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The Russian and French Laws on Language: a Cross-Lighting

Patrick Seriot

Comparison often allows a better understanding of a phenomenon than monographs. Cross-lighting can reveal details which would have remained unnoticed under direct lighting.

On June 1st, 2005 the Russian law on language was adopted (Law No. 53-FZ: «O gosudarstvennom jazyke Rossijskoj Federatsii»: «On the state language of the Russian Federation»). It has a few features both similar and divergent with the French law on language, adopted on August 4th, 1994 (Law No. 94-665: «Loi relative à l'emploi de la langue française»: «Use of the French language act»). This essay is a comparative analysis of both laws.

First practical differences are to be noted. The French law has existed for twelve years now, and has been followed by regulations and activity reports of the state committee entrusted with the implementation of the law. Nothing similar exists for the Russian law, which was adopted only a year or so ago. Furthermore, the Russian text is almost twice shorter than the French one. For instance, in the field of commerce:

- Russian law: (art. 3-10) «The State language is compulsory in commercial advertisement»

- French law: (art. 4) «In designation, offer, presentation, directions for use, description of the scope and conditions of guarantee of goods or services, in invoices and bills, the use of the French language is compulsory. The same clause is to be applied to any written, oral or audiovisual advertisement».

The French law is a set of measures aimed at the protection of the consumer, whereas the Russian law insists on the right of the citizens to use the State language. The French law has legal consequences, explaining that if a contract has been signed between a French company and a foreign one, a French version of the contract is compulsory, and both versions will be legally binding, whereas the Russian law rather insists on the «defense of the norms of the language» (art. 1-3).

Nonetheless both laws present striking similarities.

Both have a preamble, which explains the general scope and aim of the law; it is a general statement about the object of the law: the state language, its official status, and the circumstances and conditions in which its usage is compulsory. This object is called the «State language» in Russia and the «Language of the Republic» in France, but that does not seem to make any difference: what is at stake is the *official* use of the language. The private use of the language is not taken into account in either laws (the French law says that «the present law applies to public matters», art. 20). In spite of this similar scope, the limits of the private and the public spheres vary in both countries. In the Russian text this distinction is not really clear.

Both preambles underline that the aim of the law is to defend and protect the right of the citizens to use the official language. But the Russian law adds the protection and the development of «language culture», which implies the *forms* of the language themselves.

If both laws are aimed at «defending» and «protecting» the language, it means that those languages are in danger. In France as in Russia, the main danger is obviously the massive presence of English. This language is never explicitly named, but the French regulations admit that some foreign words «can be admitted without translation if they are commonly used in everyday speech or adopted in accordance with international conventions». The examples are «on/off, made in, copyright» (Official note, March 19th, 1996, § 2.1.1). Thus, both Russian and French are presented as being on the edge of becoming endangered languages.

Both laws stipulate that foreign words should be banned from the official or public use of the language (in France, mainly in contracts), unless there is no equivalent for them. But the Russian texts says : «it is not admitted to use words and expressions which do not correspond to the norms of contemporary Russian literary language, with the exception of foreign words which have no equivalents [‘analogi’] commonly used in Russian» (art. 1-6). The French text says: «Contracts cannot contain foreign expressions or terms if there is a French expression or term with the same meaning, approved in the conditions provided for in the regulations on the enrichment of the French language» (art. 5).

The history of language policy in both states is different, which explains the difference of terminology. The Russian law establishes the official *status* of Russian as a state language, which, surprisingly enough, was not the case in the

Soviet Union, whereas the French law specifies the conditions in which the «language of the Republic» is of compulsory use. The Russian law draws a clear distinction between Russian, the official language of the Russian Federation, that is to say of the whole State, and the official languages of the other «subjects of the Federation», which are official only within the borders of the autonomous republics and territories, along with Russian (for instance, Tatar in Tatarstan). It is true that the status of the official languages of the subjects of the Russian Federation and the status of the «regional languages» in France is extremely different. But in both texts it is stated that the use of the official language is not incompatible with the local languages:

- Russian law, art. 1-7: «The binding character of the use of the State language of the Russian Federation must not be interpreted as a denial or a restriction of use of the State languages of the Republics belonging to the Russian Federation and of the languages of the peoples of the Russian Federation.
- French law, art. 21: «The present Act will be implemented without prejudice to the legal provisions on regional languages in France, and it will not preclude their use».

Unlike its French counterpart, the Russian law makes it explicit that the people who do not master the State language have the right to be helped by translators «to defend their rights and legitimate interests» (art. 5-2). But it is not clear whether that concerns the citizens of the state or foreigners.

The unsaid is not less interesting than what is explicitly stated. The Russian law underlines that the spelling and punctuation norms of the State language fall within the competence of the government (art. 1-3), but it does not say anything about the recent obligation to use only the cyrillic alphabet on the whole territory of the Federation (even in Republics which had already adopted the Latin alphabet, like Tatarstan or Carelia). Nor does it say anything about the practical necessity to use the Latin alphabet in e-mail. It does not address the problem of the language for giving orders in the army: are minority language-speaking soldiers allowed not to know Russian?

Now let us turn to the linguistic aspect of those texts.

Both laws have been the object of many sarcasms. The French law has been accused of backwardness, arrogance, especially in the English-speaking world,

where it was nicknamed the «law allgood», by the morpheme-to-morpheme translation of the name of the Minister who introduced it: Mr. Toubon. In Russia, immediately after the law on language was adopted, many journalists and commentators noticed in a disparaging tone that it was self-contradictory. For instance an article of the law explains that a foreign word can be accepted for official use only if there is no equivalent ('analog') in Russian. A week later, a member of the international group of experts of the Council of Europe in the project «Linguistic policy for a multilingual and multicultural Europe», explained in an interview to *Rossijskaja Gazeta*, 7 June 2005, that the text of the law was full of stylistic mistakes. She adds: «Those who have drafted the law violate it immediately. [...] It restricts the use of foreign words, but they use them. For instance, you will find the word 'analog' in the very article (1-6) which stipulates this restriction». The question is: how can one know if a word is «really» foreign? It is an age-old problem, which can be set in the dichotomy between *Lehnwörter* (adopted words, or words which were borrowed at a rather early time, and whose foreign origin is «not felt any longer», and *Fremdwörter* (real foreign words, or very recent loanwords, whose foreign origin is still felt). But where is the limit? Is 'analog' a foreign word? Should it be banned from official use? What about «kontrol'» (art. 4-7)? Is borrowing an impoverishment or enrichment of a language? Is it the aim of a law to answer those questions?

In fact, the Russian law is too general and too short to give precise instructions. In France, a special committee (Délégation générale à la langue française) publishes regularly lists of proposed equivalents for foreign (mostly English) loanwords. Curiously, some words are adopted in current usage, while others are not. For instance *skateboard* became very quickly *planche à roulette*, and *walkman* became *balladeur* without difficulty. Both terms were the result of the committee's work. But when it proposed *remue-méninges* for *brainstorming*, this proposal remained without effect.

In Russia no equivalent committee exists. Experts in the journal *Russkaja Rech* answer readers' questions about what should be said or not be said, but their advice is based only on moral authority. It is in newspapers that the controversy rages : «why should we say *sammit* when we have the expression *vstrecha v verkhakh?*». It should be noted that in Switzerland there is no official organization involved in language policy (except for the Retho-Romansch language). But many private associations are influential enough to force the Post administration, for instance, to withdraw its advertizing in English.

Conclusion

Language is a very peculiar phenomenon. It is neither totally out of reach of human intervention, as Saussure thought, neither entirely controllable, as Soviet linguists like L. Jakubinskij¹ in the 1920s thought it could be. This debate has been going on for a long time.

Language has an unpredictable autonomy, in which some words are adopted by speakers, while others are not. A law is surely useful and reasonable, insofar as it gives a general frame for what an official language should or could be. But then language lives its own life, Russian no less than other languages.

¹ See L. Jakubinskij : «F. de Saussure o nevozmozhnosti iazykovoi politiki», *Jazykovedenie i materializm*, No.2, 1931, p. 92-104 [F. de Saussure on the impossibility of a language policy].