

Linguistic rights of minorities as human rights

Outline of a lesson in Social Studies in Poland

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Examples of bi- and trilingual public road and information signs (in majority and minority languages):

- Breton-French signs in Brittany
- a Polish-Lemko name of the village in Low Beskids
- an Aranese-Catalan-Spanish sign in Aran Valley in the Pyrenees

Part 1

Please read carefully the following passage from *The Polish legislation regarding the education and linguistic rights of minorities* by G.Janusz (full text in Polish available here: http://www.agdm.pl/pdf/prawa_jezykowe.pdf).

“The right to use a mother tongue by members of national minorities is one of the most fundamental minority rights. It allows minorities:

- 1. to preserve their language identity freely and without interference of any form of discrimination*
- 2. to teach their mother tongue and receive education in that language*
- 3. to use their names and surnames spelled in the minority language,*
- 4. to freely access information in their language,*
- 5. to use their minority language in private and public life without restraints,*
- 6. to use their mother tongue in public life, especially as an official or a subsidiary official language.*

Every person has the right to use his or her mother tongue - it is one of the most fundamental human rights.

(...)

The Constitution is the basic law for the State (...). The Constitution of the Republic of Poland, adopted in 1997, introduced new regulations, which relate, directly or indirectly, to the rights and the status of people belonging to minorities. It went beyond general principles of equality and non-discrimination of citizens as embodied in the old Constitution of 1952 (now Article 32) and introduced regulations directly related to the rights of citizens belonging to minorities (Articles 27 and 35).

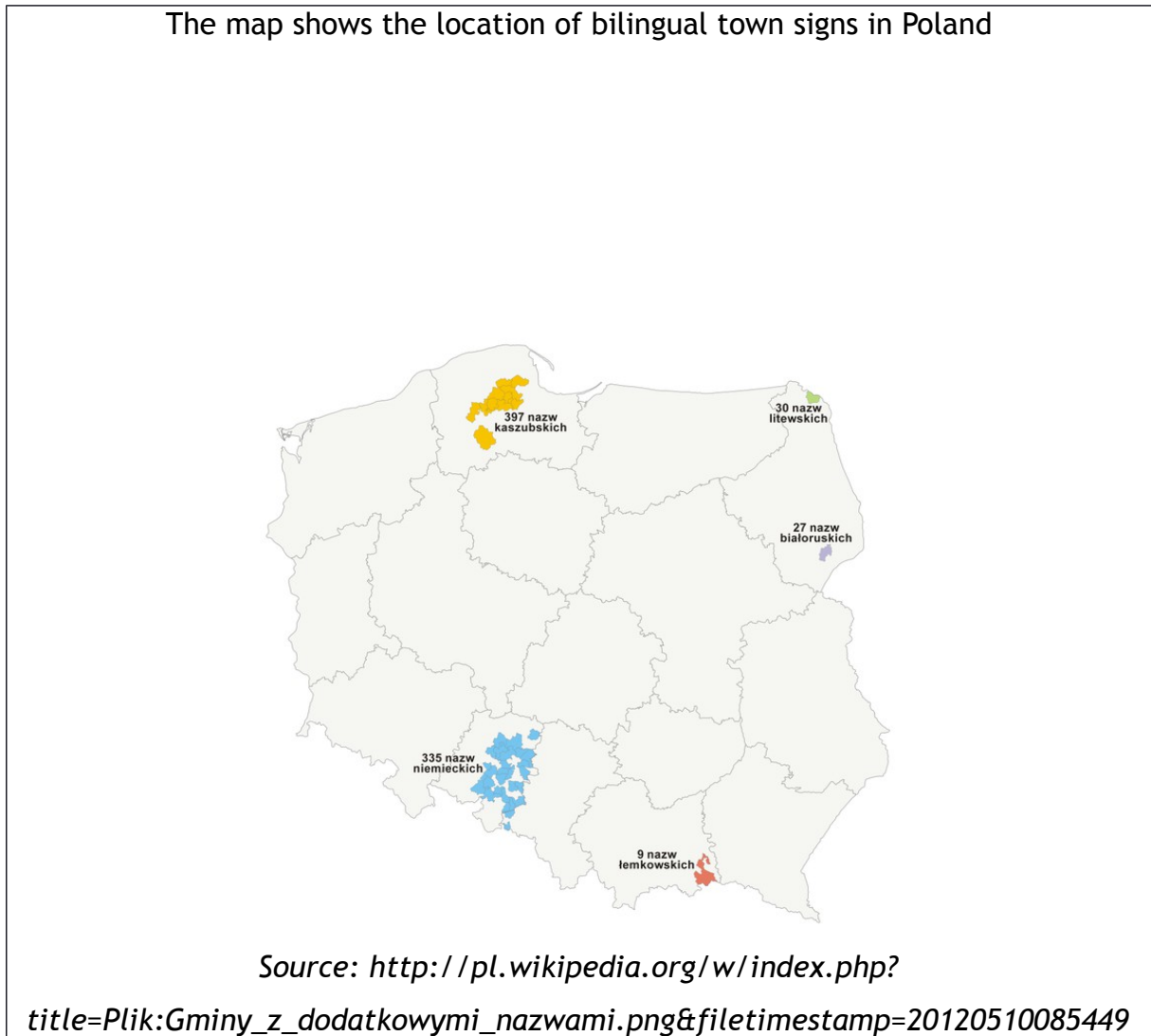
(...)

Task 1a

This is a bilingual sign of the village Regietów (Gorlice County) in Lower Beskids. Such signs have been recently placed in some villages inhabited by the Lemko minority. These were entirely Lemko-speaking areas before the deportation of Lemkos in 1947 within the “Vistula” Operation.



Which of the above-mentioned rights enables Lemkos to have these signs in the villages inhabited by them?



Task 1b

These are bilingual signs in officially recognised regional and minority languages: Kashubian (Pomysk Wielki in Bytow County), German (Kup in Opole County) and Lithuanian. On the town sign of Puńsk (in Sejny County), someone painted over the name in Lithuanian 'Punskas'.

What do you think - who could have painted the name over and for what reasons?

On the basis of the above-mentioned criteria do you consider it a violation of human rights?



Task 1c

For quite some time now, Lemkos have their own Internet radio in Poland *Lem.FM*. You can listen to radio broadcast about Lemkos and in the Lemko language on www.lem.fm



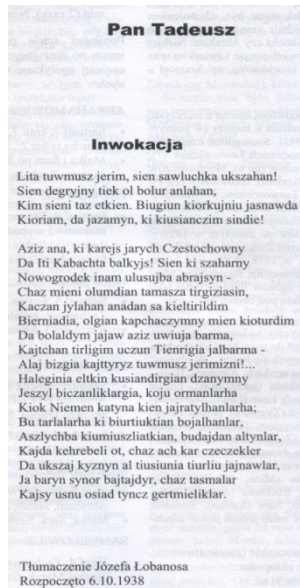
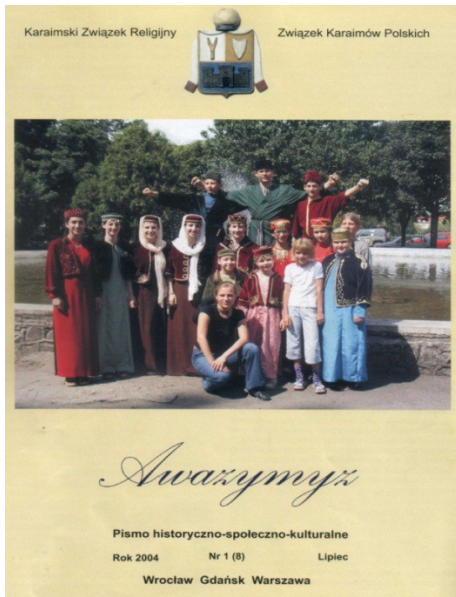
Which of the linguistic rights mentioned in the text enables the functioning, support and funding of the Internet radio Lem.FM?

Task 1d

This is the Karaim magazine *Awazymyz* (which means "Our voice" in Karaim). It publishes texts mostly in Polish as the majority of the Polish Karaims do not know their language. From time to time, however, it runs texts in the Karaim language, for example a translation the "Invocation" from the Polish Romantic classic *Pan Tadeusz* by Adam Mickiewicz.

More about the magazine *Awazymyz* and the Karaims: <http://www.awazymyz.karaimi.org>

You can listen to the recording of the "Invocation" in Karaim from the attached File



Which of the linguistic rights mentioned in G.Janusz's text allows the publishing a magazine for the Karaim people with texts in the Karaim language?

Many interesting films about the Karaim people available on:

<http://www.karaimi.org/pl/media/wideo>

Task 1e

This is the first primary school in which in 1990s the subjects were taught in the Kashubian language (Głodnica village in Wejherowo Powiat) - there were school years when only 9 children from surrounding villages attended the school (for more information about this small experimental Kashubian school follow the link: <http://nakaszubskiejdrodze.pl/pl/miejsce/glodnica-glodnica>)



and the first primer *Kaszëbsczé Abecadłò*, by Witòld Bòbrowsczi and Katarzëna Kwiatkòwskò



- Which of the linguistic rights mentioned in G. Janusz's text makes it possible to run the primary school in Głodnica, in which children were taught in both Kashubian and Polish?
- Which of the linguistic rights mentioned in G. Janusz's text allow the authors of the primer to write their names according to the Kashubian spelling?

Task 1f.

Find Articles 27 and 35 in the Constitution of the Republic of Poland and assess how they relate to minority rights and whether or not they relate to linguistic rights.

Article 27

Polish shall be the official language in the Republic of Poland. This provision shall not infringe upon national minority rights resulting from ratified international agreements.

Article 35

1. The Republic of Poland shall ensure Polish citizens belonging to national or ethnic minorities the freedom to maintain and develop their own language, to maintain customs and traditions, and to develop their own culture.
2. National and ethnic minorities shall have the right to establish educational and cultural institutions, institutions designed to protect religious identity, as well as to participate in the resolution of matters connected with their cultural identity

Part II

To specify linguistic minority rights guaranteed by the Constitution of the Republic of Poland from 1997, in 2005 Poland passed The Regional Language, National and Ethnic Minorities Act.

(<http://www.msw.gov.pl/portal.php?serwis=pl&dzial=353&id=4392&sid=a52d5ee252af087abbddb45b9eec0f4a> and <http://mac.gov.pl/mniejszosci-i-wyznania>)

A national minority, as defined by this Act, shall be a group of Polish citizens who jointly fulfill the following conditions:

- 1) the group is numerically smaller than the rest of the population of the Republic of Poland;
- 2) significantly differs from the remaining citizens in its language, culture or tradition;
- 3) strives to preserve its language, culture or tradition;
- 4) is aware of its own historical, national community, and is oriented towards its expression and protection;
- 5) its ancestors have been living on the present territory of the Republic of Poland for at least 100 years;
- 6) identifies itself with a nation organized in its own state.

The following minorities shall be recognized as national minorities: Belarusian; Czechs; Lithuanians; Germans; Armenians; Russians; Slovaks; Ukrainians; Jews.

An ethnic minority, as defined by this Act, shall be a group of Polish citizens who jointly

fulfill the following conditions:

- 1) the group is numerically smaller than the rest of the population of the Republic of Poland;
- 2) significantly differs from the remaining citizens in its language, culture or tradition;
- 3) strives to preserve its language, culture or tradition;
- 4) is aware of its own historical, national community, and is oriented towards its expression and protection;
- 5) its ancestors have been living on the present territory of the Republic of Poland for at least 100 years;

6) does not identify itself with a nation organized in its own state.
4. The following minorities shall be recognized as ethnic minorities:
Karaims; Lemkos; Roma; Tartars.

For the purposes of this Act and in accordance with the European Charter for Regional or Minority Languages „a regional language” shall mean a language that is:

- 1) traditionally used within a given territory of a State by nationals of that State, who form a group numerically smaller than the rest of the State’s population;
- 2) Different from the official language of that State; it shall not include either dialects of the official language of the State or the languages of migrants.

The Kashubian language shall be a regional language within the meaning of the Act.

Wilamowicean is not recognised as a minority language in Poland, thus it is not protected. Efforts are being made to upgrade its status.

Task 3a

Name criteria which, in the Polish legislation, differentiate a national minority from an ethnic minority.

Criterion 6: it is all about whether or not people identify with a nation organised in their country - in other words whether a country of a given nation exists.

In your opinion which languages are more threatened with extinction - those of national minorities or ethnic minorities? Or maybe when languages of ethnic and national minorities are passed from generation to generation effectively, is this criterion of no importance?

Ethnic minorities (and a regional language), which have no reference to their own country not only have to secure continuity of their language and to ensure its official recognition but also develop the language. For example Kashubs, Lemkos and Karaims have to find equivalents in their languages for recently coined words and phrases while the Polish minority in Czech Republic, Lithuania etc. does not have to be concerned about vocabulary development, as Polish is a strong official language in Poland.

For national minorities the role of a language protector is fulfilled by a country in which their language is an official one - for instance the German or Lithuanian minority in Poland does not have to be concerned about development of new vocabulary for their languages as German and Lithuanian are strong and well developing official languages in Germany and Lithuania respectively. Thus the role of minorities focuses on transmitting the language and teaching it, as well as ensuring its presence in the official linguistic landscape.

Task 3b

The Fragments below are translations of *The Regional Language, National and Ethnic Minorities Act*.

Try to answer in what minority/regional languages used in Poland they are written.

ÚSTÔW z dnia 6 stëcznika 2005 r.ò nôrodnëch i etnicznych miészëznach a regionalnym jãzëkù Art. 1.

Ústôw regulëje sprawë spartãczonë z ùtrzymanim i rozwijã kùlturowi juwernotë nôrodnëch i etnicznych miészëznów a ùtrzymanim i rozwijã regionalnegò jãzëka, a téz spòsòb realizacëje wskòzë równégò òbchòdaniò sã z òsobama bez zdrzeniò na etnicznã rodowiznã i naznòczò robòtë i kòmpetencëje òrganów rzãdowi administracëje i jednostkòw òbëndowi samòrzãdzënë w zasëgùnëch sprawów.

SZARAJAT Kiuńdia 6.01.2005 jitda ulustarnyn aztychtar üczüñ da ummatar üczüñ tiek jerli tillary üczüñ

Art.1

Burunhu jergia. Szarajat jomachtejt jumuszturny bajtahan bachmachtarbe daösmiakbie öziüñlugiuñ ulusun da ummatarnyn kulturasyñ atejde bachmahyna ösmiagiñ jerli tillarnyñ, atejde kytych iszlat'miak tiuzlugiuñ tiursiuñlaryñ iszanmachsyz niñdi ummatardan atar czyhadtar atejde machtamejt saruw da bilmiak kieñdiaruwczuñlarniñ enjannyn erklañmiaklarniñ da birliklarniñ öziüñluk erklañmiaginiñ terytoryjanyn bu iszlargia.

УСТАВА з дня 6 січня 2005 р. про національны і этнічны меншыны і про рэгіональны язык
1 Аpm.

Устава рэгулюе справы, які повязаны сут з утриманьом і развіцьом культуровай дастоменности нацiанальных і этнічных меншын, так само з утриманьом і развіцьом рэгіональнага языка, а тiж спосiб, в якіў ввoдiт ся в жытця прiнцыпы рiвногoоднoшыня ся до оciб незалежнi од этнічнагo пoхoджыня і опрiдiлят кoмпeтeнцiю oргaнiв урaдoвoй адмiнiстрaцiі і oддiлiв тeрiтoрiйнoгo сaмoурaдy в oбсягy тых справ.

וועגן די נאַציאָנאַלע און עטנישע מינדערהייטן און וועגן דער רעגיאָנאַלער

שפראַך

אַרטיקל 1

דאָס געזעץ רעגולירט זאַכן וואָס אַנקערן זיך מיט דער אָפהיטונג און אַנטוויקלונג דער קולטור-
אידענטיטעט פֿון די נאַציאָנאַלע און עטנישע מינדערהייטן און מיט דער אַנטוויקלונג דער
רעגיאָנאַלער שפראַך און ווייטער דעם אופֿן ווי מען רעאַליזירט דעם פרינציפ פֿון דעם גלייכן
באַהאַנדל מענטשן אָן איינזעענישן פֿאַר דעם עטנישן אָפּשטאַם, עס באַשטימט אויך די
אויפגאַבעס און קאַמפּעטענציעס די אַרגאַנען פֿון דער רעגירונג-אַדמיניסטראַציע און איינסן פֿון
דער טעריטאָריעלער אַליין-פֿאַרוואַלטונג אין די דאָזיקע טעמעס

Gyzec fum 6 jener 2005. Fun tandfelkjyn an etnyša felkjyn an fu jytikjy špröh

Art.1.

S'gyzec reguljyt fjyr wo zih dy tandfelkjyn an dy etnyša felkjyn hon, wi zy zih bynama an wi zy weter weta wada, an wi dy jytikjy špröh blajt an vos zih myter hot an op dy touit wada anik gytraht gük zy fu

fersidnikja felkjyn roušstoma, an's ziöet , vos zula fjyr zy tün dy regjyrungamt an dy bycjikamt an gymānamt

Kodekso - 6 dyvesestyr, angłuno čhon 2005 brš - vaš tyknedyr nacji, grupy etnikane thaj e čhib regionalno

Art. 1.

Adava kodekso regulin e butia, save sy phandte kaj te našavet-pes thaj te barvalakir-pe identifikacija kulturaki tyknedyre nacjengo thaj etnikane grupengo, vi regulin e butia, save sy phandte e regionalnone čhibiasa vaš tako bariakiribe, sykavet syr te kert-pes, kaj sako jekh manuš te javet dykhno adiake kokores, nadykhi pe teste, save sy jov etnikane grupatyr thaj sykavet, save sy butia, džanib) themytkone administracija thaj instytucjen, save sy ando regionalno terytori vaš adate butia

- **Check answers (for the teacher)**

The fragments are in the following languages: Kashubian, Karaim, Lemko, Yiddish, Wilamowicean and Romani.

Task 3c

The Wilamowicean language, used in the small town Wilamowice (Bielsko-Biała County), is a dying language. Only several dozen people from the older generation speaks Wilamowicean, while the middle generation has almost stopped using the language altogether. Therefore, the intergenerational transmission of the language has been broken. Tymoteusz Król and Justyna Majerska (born in 1993) among others are attempting to revive the Wilamowicean language and culture. Some of their actions are shown in a videoclip:

<http://www.youtube.com/watch?v=8nbJ9fW7WWk>.

This is Tymoteusz Król standing next to the unofficial sign of the town Wilamowice. The sign is unofficial as the Wilamowicean language is not recognized as either an ethnic or a minority language in Poland.



Source:

http://bielskobiala.gazeta.pl/bielskobiala/1,88025,11410549,Nawet_w_Rzymie_uslysza_jezyk_wilamowicki.html



Wilamowicean women in traditional costumes

Watch a fragment of a recorded conversation with Tymoteusz Król about expectations of the Wilamowicean people concerning their linguistic rights.

<http://www.youtube.com/watch?v=UufoEkMp1b4&feature=youtu.be>

Are these expectations in accordance with the linguistic human rights' criteria mentioned in G. Janusz's text at the beginning of this lesson material?

Information about the endangered minority/regional languages in Poland

mentioned in the lesson

More information about these languages along with links to audio and video material can be found in the 'Book of Knowledge' section at languagesindanger.eu

Yiddish - it was primarily spoken by the Jews in Western Europe, and then by the Jews in Central and finally Eastern Europe. Polish Yiddish used to be the most frequently used variation of this **Germanic language** but, at present, it is considered **definitely endangered**. In the 2002 Polish Census only a dozen or so admitted to know the language. Since 2005 Yiddish has been recognized as a **minority language** in Poland as some of the Jewish people who live in Poland identify with a nation organized in a state (Israel). Yiddish is written in the Hebrew alphabet.

Karaim - since 2005 it has been recognised in Poland as a **language of an ethnic minority**. It is a **Turkic language**, originated in the Crimean Peninsula and used by the Karaim ethnic and religious group in Poland, Lithuanian and Ukraine. Karaim is considered a **critically endangered language** due to the fact that only three persons in Poland and around fifty in Lithuania speak it. According to the Census of 2002, barely 50 Karaim live in Poland. The Karaim language used to be written in the Hebrew alphabet and in the Cyrillic alphabet in the former Soviet Union but now in Poland and Lithuania it is written in the Latin alphabet (in Polish and Lithuanian variations).

Kashubian - since 2005 it has been recognized in Poland as a **regional language**. Being closely related to Polish, this **West Slavic language** is used in Polish Pomerania. Kashubian used to be considered as a dialect of the Polish language and as such for almost the entire 20th century has been deprived of development possibilities and access to public domains. According to the 2002 Polish Census, nearly 53,000 people used Kashubian in family sphere. In 2011 Census this number increased to 228,000 people. Despite considerable success in education, and the presence of the language both in the public sphere and the linguistic landscape of Pomerania, Kashubian is considered **endangered**. The Kashubian language has always been using the Latin alphabet, similar to Polish, with some additional letters (e.g. ě, ô, ò, é, ā).

Lemko (also Rysyn or Ruthenian) - since 2005 it has been recognized as a **language of an ethnic minority** in Poland. Lemko, an **East Slavic language**, is closely related to Ukrainian and belongs to the Carpatho-Rusyn group (which comprises North-Eastern Slovakia, South- Western Ukraine and language enclaves in Hungary, Romania, Serbia and Croatia). Up to 1947 Lemko had been used in the Low Beskids region. According to the Census of 2002 almost 6,000 people used Lemko in family sphere and in the 2011 Census, 10,000 declared their attachment to the Lemko language. Despite some success in education (Lemko is being taught at some schools at different stages), the presence of Lemko in both the public sphere and in the linguistic landscape of Low Beskids, Lemko is considered **definitely endangered**. The Lemko language has been using the Latin alphabet based on Ukrainian-Russian Cyrillic.

Romani - Romani is complex of languages used by the Roma people (Gypsies) dispersed all over the world. It originated from **Indo-Aryan languages** and has undergone many changes induced by contacts with languages of the countries in which Roma lived. The results of the 2002 Census show that almost 16,000 Polish citizens know Romani which is the exact same number of people who claim to be of Roma nationality according to the 2011 Census. Since 2005 Romani has been recognized in Poland as a **language of an ethnic minority**. Romani is written in the alphabet of the dominant language on a given area. Therefore in Poland it is written in the Polish alphabet.

Wilamowicean - used in the small town Wilamowice in Bielsko-Biała County in Silesia (Silesian Voivodship). This archaic **Germanic language** has been used in Wilamowice since the 13th century, when settlers from Germany and possibly Flanders came to this area. Wilamowicean **has not been recognized yet** as either a minority or a regional language in Poland. As the majority of its several dozen speakers are elderly people, Wilamowicean is considered **critically endangered**. The Wilamowicean alphabet, proposed by Tymoteusz Król, is based on the Polish spelling rules with some additional letters (e.g. *ǎ, ǒ, ǔ*).