection of minorities and stipulates that regions and local authorities can draw up special conventions with the Italian public service broadcaster Radiotelevisione Italiana (RAI) for the production of programmes in minority languages. The other main legislative text is the Contratto di servizio (Service contract)[13] between the Ministry of Communication and RAI, spelled out on 14 February 2003, in which RAI underlines its commitment regarding the protection of minorities (Ministero della Giustizia 2003). Furthermore, there is Article 6 of the Public Radio and Television Broadcasting Service Act n. 103/1975 which states that a certain percentage of television and radio broadcasting time must be reserved for ethnic and linguistic groups,[14] and Article 1 of the Communications Act n. 249/1997 laying down the conventions whereby the minority programmes were to be funded. Of importance is also the Act n. 112/2004 confirming

[12] This is the main law protecting Italy's minority languages. It was promulgated on 15 December 1999 and published in the *Gazzetta Ufficiale della Repubblica italiana* n. 297 on 20 December 1999.
[13] A special contract drawn up between a governmental institution and an operator who is asked to provide a public service.
[14] See Public Radio and Television Broadcasting Service Act of 14 April 1975, n. 103 'Nuove norme in materia di diffusione radiofonica e televisiva', *Gazzetta Ufficiale n. 102,* published on 17 April 1975.

that the general public radio and television service guarantees access to programmes for minorities.[15]

A majority of these laws, however, have only been fully applied to the Province of Bolzano for programmes in German and Ladin, the Region of Valle d'Aosta for programmes in French and in the Region of Friuli-Venezia Giulia for programmes in Slovenian and Italian. The other eight linguistic minorities in Italy still do not have any programmes in their mother-tongue, confirming that current media provisions do not always reflect the size of a minority language group, but rather its strength in the political, cultural and social life of the region concerned. Another important factor is the relationship to neighbouring states in which the minority language in question is the national language of the state. The geographical proximity to France, Germany and Slovenia results in better media services due to greater control by the kin-state on the one hand and the possibility to receive broadcasting directly from the neighbouring state on the other (McGonagle *et al.* 2003).

It is surprising that both the Italian government and RAI exclusively make reference to provisions regarding the Slovenian-, French-, German- and Ladin-speaking minorities only and never mention their obligations concerning other minority language groups. It is also interesting to note that no obligations to broadcast specific programming aimed at the protection of minority languages have ever bound other broadcasters besides RAI (McGonagle *et al.* 2003). According to the Club dei Giornalisti Arbëreshë[16], RAI has never implemented law n. 482/1999 'Norme in materia di tutela delle minoranze linguistiche storiche' (Law governing the protection of historical linguistic minorities), which obliges it to transmit programmes in all minority languages. In addition to this failed adaptation, Article 12 of the Contratto di servizio (Service contract), which states that RAI has to draw up conventions allowing regions and municipalities to decide on the language of programming, has also never been applied.

One of the reasons for this voluntary negligence might be the fact that the wording of the different legislative texts is kept very vague. Article 12 of the Contratto di servizio between the Ministry of Communication and RAI limits itself by saying that it would determine the seat of production responsible for activities related to the protection of minority languages within 90 days (instead of determining directly the seat and amount of protection as has been asked for in the Lettera del Regolamento[17] 345/2001) (Ministero della Giustizia 2001). Furthermore the so-called Commissione mista,[18] which was set up on 5 May 2003 and is composed of members of the Ministry of Communication and RAI, has yet not come up with concrete solutions on how to introduce minority language media into the mainstream media.

[15] See Act of 03 May 2004, n. 112, 'Basic rules on the arrangement of the radio and television system and the RAI-Radiotelevisione italiana Spa, as well as delegation to the Government of the enactment of a consolidation act on radio and television', *Gazzetta Ufficiale n. 104*, published on 5 May 2004 – Ordinary Supplement n. 82.
[16] An association of Arberesh-speaking journalists promoting the use and diffusion of the Arberesh language especially in the media.
[17] Document stating laws and regulations.
[18] A commission meeting regularly to discuss the implementation of the Contratto di servizio.

Minorities are effectively excluded from a right conferred to them by Article 6 of the Italian Constitution (Camera dei Deputati 1984: 2). According to Domenico Morelli, the fact that so little has moved so far is again related to the "political unwillingness of the government" (Morelli 2005). The Advisory Committee on the Framework Convention[19] noted this attitude of the Italian government as well, asking it "to make full use of the new legal possibilities afforded by Law n. 482/1999, in consultation with the minorities and the franchise holder concerned" (Council of Europe 2002b: 13) .

There seem to be two main problems: One of them concerns funding. Even though the RAI received over 14 million Euros from the government to fund programmes in minority languages, the regional offices are starved of funding (Trebo 1999). There is also a point of divergence concerning funding: while the minorities contend that broadcasting of programmes in minority languages is embodied in the public service obligation of the RAI, the latter bases its position on the idea that it is only required to produce and broadcast programmes in minority languages when such programmes are financed under specific agreements with the state or the regions concerned. The second problem is that there is nobody responsible in the RAI head office in Rome for the existing RAI minority language programmes. The minority language radio and TV production departments seem to be largely just appendages to the main departments (Mayr 2000).

Since the RAI is a public institution with public duties regarding all citizens, it should have the duty to inform all Italian citizens. It should also have the duty to support the communication exchange between majority and minority groups. A majority of Italians are not aware of the diversity of languages and cultures of different minority groups in Italy. This could be changed by a serious commitment of the state and the public broadcaster. It is quite worrying to note that many minorities are excluded from a right which should not even be contested in a political system based on Universal Human Rights and equality of its citizens.

At least theoretically the RAI seems to be aware about its role in this context. Ennio Chiodi, who was the director of the news programmes TG3 (Telegiornale 3) and TGR (Telegiornale Regionale)[20] between 1998 and 2002, said: "The commitment of the state is an unquestionable democratic duty, which is furthermore provided for by Article six of our Constitution. I believe that by contributing to the protection of different histories, languages and cultures, by fully respecting the rights of those populations, by [promoting] mutual knowledge and tolerance, we can demonstrate advanced civilised attitudes, that provide an enrichment to all of us" (Gesellschaft für bedrohte Völker 1999, author's own translation). This interpretation, however, has not been fully translated into Italian politics regarding minority language provisions in the media. This can be seen in an exemplary way when looking at the situation of three different linguistic minorities in Italy: the Arberesh-

[19] The Advisory Committee is composed of 18 independent and impartial experts appointed by the Committee of Ministers of the Council of Europe and evaluates the adequacy of the implementation of the Framework Convention by national governments.
[20] TG3 is one of the main national news programmes. TGR is the regional news programme. Both are transmitted via RAI.

speaking minority, the Friulian-speaking minority and the German-speaking minority. These three languages represent three different states of affairs when it comes to minority language protection.

The regional level

The Arberesh-speaking minority is an example of Italy's smaller minorities, which is afforded very little protection. Because the different communities are spread out over a wide area covering different regions,[21] they fall under different regional legislation, which renders its active protection extremely difficult. Furthermore, the mainly oral tradition and the existence of several varieties of the language hamper its written use and its diffusion in everyday life. In such a context the development of minority language media would be especially advantageous. Greater diffusion of mass media could constitute a very important tool in the fight against the impoverishment of the language and could foster its standardization and official recognition (Haf Gruffydd Jones 1998). The Arberesh-speaking minority, however, is almost non-existent in the national media sector. Traditionally, its presence in the mass media is limited to private initiatives by cultural organisations that receive a small subsidy from local authorities. There is no daily newspaper and no television programme in Arberesh for example and only two private radio stations broadcast some programmes in the minority language (Euromosaic 2005).

The Friulian-speaking minority[22] is in a slightly better situation because it has more speakers and fights actively for its social and political rights. However, national legislation has not yet been fully applied on regional level. This is especially true regarding media provisions in Friulian, which are kept to a minimum. More space dedicated to the Friulian language and culture in the media would have - like in the Arberesh case - a standardizing effect and could strengthen the existing language. In a region, where 95 per cent of speakers of Friulian are illiterate in their own language, the media could play a very important role in this respect (Haf Gruffydd Jones 1998). Initiatives have been very rare up to now though, despite the fact that the legal base for the setting up of minority language media does exist. It is constituted by the regional law n. 15/1996, 'Norme per la tutela e la promozione della lingua e della cultura friulane e istituzione del servizio per le lingue regionali e minoritarie' (Law governing the protection and the promotion of the Friulian language and culture and the arrangement of services for regional and minority languages), Titolo I, Capo I, Art. 10 lettera(b) and Titolo II, Art. 19 lettera(b) and especially Titolo III, Art. 29 1 and 2.

[21] It is spoken in about 49 towns and villages in seven regions (Abruzzo, Molise, Puglia, Campania, Basilicata, Calabria and Sicilia) by around 100,000 people.
[22] It is spoken in the provinces of Gorizia, Pordenone and Udine in the Autonomous Region Friuli – Venezia Giulia and of the province of Venice in the Veneto region by around 526,000 people.

The German-speaking minority[23] is a good example of a minority that is protected only in certain provinces and regions of Italy. The German-speaking minority in the province of Bolzano for example is one of the best-protected minority languages in Italy and in Europe since it can count on the support of neighbouring states speaking the same language. It boasts several laws designed especially for its protection and possesses a well-developed media landscape (Alcock 1991; Feiler 1996: 290). The German-speaking minorities in the province of Trento, in the Valle d'Aosta, in Piedmont, in Friuli-Venezia Giulia and in the Veneto Region, however, are not protected and have hardly any presence in the media. Since the German minority has access to programming from Germany and Austria, Italian authorities might not see the need to establish an Italian channel broadcasting in German even though this right has been laid down clearly in the Oslo Recommendations of February 1998 regarding the linguistic rights of national minorities: "…access to programming in the language of persons belonging to a national minority, transmitted from another State or from the 'kin-State', should not justify a diminution of programme time allotted to the minority on the public media of the State in which its members live" (OSCE 1998: 15).

The way forward: some ideas

The three-levelled policy analysis of this article demonstrates that the legal framework for the protection of linguistic minority media is in place but that there are still huge problems in the actual implementation of provisions regulating the media sector in particular. The question arising is therefore: what is needed to effectively put the legal framework into practice, not only in Italy but also in other European countries?

First of all, to improve the situation for linguistic minorities in the mass media, there needs to be a greater commitment by the state on the one hand and by the public broadcasting companies on the other. In Italy, in particular, the legal framework has to be improved and the existing one respected and properly implemented. Only if the Italian government translates the provisions of Law n. 482/1999 'Norme in materia di tutela delle minoranze linguistiche storiche' (Law governing the protection of historical linguistic minorities) into action and fully implements Article 6 of the Italian Constitution, will all language minorities get access to RAI programmes in their own language.

Besides improving the legal framework, there are several other areas in which national and local authorities could take action to improve the

[23] The majority of the German-speaking minority lives in the Autonomous Region of Trentino-Alto Adige. Linguistic islands speaking a Germanic variety can also be found in the whole Alpine area, usually located in isolated valleys (in Valle d'Aosta and Piedmont: Walser) and in the regions Friuli-Venezia Giulia and Veneto (Cimbrian, Mocheni and various Carinthian communities). The number of German speakers in South Tyrol lies at around 287,503, accounting for approximately 68 per cent of the population. In the province of Trento about 1,370 people speak a German variety, in the province of Udine about 2,000, in the Veneto region 1,680 and in Valle d'Aosta and the province of Vercelli 1,850.

situation of minority language protection in the media. For example, financial pressure on the regional offices could be somewhat alleviated through the improvement of a transmitter network of multi-lingual border areas to enable them to receive foreign media programmes. Public broadcasters could also try to operate more across regional boundaries within the country, drawing on the wealth of regional issues and contributing to the richness of the media landscape in general. If local stations formed networks, they would also have a nation-wide impact (Noël 1993: 20). Another idea is the transformation of one of the television networks into a local service network, without jeopardizing the unitary nature of the public service. In this context existing regional production sites could serve as examples for the setting up of new regional stations (Trebo 1999).

At the same time there should be more involvement of minorities in the production of programmes and more attention should be paid to the allocation of timeslots for programming at reasonable times of the day. Mechanisms could be put in place to ensure that the public media programming developed by or on behalf of national minorities reflects the interests and desires of the community's members and is seen by them as independent. A first step into this direction could be made by appointing a member of staff in the public broadcast head office, who is exclusively responsible for minority language programmes. The non-discriminatory hiring of persons belonging to national minorities to work in the media could contribute to the representation and objectivity of the media (Mayr 2000). The training of media professionals with knowledge of minority languages is important in this context. Minority language media is often run by volunteers who do not possess any specific skills in this field. To be able to produce the same variety and quality of national programmes in the majority language, members of minority groups must have the possibility to get adequate training (Vargaftig 1997: 21).

But it is not only the public broadcasting company that could improve its service. Also local entities, regional and provincial administrations working in this area should become more involved. The state has a duty in this respect since minority languages usually do not attract much interest from private operators. They have to be able to count on state support if they do not want to be left at the mercy of market forces (Jones 2004). Because minority media produce for a smaller market in comparison to the national producers, the state has to counterbalance the disadvantages resulting from this with financial help.

New forms of electronic media (Internet radio for example or the World Wide Web in general) offer new possibilities for the active participation of minorities as well. They are largely unfettered at present by the sort of controls that govern the conventional media, reach wide audiences and offer, especially to minorities living scattered in different regions, the possibility to produce programmes at low cost which can then be received in the whole territory (Vargaftig 1997: 32).

The way forward: limitations

What remains to be asked is where the limitations of those measures lie. While the positive effects of support for minority language media are evident (see paragraph on "Minority languages and the mass media"), its negative side-effects are much more present in public opinion. This partly explains the reasons why minority language protection has not yet made much progress. There is still the widespread opinion among political elites that acting against public opinion can pose risks to public support and re-election. The reason for liberal opposition to the demands of ethnic and national minorities lies in a very practical concern for the stability of liberal states. The fear of losing national sovereignty to a European institution is another reason for nation states not to implement the European Charter for Regional or Minority Languages (Cuatrecasas 2002: 21).

Another reason is the apparent disinterest many states display when it comes to the protection of minority languages. During the UniDem Seminar Self-Government, Territorial Integrity and Protection of Minorities held in Lausanne from 25 to 27 April 1996, Sergio Bartole affirmed that "Linguistic minorities are not a main problem for the Italian society. They exist only in some border regions of Italy" (Bartole 1996: 23) At the same time the Italian government interpreted the protection of minorities as being the exclusive responsibility of the state and refused any type of initiative taken up by the regions, hampering an effective application of the principle of subsidiarity (Cisilino 2001: 12).

The negative attitude of the state towards minority language protection often coincides with public opinion within society.[24] In most European countries with minority populations, being able to speak the majority language was associated with modernity and development whereas speaking a dialect or a minority language was regarded as an expression of backwardness and poverty. Those prejudices are still prevailing in most societies and result in very centralized linguistic politics.

Legal measures such as the ones described above, cannot solve the problem of prevailing prejudices. Willingness to apply rules and regulations already existing on European, national or regional level and the propensity to push forward the development of new ones, depends largely on the attitude speakers of minority languages have towards their culture and on the approach the surrounding society adopts towards them. Social and political recognition emanates from intercultural understanding and dialogue, to which the media in turn could contribute constructively. And here the circle closes: The development of minority language media is dependent on the effective application of legal measures, which, in turn, are dependent on public support. Public support, again, is dependent on a positive attitude of the public, which could be fostered by the development of minority language media.

[24] See studies carried out within the Euromosaic project, available at http://www.uoc.edu/euromosaic/

Conclusions

Following the results of the analysis said the conclusion can be drawn that even though the idea that regional and minority languages spoken in Europe are an integral part of the European cultural heritage, effective protection still has a long way to go. This is especially true regarding the representation and active participation of minorities in the media. Mass media play a decisive role in preserving minority languages offering an important tool of expression and constituting a fundamental component of the human right to equal participation in public discourse.

In a world where globalisation and the expansion of technology create standardised social models, the preservation of minority languages is one important aspect of the protection of a rich European heritage. This idea, however, has not yet been fully translated into concrete measures of legal protection on national level. Even though respect for linguistic and cultural diversity is one of the cornerstones of the EU and has been addressed in various resolutions and recommendations by EU institutions and other European bodies, a common European standard for minority language protection is still lacking. This can be attributed to the fact that the EU does not have the necessary force of law and that its member states have been very reluctant to translate EU policies into national laws and obligations. The role the EU currently plays is clearly not adequate if it is truly committed to upholding Europe's linguistic diversity.

Nevertheless, there are some effective instruments of protection on European level. One of them is the Framework Convention for the Protection of National Minorities (Council of Europe 1999) drawn up by the Council of Europe. It is quite broad in scope but contains detailed obligations concerning the representation and participation of minorities in public life and in particular in the mass media. The other important instrument of protection is the European Charter for Regional or Minority Languages (Council of Europe 1992). It is a tool at the disposal of states designed to pave the way for the better preservation of linguistic diversity in Europe and provides states with a legal framework within which media can work. Many European states, however, have not yet ratified the Charter even though they are in the position to do so, among them Italy.

The protection of minority languages has always been a difficult topic in Italy.[25] Relatively few legislative texts relate to its numerous linguistic minorities. Political opposition to the drawing up of a set of comprehensive laws or the ratification of the European Charter for Regional or Minority Languages (Council of Europe 1992) has always been very high and concrete application of existing laws minimal. Also, the Framework

[25] Having one national language was a very important aspect of the unification of Italy. Standard Italian has always been presented as a unifying force even though one has to keep in mind that only at the end of the 19th century a standard form (deriving from the Tuscan-Florentine dialect) started to diffuse throughout the whole peninsula as a result of the influence of education and the media. To be able to speak Italian was associated with modernity and development whereas speaking one of the numerous Italian dialects was an expression of poverty. Those prejudices are still prevailing in Italian society and are the result of very centralized linguistic politics.

Convention (Council of Europe 1999) has only been implemented to a certain extent. Protective measures usually concern only the French-, German-, Slovene-, and Ladin-speaking minorities who benefit from support from neighbouring countries. The protection of other minority languages is hampered by a general lack of subsidiarity on a regional level and missing financial resources on a national level. This is especially true for provisions in the media sector. Laws governing broadcasting in minority languages have been fully applied only in the Province of Bolzano, in the Valle d'Aosta and in Friuli-Venezia Giulia (for the Slovene minority).

To improve the situation of linguistic minorities in the mass media there needs to be more commitment from the state and the regional authorities on the one hand and public broadcasting companies on the other. Media in minority languages cannot replace or substitute language use within the family and the community. Its use in the mass media is not a sufficient condition in itself to change the precarious situation in which some linguistic minorities find themselves, but it is part of the range of means that could help them conquer a wider audience and to escape marginalization. The ultimate purpose of minority language media is the peaceful preservation of the linguistic and cultural identity of a population that has been put in a threatened position by political and economic factors. European governments should see the existence of minorities on their territory as a perfectly normal expression of Europe's cultural diversity, which constitutes an enrichment of, and not a threat to, a nation's integrity.

***

References

Alcock, A. (1991). 'Italy - The South Tyrol' in C. Palley (ed), *Minorities and autonomy in Western Europe. A Minority Rights Group Report*. Manchester: Manchester Free Press.

Bartole, S.. (1996). *Territorial Autonomy and Protection of Minorities. The Situation in Italy Local,* paper presented during the UniDem Seminar 'Self-Government, Territorial Integrity and Protection of Minorities' from 25. - 27.04.1996 in Lausanne. Strasbourg: Council of Europe Document, Restricted, CDL-UDLAU (96) 5rev.

Benoît Romer, F. (2001). 'Les langues officieuses de la France', *Revue française de droit constitutionnel*, 45.

Brezigar, B. (2004). 'Linguistic Diversity, Minority Languages and Minorities in the new EU Constitutional Treaty', *Journal of Ethnic Studies,* 44, pp.18-29.

Camera dei Deputati, *Costituzione italiana*. Available at: http://www.camera.it/parlam/leggi/99482l.htm, accessed on 22 February 2008.

Cisilino, W. (2001). *La Tutela delle Minoranze Linguistiche, Analisi della normativa statale e regionale, con particolare riguardo alla lingua friulana*. Udine: Consorzio Universitario del Friuli.

Club dei Giornalisti Arbëreshë (2005). *Il servizio pubblico radiotelevisivo e l'emittenza privata per la salvaguardia delle minoranze linguistiche storiche, attuazione legge 482/99 – idee, proposte, progetti*, presented during the conference on 5 February 2005 in Lungro. Available at: http://www.arbitalia.it/stampa/klubi_gazetarvet_arbereshe/2005/febbraio05.htm, accessed on 03 March 2008.

Coluzzi, P. (2004). *Regional and Minority Languages in Italy. A General Introduction on the Present Situation and a Comparison of Two Case Studies: Language Planning for Milanese (Western Lombard) and Friulian,* Ciemen Barcelona Working Paper 14, available at: http://www.ciemen.org/mercator/pdf/wp14-def-ang.pdf, last accessed 10 December 2008.

Coluzzi, P. (2006). 'Minority Language Planning and Micronationalism in Italy: the Cases of Lombardy and Friuli', *Journal of Multilingual and Multicultural Development*, 27 (6).

Cormack, M. (2003). *Developing Minority Language Media Studies,* paper presented on 8 April 2003 during the Mercator International Symposium held in Aberystwyth. Available at: http://www.aber.ac.uk/~merwww/general/papers/mercSym_03-04-08/CormackText.rtf , accessed on 24 February 2008.

Council of Europe (1989). *European Convention on Transfrontier Television*, available at http://conventions.coe.int/Treaty/EN/Treaties/Html/132.htm, accessed on 20 February 2008

Council of Europe (1992). *European Charter for Regional or Minority Languages*. Strasbourg: Council of Europe Publishing. Available at http://conventions.coe.int/Treaty/EN/Treaties/Html/148.htm.

Council of Europe (1995). *Framework Convention for Protection of National Minorities. Strasbourg*, 1.II.1995. Available at: http://conventions.coe.int/Treaty/EN/Treaties/Html/157.htm, accessed 10 December 2008.

Council of Europe (1999). *Framework Convention for the Protection of National Minorities, Collected Texts*. Strasbourg: Council of Europe Publishing. Also available at http://conventions.coe.int/Treaty/EN/Treaties/Html/157.htm.

Council of Europe (2000). *1st Biennial Report by the Secretary General of the Council of Europe to the Parliamentary Assembly on the application of the European Charter for Regional or Minority Languages*, presented on 18 October 2000, Council of Europe Document Doc. 8879.

Council of Europe (2002a). *2nd Biennial Report by the Secretary General of the Council of Europe to the Parliamentary Assembly on the application of the European Charter for Regional or Minority Languages*, presented on 11 September 2002, Council of Europe Document Doc. 9540.

Council of Europe (2002b). *Advisory Committee on the Framework Convention for the Protection of National Minorities. Opinion on Italy*, adopted on 14 September 2001, Council of Europe Document ACFC/INF/OP/I(2002)007.

Council of Europe (n.d.), *Resolutions of the Committee of Ministers, Council of Europe*. Available at: http://www.coe.int/T/CM/WCD/advSearch_en.asp#, accessed on 2 February 2008.

Council of Europe (n.d.), *Resolutions of the Parliamentary Assembly*. Available at: http://assembly.coe.int/ASP/Doc/ATListing_E.asp , accessed on 2 February 2008.

Council of Europe (n.d.), *European Charter for Regional or Minority Languages, Explanatory Report*, ETS No. 148. Available at: http://conventions.coe.int/Treaty/EN/Reports/Html/148.htm, accessed on 02 February 2008

Cuatrecasas, L. (2002). *Linguistic Diversity: a Challenge for European Cities and Regions*, *Studies and texts No.74*. Strasbourg: Council of Europe Publishing,

Euromosaic, *Albanian*. Available at: http://www.uoc.es/euromosaic/web/homean/index1.html, accessed on 5 March 2008.

European Broadcasting Union (1994). *Declaration on the role of public service broadcasters in a multiracial, multicultural and multifaith Europe*, adopted by the EBU Television Programme Committee at its sixty-sixth meeting in Geneva, 25-26 October 1994

European Economic Community (1989) *Television Without Frontiers Directive 89/552/EEC*. Available at http://europa.eu/scadplus/leg/en/lvb/l24101.htm, accessed 10 February 2008.

European Parliament (2003). *Report with recommendations to the Commission on European regional and lesser-used languages – the languages of minorities in the EU – in the context of enlargement and cultural diversity* (2003/2057(INI)), Committee on Culture, Youth, Education, the Media and Sport, Rapporteur: Michl Ebner, published on 14 July 2003, A5-0271/2003.

European Parliament, *Resolutions of the European Parliament*. Available at: http://www.europarl.europa.eu/search/ta/perform.do?query=Resolutions&language=EN, accessed on 10 February 2008.

European Union, *EU Language Policies*. Available at: http://europa.eu.int/comm/education/policies/lang/policy/index_en.html, accessed on 12 February 2008.

Feiler, M. (1996). 'Südtirol – Lösungsmodell für Minderheitenkonflikte?', *Aussenpolitik,* 47 (3), pp.288-299.

Frachon, C. and M. Vargaftig (1995). *European Television, Immigrants and Ethnic Minorities*. London: John Libbey & Company Ltd.

Gesellschaft für bedrohte Völker, *Dichiarazione di Ennio Chiodi, direttore della Testata Unificata TG3-TGR*. Available at: http://www.gfbv.it/3dossier/rai3-99/rai-a.html, accessed on 27 February 2008.

Gjellerod, H. (2001). *Rights of national minorities. Opinion,* DOC.8939. Strasbourg: Council of Europe Publishing.

Haf Gruffydd Jones, E. (1998). *Mass media, cultural activities and regional or minority languages,* paper presented during the International Conference on the European Charter for Regional and Minority Languages organized in Strasbourg on 26. – 27 March 1998.

Jokovcic, I. (2002). *Linguistic Diversity: a Challenge for European Cities and Regions*, proceedings, Rovinj (Croatia), 22. – 23 March 2001, Studies and Texts No.74. Strasbourg: Council of Europe Publishing.

Jones, G. (2004). *Minority-Language Audiovisual Media in Europe*, paper presented at the First Congress on Basque Journalism in Bilbao, 09. – 12 November 2004. Available at: http://www.aber.ac.uk/~merwww/Papers/Bilbao.htm, accessed on 17 February 2008.

Mayr, W. (2000). *Ethnic and national minorities and electronic media. The RAI - radio televisione italiana - not only Italian. An example, a laboratory for multilingual broadcasting?*, paper presented at the international conference 'Ethnic and national minorities and electronic media', Bialystock, Poland, 16. – 17 November 2000. Available at: http://www.gfbv.it/3dossier/rai-en.html, accessed on 22 February 2008.

Mercator Media, *Media Italy*. Available at: http://www.aber.ac.uk/cgi-bin/user/merwww/index.pl?rm=b_media_detail;id=34;lang=1, accessed on 27 February 2008.

McGonagle, T. *et al.* (2003). *Minority-Language related broadcasting and legislation in the OSCE*. Geneva: OSCE High Commissioner on National Minorities.

Ministero della Giustizia (2 May 2001). 'Decreto del Presidente della Repubblica n. 345, Regolamento di attuazione della Legge 15 Dicembre 1999, N. 482, Recante norme di tutela delle minoranze linguistiche storiche', *Gazzetta Ufficiale n. 213,* published on 13 Septembre 2001. Also available at: http://www.giustizia.it/cassazione/leggi/dpr345_01.html, last accessed 10 December 2008 .

Ministero della Giustizia (2003). 'Decreto del Presidente della Repubblica, Approvazione del contratto di servizio tra il ministero delle comunicazioni e la RAI – Radiotelevisione Italiana S.P.A. per il triennio 2003-2005', *Gazzetta Ufficiale n. 59,* 14 February, published on 12 March 2003.

Morelli, D. (2005). *Strumenti normative a tutela dei medi e minoranze linguistiche*, paper presented during the first meeting of the Club dei Giornalisti Albëreshë in Lungro on 05 February 2005. Available at: http://www.arbitalia.it/stampa/klubi_gazetarvet_arbereshe/2005/febbraio05.htm, accessed on 2 March 2008.

Nic Shuibhne, N. (2002). *EC Law and Minority Language Policy: Culture, Citizenship and Fundamental Rights*. London: Kluwer Law International.

Noël, P. (1993). *Mass media and minority cultural expression for joint vocational training courses*. Strasbourg: Council of Europe Press.

OCSE (1998). The Oslo Recommendations regarding the linguistic rights of National Minorities & Explanatory Note. Available at: http://www.osce.org/documents/hcnm/1998/02/2699_en.pdf, accessed on 2 March 2008.

OSCE (2003). *Guidelines on the use of Minority Languages in the Broadcast Media*. The Hague: Office of the High Commissioner on National Minorities.

Provincia di Trento (n.d.), *Forme di tutela delle minoranze riconosciute dallo stato*. Available at: http://www.consiglio.provincia.tn.it/consiglio/quadro_sintesi_autonomia/tutela_minoranze_linguistiche/tutela_minoranze.it.asp, accessed on 15 February 2008.

Regione Basilicata (n.d.), *Tutela minoranze linguistiche: Fondi alle Regioni, 273 Mila Euro alla Basilicata.* Available at: http://www.basilicatanet.it/news/article.asp?Id=50517, accessed on 27 February 2008.

Riggins S.H. (1992). *Ethnic Minority Media*. Sage Publications: Newbury Park.

Trebo, L. (1999). *Per una RAI multilingue. Un futuro tutto da costruire,* Dossier presented during the conference in Bolzano on 18. – 20 March 1999. Available at: http://www.gfbv.it/3dossier/rai3-99/rai-a.html, accessed on 8 February 2008.

Trifunovska, S. (2004). *Monitoring of Linguistic Rights of Minorities under the European Charter and the Framework Convention,* paper presented during the II Mercator International Symposium: 'Europe 2004: A new framework for all languages?' in Tarragona, 27. – 28 February 2004.

Trim, J. (2002). *Linguistic Diversity: a Challenge for European Cities and Regions*, proceedings, Rovinj (Croatia), 22. – 23 March 2001, Studies and Texts No.74. Strasbourg: Council of Europe Publishing.

United Nations, Office of the High Commissioner for Human Rights (18 December 1992). *Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities*, adopted by General Assembly Resolution 47/135. Available at http://www.unhchr.ch/html/menu3/b/d_minori.htm, accessed on 2 February 2008.

Università di Udine - Centro Internazionale sul Plurilinguismo, *Arbëresh*. Available at: http://www.uniud.it/cip/min_tutelate_scheda.htm#4, accessed on 20 February 2008.

Vargaftig, M. (1997). *Cultural rights, the media and minorities,* Report of the Seminar held in Strasbourg, 27. – 29 September 1995. Strasbourg: Council of Europe Press.

Wilson, C.C. and F. Gutiérrez (1995). *Race, Multiculturalism and the Media. From Mass to Class Communication*. Thousand Oaks: Sage Publications.

Wright, S. (2000). *Community and Communication: The Role of Language in Nation State Building and European Integration*. Clevedon, Multilingual Matters.

***

ANNEX 1

Map: The Regions of Italy

Source: http://www.tlfq.ulaval.ca/axl/europe/italieetat.htm, last accessed 20 December 2008.

1) Piemonte
2) Valle-d'Aosta (statuto speciale)
3) Lombardia
4) Trentino-Alto Adige (statuto speciale)
5) Veneto
6) Friuli-Venezia Giulia (statuto speciale)
7) Liguria
8) Emilia-Romagna
9) Toscana
10) Umbria
11) Marche
12) Lazio
13) Abruzzo
14) Molise
15) Campania
16) Puglia
17) Basilicata
18) Calabria
19) Sicilia (statuto speciale)
20) Sardegna (statuto speciale)

***

ANNEX 2

Recommendations of the Council of Europe

- Recommendation 1623 (2003) On the rights of national minorities
- Recommendation 1589 (2003) On freedom of expression in the media
- Recommendation 1492 (2001) On the rights of national minorities
- Recommendation 1383 (1998) On linguistic diversification
- Recommendation 1345 (1997) On the protection of national minorities
- Recommendation 1300 (1996) On the protection of the rights of minorities
- Order No. 513 (1996) On the rights of national minorities
- Recommendation 1285 (1996) On the rights of national minorities
- Recommendation 1277 (1995) On migrants, ethnic minorities and media
- Recommendation 1275 (1995) On the fight against racism, xenophobia, anti-semitism and intolerance
- Order No. 501 (1995) On the protection of the rights of national minorities
- Recommendation 1255 (1995) On the protection of the rights of national minorities
- Recommendation 1231 (1994) On the follow-up to the Council of Europe Vienna Summit
- Order No. 484 (1993) On an additional protocol on the rights of national minorities to the European Convention on Human Rights
- Recommendation 1201 (1993) On the additional protocol on the rights of minorities to the European Convention on Human Rights
- Order No. 474 (1992) On the rights of minorities
- Recommendation 1177 (1992) On the rights of minorities
- Order No. 456 (1990) On the rights of minorities
- Recommendation 1134 (1990) On the rights of minorities
- Opinion No. 142 (1988) On Resolution 192 (1988) on regional or minority languages in Europe, adopted by the Standing Conference of Local and Regional Authorities of Europe
- Recommendation 1089 (1988) On improving community relations (European Days 'Enjoying our diversity', Strasbourg 25-27 November 1987)
- Recommendation 1067 (1987) On the cultural dimension of broadcasting in Europe
- Recommendation 1043 (1986) On Europe's linguistic and literary heritage
- Declaration on the Freedom of Expression and Information (1982)
- Committee of Ministers Recommendation No. R 99(1) On measures to promote media pluralism
- Committee of Ministers Recommendation No. R 98(6) On modern languages
- Committee of Ministers Recommendation no. R 97(21) On the media and the promotion of a culture of tolerance
- Committee of Ministers Recommendation No. R 96(10) On the guarantee of the independence of public service broadcasting
- Parliamentary Assembly Doc.6294 REPORT on the rights of minorities (Rapporteur : Mr BRINCAT, Malta, Socialist) 24 September 1990
- Parliamentary Assembly Doc.6302 OPINION on the rights of minorities (1) (Rapporteur : Mr BAUMEL, France, RPR

Source: http://www.coe.int/T/CM/WCD/advSearch_en.asp# and http://assembly.coe.int/Mainf.asp?Link=/asp/doc/EDocMenu(SQL).asp?Language=E (both last accessed 20 December 2008).

***