



INTERNATIONAL ASSOCIATION OF LANGUAGE COMMISSIONERS

## **Whither Language Rights and Language Commissioners in the ‘Mosaic of Mutual Influence’?**

Colin H. Williams  
St Edmund’s College, University of Cambridge, UK

June 10, 2016



# Contents

1. Introduction.....	3
2. Precedent and Trajectory .....	3
3. The Galway Conference .....	5
4. Panel 1: The Evolution of Language Law.....	7
5. Panel 2: Language and Identity .....	10
6. Panel 3: The Role of Legislation in Protecting Language Rights	15
7. Panel 4: Implementing Language Legislation.....	16
8. Northern Ireland: Language Rights and a Language Act.....	21
9. Education through Irish: in the Gaeltacht, outside the Gaeltacht and in Northern Ireland .....	23
10. Language in Early Education: Finland .....	24
11. The Mosaic of Mutual Influence .....	25
12. Key Challenges .....	26
13. Acknowledgements .....	28

## 1. Introduction

- 1.1 On 7-9 March 2016, language commissioners, public servants, academics and other professionals from various parts of the world gathered in Galway, Ireland for the third conference of the International Association of Language Commissioners. Created in May 2013 in Dublin, Ireland, IALC supports and advances language rights, equality and diversity, and helps language commissioners work to the highest professional standards. Current membership includes representatives from regions and countries with language commissioners, including Canada (at Federal level, Ontario, New Brunswick and Nunavut), Catalonia, Ireland, Kosovo, South Africa, Sri Lanka and Wales.
- 1.2 The conference itself was organised and hosted superbly by the staff of An Coimisinéara Teanga, together with partners from NUIG. Rónán Ó Domhnaill and his colleagues deserve special thanks for arranging a stimulating mix of speakers, an excellent venue and abundant opportunities for the exchange of ideas, best practice principles and practice, and fellowship.
- 1.3 On 7 March 2016 the participants were welcomed to the university in Galway by representatives of NUIG and the President of Ireland, Michael D. Higgins. The opening ceremony and speeches of the conference were overshadowed by the very tragic news of the sudden death on 7 March 2016 of the Hon. Mr Justice Adrian Hardiman who was due to give the Keynote Address to the assembled company that very night. In his welcoming remarks the President of Ireland, Michael D. Higgins, paid a very warm tribute to this courageous and tireless campaigner for the defence of civil liberties and individual rights and applauded his sympathetic and just support for the cause of the Irish language together with his keen interest in Irish history. He also used his address to emphasise how important Irish, as the first official language of the state, was to Irish identity and to the delivery of public services in an increasingly complex society.

## 2. Precedent and Trajectory

- 2.1 The second visit to Ireland in a short space of time is testimony to the foresight and energy of our Irish hosts who initiated an establishment conference on the theme of Language Rights in Dublin in May 2013. That conference was co-organised by Seán Ó Cuirreáin, the founding Coimisinéir Teanga; Peadar Ó Flatharta, Dublin City University, and Colin H Williams, Cardiff University, all of whom were present and involved in the planning of the Galway IALC conference.

- 2.2 The Dublin conference provided opportunities for the first formal meeting of designated language commissioners so as to enable them to showcase their role before a mixed audience of politicians, public servants, diplomats, academics and representatives of the media. The dominant theme was the desire of language commissioners to encourage key agencies within the various jurisdictions to partner with them in achieving the common aims of language promotion and protection. The net result was the founding of the International Association of Language Commissioners.
- 2.3 The inaugural conference of IALC focussed on 'Language Rights' and was organised by the Sindic de Greuges, and held in Barcelona, March 2014. Here the emphasis was on the changes which pluralism and globalization brought on minority language education and the impact of the various commissioners' investigations on the delivery of public services in designated jurisdictions.
- 2.4 The second IALC conference in Ottawa was devoted to 'Protecting Language Rights: Promoting Linguistic Pluralism', and organised by the Official Languages and Bilingualism Institute of the University of Ottawa, under the guidance of Professor Richard Clement together with the Office of the Commissioner of Official Languages (OCOL) in May 2015. This meeting saw a wider range of Commissioners making presentations and was programmed to allow representatives from various Canadian Federal and Provincial government departments to reflect on their reaction to, and implementation of, the Official Language Commissioner's and other Commissioners' recommendations. This was a most illuminating and strategically crucial decision for it allowed the audience to gauge how the respective duties, responsibilities, working cultures, ideas and norms of both Commissioners and senior civil servants related to each other.
- 2.5 In the original Dublin 2013 meeting I, as rapporteur, raised a number of crucial themes which would animate our future discussions. They are as follows:
- Where does power reside?
  - How is influence diffused?
  - What is the role of Supreme Courts and the Legal System?
  - The articulation of rights in practice.
- 2.6 I also argued in 2013 that some essential issues had received less emphasis than they ought and that future meetings could focus on at least four elements which impacted on the world of language commissioners and the implementation of language rights, namely the political context; economic imperatives; the world of work, and the bundle of issues which fall under skills, science, technology and leisure.

- 2.7 In a 'Where next?' section (2013) I argued that it would be advisable to formalise and detail how the international network of Language Commissioners and regulatory bodies should be regularised. This evolved into the constitution of the International Association of Language Commissioners under the joint guidance of Seán Ó Cuirreáin, Graham Fraser and Pär Stenbäck.
- 2.8 I also advised that IALC should liaise with other international organisations so that it does not remain isolated, but instead forms part of a family of international agencies devoted to language issues, compliance and ombudsman functions.
- 2.9 To avoid the tendency of being largely concerned with complaint handling; the regulation of statutory public service provision; the interaction with politicians; state committees; public servants, and the courts, I argued that IALC members should also give due attention to hitherto neglected elements of the formation of official language policy. These would include the potential to influence the discussion and eventual shape of the on-going European Language Roadmap under the auspices of the Network for the Promotion of Linguistic Diversity, together with improving the greater awareness of public involvement and buy-in to official language policy and suite of language rights and services, and articulating the role of civil society in mobilizing pressure.

### 3. The Galway Conference

- 3.1 At the commencement of the first day of the conference Rónán Ó Domhnaill, Coimisinéir Teanga in Éire, gave the attendees a warm welcome and offered a gentle reminder that it was in Ireland that the first practical expression of the interests of a community of Language Commissioners was realised in the Dublin conference on Language Rights in 2013. He reiterated the sentiments of President Michael D. Higgins at the official opening on the previous evening that Ireland was delighted to be hosting this event and pledged his full support to the development of IALC.
- 3.2 The first speaker, Graham Fraser, the Canadian Commissioner for Official Languages and the outgoing President of IALC, took the opportunity to review the salient aspects of his ten years of leadership in Canada in which he acknowledged that he was still learning the contours of his mandate. His position could be likened to that of a curious admixture of a diplomat/statesman who was walking a tightrope! His own characterisation of the role he occupies was that of part cheerleader, part nag, given that he is heavily involved both in the promotion and investigation of official languages.

- 3.3 During his time his office has investigated 6998 complaints, carried out 12 audits of federal institutions and published 21 studies – including reports on post-secondary second language learning opportunities, immigration to minority language communities and access to justice in both official languages. OCOL has intervened before the courts 14 times.
- 3.4 Mr Fraser outlined ten lessons which he had learned as follows: First, the struggle to achieve equality of status between a majority language and a minority language is challenging, constant and unending. He argued that majorities will always be insensitive to the needs of minorities. Institutions will always have to be reminded of their responsibilities, especially as they do not always understand the particular concerns of minority group members.
- 3.5 Second, symbols are inspiring and can overcome the inherently exasperating nature of rules, regulations, requirements and obligations. He argued that Canadians had moved from resentment to grudging acceptance to support of official bilingualism. The prime reason was a shared pride in, and embrace of, the policy of two official languages as a symbol of Canadian identity.
- 3.6 Third, political leadership is crucial. Since the *Official Languages Act* was proclaimed in 1969, Canada's government has changed from Liberal to Conservative and back again four times and each time the language policy has survived each change of government. Moreover, during that period, mastering both official languages has become a critical qualification for political leadership. He acknowledged that his work as language commissioner could be strengthened, accepted or undermined, depending upon the attitude taken by political leaders.
- 3.7 Commenting on the change in the Canadian government since the October 2015 Federal Election he suggested that 7 ministers of the new cabinet of 30 have told their departments either that they want their briefing material in French, or that public servants are free to brief them in French. He added that he suspected that the changes this message brings to those departments would be significant.
- 3.8 Fourth, administrative leadership is often just as important as political leadership, thus recalcitrant managers can slow down reform while purposive managers can implement recommendations with conviction resulting in a strategy, an action plan, and demonstrable results.
- 3.9 Fifth, respect is the essential value for the organizations which IALC represents: respect for citizens, for institutions, for public servants, for parliamentarians.

- 3.10 Sixth, budget constraints and financial cutbacks make it hard to maintain the same level of service. Government institutions should plan their cuts in a way to minimize the impact on the provision of services in the official languages. Similarly consultation is essential for good planning, and planning is crucial for a continuing respect for services in both languages.
- 3.11 Seventh, some of the clichés of management are actually true. If you fail to plan, you really do plan to fail. You really cannot manage what you cannot measure. Recommendations need to be framed in a way that bureaucrats can understand them and implement them.
- 3.12 Eighth, It is often more effective to inspire than to require. Even the most bureaucratic of public servants respond to the idea of respect for official languages as a value rather than a burden.
- 3.13 Ninth, since we are expecting departments to respect our values, our legislation, our rules, we have to be scrupulous in maintaining the highest ethical and administrative standards ourselves. In order to succeed, we need to be rigorous – but respectful.
- 3.14 Lastly, the nature of the job is such that it is often difficult to identify concrete accomplishments. Investigating complaints effectively can resolve a particular incident, but this does not always result in systemic change. Recommendations are just that: advice to parliamentarians, governments or government institutions that may or may not be followed. And if they are, those accomplishments become part of the government's record of achievement, not the Commissioner's.
- 3.15 In handing over the presidency of IALC to his successor Meri Huws, he acknowledged the importance of the co-creation of a sense of solidarity, comradeship and sharing of best practices that has been developed through IALC conferences, teleconference meetings and the bilateral connections that have been established.

#### **4. Panel 1: The Evolution of Language Law**

- 4.1 The first theme's panel was chaired by John Walsh, National University of Ireland, Galway, and was devoted to the evolution of language law in the four jurisdictions of Wales, Flanders, New Brunswick and Catalonia.
- 4.2 Meri Huws, the first Welsh Language Commissioner, outlined the centuries-long pathway to officialdom taken on behalf of the Welsh language by referencing four significant pieces of Westminster legislation. The critical

turning point was the Acts of Union of England with Wales 1535/6-1542/3, whereby the introduction of English common law was accompanied by an injunction that only English be used by holders of public office which effectively disqualified the use of Welsh in most official life. Successive attempts to restore Welsh to public life were achieved through a series of Westminster Acts in 1942, 1967, and 1993 which laid the foundations for a more permissive regime. The 1993 Welsh Language Act established the Welsh Language Board (WLB) as a non-governmental public body to steer developments in Welsh language policy and provide an overview function for the implementation of promotional programmes. The 1993 Act also created a new system whereby Welsh Language Schemes would be agreed by the WLB with a range of bodies, each scheme being designed to facilitate the specific operation of Welsh medium service delivery systems for which they were responsible.

- 4.3 The contemporary language regime was transformed when in 2010/11 the National Assembly changed from a Secondary Legislative body to a Primary Legislative body i.e. it became the Parliament of Wales. One of its first acts was to pass the Welsh Language (Wales) Measure 2011 which gave the Welsh Language official status in Wales. This was a powerful symbol of authoritative recognition for the language. The Measure also abolished the Welsh Language Board and established the Welsh Language Commissioner's Office and it set in train a process whereby Welsh language schemes would be gradually replaced by a set of Welsh language standards.
- 4.4 Despite these structural changes the medium term prospects for the language are fraught with difficulties as the Commissioner now seeks to navigate a path through the various political and jurisdictional uncertainties, chief of which in my view are the precise manner and timetable for the full implementation of the language standards and the phasing out of language schemes. There is also the possibility that the Government of Wales formed after the May 2016 National Assembly elections will seek to revise the Welsh Language Measure (2011). This might entail changes to the role and function of the Language Commissioner and the possibility that a new Welsh Language Commission could be established.
- 4.5 A prevailing concern is how language rights will be progressed within the system. The current aim is to build up a case for language rights on the basis of the operation of the language standards, and the input of the Commissioner to this transformative process will be vital.
- 4.6 Flemish perspectives were provided by Bert Weekers, the Flemish Ombudsman, who argued that his office received some 50,000 complaints per annum from a population of over 6 million. However, few of these were related to conventional language affairs, for over the past decade the focus has shifted

from Dutch-French relations to concerns over the difficulties which migrants have in dealing with a Dutch language public sector. There are few direct language-related complaints because of the unilingual character of the region and the plurality of avenues open to citizens/residents. The new challenges faced by the Flemish Ombudsman in common with other public agencies are those posed by immigrant language issues. This has given rise to the current emphasis on a plethora of civic integration initiatives. And yet he argued that despite official clarity regarding the constitution and the language of administration, the Ombudsman, PCLS and Judges have only a modest direct role in civil integration. Nevertheless the Flemish Ombudsman does have a significant indirect role within the 'mosaics of mutual influence' which characterise modern democracies.

- 4.7 My comment on this indirect and cumulative process would be to recommend that a comparative study be launched as it would be interesting to chart the way in which all the Language Commissioners/Ombudsmen in IALC operate and have a direct and diffuse impact in such 'mosaics of mutual influence'.
- 4.8 Katherine D'Entremont, the Commissioner of Official Languages, New Brunswick, outlined the background to the language law in New Brunswick. In tracing the province's Acadian origins she emphasised how the past explains but does not determine the present, especially as following the expulsion of the Acadians during 1755-64 as a consequence of the Seven Years War it seemed that the French fact in several parts of the Maritimes had been expunged. However, in successive decades many of the deportees returned, not to Nova Scotia, but to New Brunswick particularly along the North Shore.
- 4.9 As was the case in Flanders, the New Brunswick context offers broad protection to the two official languages of French and English. This was comprised of four pillars of the NB legal framework, namely the NB Official Languages Act 1969; the Equality of Two Official Language Communities 1981; the Canadian Charter Rights and Freedoms, with its NB Provisions 1982 and 1993, and the NB Official Languages Act 2002 (revisions 2013 and 2015). The latter Act established the position of Official Languages Commissioner and it was a statutory requirement that the OLA of 1969 be reviewed every ten years. The Provincial Premiere is responsible for the implementation of the Act which trumps all others as it is the cornerstone of a robust set of rights, duties and obligations. The 2013 revisions included a Government Implementation Plan and contained obligations for 40 professional organisations to provide all services bilingually by July 2016. The Language of Service policy has breathed new life into the system and bodes well for an expansion of French Language Services into new domains.

- 4.10 The origin of this implementation plan can be traced back to the successive recommendations of the NBOLC and as a consequence the detailed programme for implementation contained a significant role for the OLC. Despite this impact the Commissioner was at pains to rehearse a truism for all jurisdictions represented in the IALC meeting, namely that there remained the enduring challenge of bridging the gap between provision and application.
- 4.11 The Catalan Ombudsman, Rafael Ribó, focussed his remarks on the negative effects of Spanish state actions on Catalan laws. Since the return of democracy to Spain in 1978 there has been a profound growth in the numbers in Catalonia who are discontented with the current constitutional and political arrangement. The development of a Catalan educational system, the accompanying reforms in local public administration and the creation of a suite of basic human rights for citizens and residents was a model of good practice which he thought could be exported to other parts of Europe.
- 4.12 He argued that while there were very few complaints regarding language, c. 0.5 of the total complaints which his office received, nevertheless the positive articles for the protection of Catalan, were being overshadowed within the political real context of Article 3 of the Spanish Constitution. This is despite the fact that there is no public tool for the Spanish state to protect the languages of Spain. This is somewhat of a mystery as the return of democracy in 1978 had raised expectations that the state would follow European norms and frames and in matters of language this certainly is not the case. This was even more surprising, as in contrast to so many of the other cases discussed in this conference, the number of Catalan speakers was not insignificant in European comparative terms. Indeed the total Catalan speaking population was ranked as the tenth largest within Europe.
- 4.13 The Catalan Ombudsman reported on a move by sections of the intelligentsia to call for a Spanish Law on Plurilingualism which could create a new set of realities for all of the parties to the Spanish polity. In the absence of such state-wide initiatives and reforms to recognise the multilingual basis of the polity it is reasonable to assume that those sections within the Catalan population who are determined to assert their identity and socio-political programme will continue to do so through passion and reason.

## **5. Panel 2: Language and Identity**

- 5.1 The second substantive theme was language and identity. The panel was chaired by Dónall Ó Braonáin, Acadamh na hOllscolaíochta Gaeilge.

- 5.2 François Boileau, the French Language Services Commissioner of Ontario, (CSFO/FLSCO) argued that given the over 400 years of settlement in the territory we now call Ontario, the francophone fact was well established. Some of the population's needs, especially in relation to public services, had been acknowledged by the French Languages Services Act, 1990. This is the Act that provides the mandate for the work of the French Language Services Commissioner which has become an increasingly independent agent and who now reports directly to the Legislative Assembly of Ontario.
- 5.3 However, Mr Boileau was keen to emphasise that a people does not get its identity from a law. Consequently there was a need for a constant redefinition of who the Francophones were by references to social and demo linguistic changes. From his point of view the term 'official' in designating French as an official language was considered politically loaded as there was always opposition within the realm of civil society and formal politics to the acknowledgement of the rights and needs of French speakers, which is why the context is all important.
- 5.4 In addition to surveying part of his core functions he argued that the impact of the French Language Service Commissioner can be quite wide-ranging, especially in relation to changing the discourse and expectations of the constituent elements of Ontario society. He gave as an example his successful attempt to change the definition of who counted as Francophones, by redefining the target population. His concept of an Inclusive Definition of Francophonie (IDF) (2009) broadened the range of his constituency by including new speakers of French, most of whom had another language as their mother tongue or language first learned at home or schools. The addition of the new speakers enhances the vitality of Francophonie in Ontario, which clearly makes it more diverse and plural. But it also has practical and policy consequences for it allows some relaxation in the criteria for entrance into French-language education within the province. He estimated that the change in definition and criteria had recently added some 50,000 people to this redefined category who would previously have been classified as Allophones or Newcomers.
- 5.5 In contradistinction to language purist and conservative interpreters of the French fact in Ontario, he argued that such diversity is to be celebrated not feared within Francophone networks. Consequently the sheer weight of demographic evidence should convince doubters that increasing diversity is the order of the day. Thus in Greater Toronto, over half of the current Francophones were not born in Canada and most of the young students speak three or four languages. He saw his work as regulating the normalisation of French language service provision and although boring may be good, mainstreaming services as a public good is better.

- 5.6 I would argue that for a small staff complement of only seven there is a huge amount of innovative and regulatory work which lies behind the Commissioner's direct statement that the 'satisfactory provision of French Language Services strengthens communal and individual identity.' His office represents a truly innovative agency within the family of language commissioners.
- 5.7 The second speaker in this panel was Slaviša Mladenović, the Language Commissioner for Kosovo. He surveyed the conditions in which language could be used as an instrument for national identity.
- 5.8 Since 2008 when Kosovo declared its independence from Serbia there has been an intense and difficult process of post-conflict reconstruction within a society which is comprised of 92% Albanians; 6% Serbs, and a very small scattering of population segments whose origins are Bosnian, Romany, Turkish and Egyptian. There was little social communication within these fragmented groups and thus a prime aim of contemporary policy was to seek to encourage young people in particular to participate in nation-construction and Kosovan identity formation. Part of this healing and formative process was to reconcile the former warring factions and in consequence in 2012 the government established the post of Language Commissioner whose remit was to apply the legal framework so as to create the conditions for the respect of official languages.
- 5.9 However, Slaviša Mladenović made it clear that this task faced huge challenges which include *inter alia* very limited human resources, lack of finance and a meagre capacity to implement the rules which governed the interaction between the various groups and between all citizens and governmental structures. More particular socio-linguistic and technical issues for the Language Commissioners were the lack of Serbian mother tongue professionals, the short-time deadlines allowed for the translation of official documents and the necessity to diffuse official documentation also in Bosnian, Turkish and English.
- 5.10 He argued that some grounds for optimism were provided by a new administrative system which seeks to strengthen mutual complementarity, civic integration and the acquisition of bilingual/multilingual skills. These reforms were designed to reduce the fundamental fear shared by all the minority groups of losing their identity. Conscious that it would take time, nevertheless the long term aim was to reconcile different *ethnic* identities into a single *national* identity. Despite limited resources, and also perhaps societal impact, the Language Commissioner was seen as a key agency in advancing this political

goal of post-conflict reconciliation and national identity forged under the rule of law.

- 5.11 Manuel Lezertua, the Basque *Ararteko*, (translated as the People's Rights Defender) maintained that the only instrument of Basque consciousness which survived Spanish domination and Franco's dictatorial methods was the Basque language. Thus in a memorable phrase he argued that the space occupied by *Euskarra* was the only free territory. He used the image of a *Korrika* (a baton used in a relay race) as a metaphor for the maintenance of a plural Basque culture where language transmission and identity formation was handed down from generation to generation and passed around among the community in an ever-renewed fashion. For some politicians and language planners reversing language shift was the prime mechanism for creating a new sense of identity among the two thirds of Basques who did not speak the language, but whose children would be socialised to do so as a result of wholesale reforms to the education system.
- 5.12 Yet he admitted that there could be no established consensus of what counted as being Basque. This is because the whole drive to refashioning a new identity had been driven by alternative and mutually antagonistic ideologies, best represented by the terms primordialism and constructivism. The task facing the post-Franco generation was to navigate a transition from an identity based upon conceptions of a unique race to those grounded in the shared values of a community. Manuel Lezertua argued that three stages of political mobilisation had created the process of linguistic and cultural recovery which became a natural part of the struggle for human rights and against dictatorship. This brought about a major change in the political articulation of the Basque national consciousness. The prime stage was to secure the salience of language as *the* basic component, above all others, of Basque collective identity. The widespread and diverse mechanism used to promote knowledge and public use of the language had strengthened collective Basque national feeling. However, in the first period this did not result in Basque becoming a communicative vehicle for all in society, but rather it represented a force for symbolic accession defined as the acquisition of 'widespread knowledge, but minimal use.' This led to the recognition of how deeply structured and rooted were the partial identities of Basque citizens and the acceptance that there would be overlapping, but not necessarily mutually reinforcing, patterns of identification. However, the current third stage was set to reframe the role of Basque in an increasingly multilingual society by investing heavily in all sectors of the education system, in public administration and commerce so that newer opportunities could be created for greater instrumental use of the language.
- 5.13 The conference's keynote speaker was Professor Stephen May of Auckland University who was introduced by Dr John Walsh NUIG. He addressed the

issue of 'Language Minority Rights in the Age of Superdiversity', and offered a superb amalgam of theory and practice in a convincing and very powerful address. He reminded the audience that three countervailing trends had shaped the modern context within which language rights and the work of language commissioners operate. The three counter veiling trends are the growth in the recognition of rights for minorities; the retrenchment of the powerful organising category and policies of multiculturalism within Liberal Democracies, brought into sharp relief but not occasioned by the disasters of 9/11/2001; and the new challenges posed by migration-induced demographic and social pluralism in our larger metropolitan zones as captured in the term Superdiversity.

- 5.14 Conscious of his audience being largely rooted in the indigenous or autochthonous European socio-political milieu, he asked should language rights be accorded to migrant populations.
- 5.15 His encouragement of a positive approach to tackling this question was occasioned by the sheer demographic weight and permanency of the new context we face in Europe. The inevitability of increased pluralism demanded that we need to be creative in dealing with issues raised now in a progressive and purposive manner, for fear of something worse, namely alienation, marginalisation and perhaps open conflict.
- 5.16 His substantive evidence was taken from his homeland of New Zealand and his current city of residence, namely Auckland. The fundamental point was that changes in the demolinguistic character of Auckland had led concerned activists to see such changes as a perceived threat to the status and standing of Maori. Well organised socio-political groups such as Pasifika (which represents Samoan and Tonga migrants) argue for language instruction in their native tongues on the very same grounds as previous generations of lesser-used languages had done (including Maori) namely the principals of social justice, equity and survival. Professor May argued that this new feature of Superdiversity challenges the hegemony both of the linguistic majority and the newly enfranchised gains of the former discriminated minorities and it offers a leverage point for rethinking theory and practice. Clearly there is a danger that social analysts might ignore the new forms of evidence in favour of defending hard-won minority rights which reflect entrenched positions. As a consequence there is a moral ambiguity towards the whole issue of multilingual accommodation. However, some insights and guidance are available from the precedent of International Law. May argued that two key principles of International Law could apply in such circumstances, namely reasonableness and where numbers warrant.

- 5.17 He illustrated this claim by reference to the experience of Swedish speakers in Finland and French speakers in Ontario, Canada. His hope was that some form of accommodation could be reached in Auckland and by extension to other examples of multilingual cities/territories, where by balancing competing rights within a new conception of a plural society, the legitimate expectations of constituent minorities could be met in the public realm.
- 5.18 My comment as rapporteur was to emphasise the imperative of heeding Professor May's challenging insights as social policy. Superdiversity in all its forms is a present not a future challenge and one which occasions a fresh set of conceptual and policy reforms to manage this new *mélange* of speakers within our jurisdictions.

### **6. Panel 3: The Role of Legislation in Protecting Language Rights**

- 6.1 This panel was concerned with the relationship between legislation and language rights protection and was chaired by Anna Ní Ghallachair, Chair of Údarás na Gaeltachta.
- 6.2 The first speaker, Dr John Walsh of the National University of Ireland, Galway, surveyed the various pieces of Irish legislation enacted to protect language rights in Ireland. His far-reaching and hard-hitting scrutiny of the 156 Acts which have mentioned Irish since 1922 was a forceful reminder that in order to be effective legislation has to be fully implemented. He categorised the plethora of Acts into distinct policy fields such as education, the Gaeltacht, broadcasting and the like. By drawing on a range of critical illustrations drawn from Acts relating to Broadcasting (1960), Technical Colleges (1992), National Culture (1997), Universities (1997), the Police (2005), Legal Practitioners (2008), Broadcasting (2009), Dr Walsh demonstrated how opaque and often misleading these apparently supportive legal texts were to the promotion and protection of Irish. He argued that many Acts offer no specific guarantees for state action to secure civil service competence in Irish to deliver high quality services. Neither was there any general duty on the state to employ Irish speakers, which in turn sparked a crisis of confidence. Despite the astute interventions of the Office of the Language Commissioner, which had concentrated its efforts on education and signage, the public had little real knowledge of the relevant legislation and how to manage their expectations *vis-à-vis* the state's duties and responsibilities within the Irish language regime. Part of the remedy was the need for a clearer specification of language rights other than that outlined in the OLA 2003. Thus it would seem pertinent to argue that in Ireland, as in so many of the jurisdictions covered in this conference, there was a disconnect between the legislative frame, the actions of the Language Commissioner and the expectations of the concerned citizen.

- 6.3 The second speaker was Dr Tadhg Ó hlfearnáin of the University of Limerick. His provocative theme was that of 'Protecting the non-existent minority' and he sought to unpack the ideology which lay behind Irish language policy. The basic paradox of Irish language policy was that Irish was a minority language that is believed to belong to all.
- 6.4 He asked who owns the rights embedded in and of the Irish language. Certainly the state had claimed to be the promoter and protector of the language in its various constitutional embodiments of 1922 and 1937. It followed this claim up with requirements that the administration, the police force and the teaching profession be staffed by competent Irish speakers, but that from 1956 onwards there had been a change of policy and a dilution of this commitment. This resulted in a bi-focal emphasis throughout the nineties whereby the language became a constituent part of their cultural heritage for the overwhelming majority while the minority championed the cause of progressing their language rights. Gradually the state had removed ownership of the language from the community and did not seek in any meaningful way either to empower or expand the community's role in detailed language planning and policy.
- 6.5 He asked how the current policy could be taken seriously when the state insisted on its commitment to provide Irish language services without an adequate recruitment policy. This fundamental issue of capacity and training went to the heart of state ideology which was more of a benign tolerance rather than an active promotional stance.
- 6.6 Taken together these two presentations gave much room for thought for government representatives, civil society activists and daily users of Irish as to how effective language-related legislation had been in the breach so to speak.

## **7. Panel 4: Implementing Language Legislation**

- 6.7 The fourth panel devoted to implementing the Official Languages Act of Ireland 2003 was chaired by Gearóid Denvir, Professor Emeritus, The Irish Department of the National University of Ireland, Galway. It was concerned with the output and outcome stages of language legislation and had as its first presenter Deirdre Ni Loingsigh of the University of Limerick. She discussed her role as a language advisor responsible for workplace and educational interventions and outlined the fourfold function of a language adviser. The first is to clarify and recognise priorities in language learning; secondly, the advisor helps investigate ways of learning; the third role is to offer support in times of stress, and finally the advisor helps find a sustainable way to deal with learning.

- 7.1 The main frame for her actions was the University of Limerick Language Scheme (2006) which had incorporated a language support network on campus. Drawing on her grounding in Participatory Action Research she instigated three research cycles which sought to identify how staff at the university responded to the language scheme.
- 7.2 In preparing for a revised language scheme in 2009 her team had sponsored workshops which revealed a high degree of anxiety and technical difficulties in the use of Irish in the workplace. Strategies designed to overcome these difficulties included hosting group awareness and transformative learning sessions which focussed on the learning journey, the notion of refuge, and the role of Irish in the workplace. It became evident that in the main, people did not bother with the official Irish spaces as designated by the University, but rather made their own 'white spaces'. In order to capture this momentum greater awareness of the role and significance of 'white spaces' was required. The term 'white space' is harnessed in her research to include the various spaces where *An Líonra* (a network of Irish speakers) members used Irish such as the post room, for example, or The *Gaeltacht* Corner, the name participants chose for their meeting place for the weekly coffee morning. Individual, network and institutional learning coincided in these places. This is an important initiative as *Líonra* creates more white spaces for members of the constituent organisations and provides for new and ground-up initiated interactions. This together with other initiatives based upon listening to the real concerns and reacting to the behaviour patterns of Irish speakers has had an influence on language policy particularly the University of Limerick Strategic Plan 2011-15. The heightened profile of *An Líonra* (the network) and a new sense of staff engagement did not go unnoticed by University authorities when the *Cúpla Ceist* (*literally a few questions, but here used as conversation*) series was launched. The institution decided to recognise Irish language learning and development and a target relating to Irish was included in the UL Strategic Plan 2011-2015. Additional impact was created by the adoption of New Performance Management (NPM) outcomes enriched by language trajectories and awareness insights in the workplace.
- 7.3 The second presentation was given by Máire Seó Breathnach of the Association of Irish Officers, who spoke on the topic of 'Irish Language Services – Legislative Implementation.' The Association provided a support network; information and experience exchange; seminars and meetings; submissions and petitions. Within the Association the language officers provided a tangible face and role for legislative implementation on the ground. They acted as a go-between between the public and the public body. They liaise with the Office of the Language Commissioner, and the Department of Arts, Heritage & the Gaeltacht. They provide advice and support for designated 'Irish language officers' on staff.

- 7.4 The presentation then turned to the advantages and disadvantages associated with the system of language schemes established under the OLA 203. The Acht na dTeangacha Oifigiich 2003 Scc 03 Teanga-Altanna 11-18 provides for the management of language schemes in the following manner: Order from the Minister to prepare a draft scheme (11); Guidelines from the Minister (12); Public body prepares a draft scheme (13); Minister approves draft scheme (14); Periodic review of schemes (15); Failure to prepare a draft scheme (17); Obligation to implement the provisions of schemes (18).
- 7.5 The role of Irish language officers was to act as an intermediary between management and the relevant department. They also provided assistance with internal audits; the drafting of schemes; liaising with the department; amending drafts; management and/or Council/Board approval; publication and implementation of scheme; dealing with Language Commissioner's Office regarding monitoring & review.
- 7.6 The advantages of the language schemes was that they were: unique to a particular organisation; there was public body input in the draft process – including management, the various sections, public representatives etc.; and they offer a certain degree of flexibility to the public body.
- 7.7 However, their disadvantages are that they operate within a cumbersome and awkward system; there is repetition and doubling of work; (*even though the Department has now provided a template and Guidelines for bodies, which contains the basic provisions [[www.ahg.gov.ie](http://www.ahg.gov.ie)]*); it is a time-consuming process going back and forth; the schemes are too often mere imitations of each other and there is a lack of consistency.
- 7.8 Some bodies have no scheme, some are on their first, some on their second or even third schemes. Other disadvantages identified were that there was a lack of consistency; several schemes merely imitate each other and can be derivative; the timings of agreements are problematic; they are obscure to the public; there are myriad implementation difficulties. Ultimately what happens is a series of revisions instead of any real substantive progress. Taken all in all the system does not support the spirit of the legislation. Thus can the system be resurrected?
- 7.9 One way to monitor a closer implementation regime is to insist on the adoption of regulations which according to the presenter have thirteen advantages, chiefly the centralisation of resources into a single common system; improved clarity and transparency; ease of implementation; more time available for services; the combination of language schemes and regulations; more cost effective; easier for the public to understand the standardisation of the system;

regulations are in place under Section 9.1 of the Act; the Traffic Sign Manual and the OLA are compatible; there is a national system for standards; it would provide a common template for the work of Local Authorities, the Police and Fire services; there would be a standardised approach to the development of laws in relation to bilingual signs; it would facilitate the increased use and adoption of IT in the sector.

7.10 The increased opportunities which a reformed system would allow would include a review of the OLA 2003 so as to make real the potential of both regulations and standards and provide the means for a greater consensus on the value of the language regime.

7.11 I took the opportunity in presenting my rapporteur's overview to the attendees to evaluate the strengths of the Irish system and cited the following: the independence of the Language Commissioner as an office holder; the separation of duties between language promotion and a monitoring role; the multiyear review and audit; the option to Investigate; the innovative approach and conscious awareness raising.

7.12 In contrast the weaknesses of Irish language regime appear to be that the power to initiate Language Schemes rests with the political system; the sheer volume of schemes is daunting resulting in reluctant implementation; there is a lack of power to impose hard hitting sanctions on public bodies for non-compliance; there is a lack of purchase to secure behavioural change within major sections of both government and public administration and there is an on-going credibility issue which creates a lack of confidence in the system. I concluded by arguing that for some the current implementation of the language scheme system was a national disgrace while for many others it was a complete irrelevance.

7.13 Dyfan Sion of the Welsh Language Commissioner's Office explained why in the period 2011-2 there was a transition from a language regime which was guided by the Welsh Language Board and which utilised language schemes to the current one which was answerable to a Language Commissioner and sought to introduce standards throughout the system. The three justifications for this regime change was that it promised more consistency as duties were placed on organisations; it created a regulator with strong enforcement powers and there was the possibility that legislation would include private sector organisations.

7.14 The Welsh Language (Wales) 2011 Measure specifies the following areas in which Welsh Ministers can make Standards: namely service delivery; policy making; operational; promotion and record keeping. Note that individual Standards are not specified in the Measure whereas enabling Standards are to be made through subordinate legislation (Regulations).

7.15 There are three main steps in the Standards process:

- Standards investigations (Commissioner)
- Standards are made through regulations (Government and Assembly)
- Standards are imposed on individual organisations by giving compliance notices (Commissioner)

7.16 By March 2016 the Commissioner had conducted Standards investigation into over 200 organisations. Standards have been made in two sets of regulations and in the naming of 58 organisations while three further sets of regulations, naming 49 organisations, have been laid before the Assembly awaiting approval. The Commissioner has imposed standards, by giving a compliance notice to 26 organisations.

7.17 As a consequence of this activity the process is moving forward, and work has been done with the majority of the public sector in Wales which ensures that there is a strong element of consistency of duties within sectors. The Commissioner has also developed an Enforcement Policy and a new regulation process.

7.18 The presentation also offered an insight into the current challenges and opportunities which mirrors in part the Irish experience to date. It was acknowledged that this new regime reflected a complex and arduous process in which the Commissioner's decisions are subject to tests of proportionality and reasonableness. The 2011 Measure has guaranteed that there are a number of opportunities for organisations to challenge the Commissioner's decisions which can be subject to a tribunal. In musing on the benefits of the new system the speaker suggested that it was too early to assess every aspect of the process and much too early to assess the impact of these structural reforms on the use of Welsh.

7.19 There then followed a session chaired by Anna Ní Ghallachair, Director at the Language Centre, National University of Ireland, Maynooth, who introduced Emyr Davies, the Chair of the Association of Language Testers in Europe (ALTE). His presentation focussed on the process by which the Q-Mark attainment standard was achieved. He described the merits and rigour of the ALTE audit and outlined what was required in order to achieve the Q-Mark which relied on benchmarking and professional accreditation every five years which was vital for acceptance. A special presentation was made to representatives of the O-Mark for Irish Testing for their Teastas Eorpach na Gaeilge exams, as Ireland ranked as one of eighteen centres world-wide which operated under this system.

- 7.20 The final item of the first day was a question and answer conversation between Tomás Ó Síocháin, National University of Ireland, Galway, and Sandra Inutiq, the Languages Commissioner of Nunavut. By means of film and narrative history she explored the role of identity in the works of the American Robert J. Flaherty (1884-1951), often credited as the 'Father' of both documentary and ethnographic film. The two films under consideration were *Nanook of the North* (1922) and *Man of Aran* (1934). She offered her own personal and professional interpretation of the messages and representations of these early documentaries which were portraying the Aran Islanders and the Inuk individual named Nanook as a 'heroic' representative of the Inuit community in Flaherty's film. She asked us to consider who is telling the story and why? How were local communities being portrayed and with what effect and impact? The obvious meaning of power differentials between the observer and the observed were drawn out as was the construction of the subjects as objects seen through the hegemonic lens which Flaherty had used. Today there are equally intrusive representations of indigenous peoples, but this time they have less to do with cultural relativism and more to do with Canadian geo-strategic considerations and the defence of the state's interests in the High Arctic. In effect this can be characterised as an exercise in the construction of sovereignty and the transmigration of souls in the High Arctic can be seen as an instrument whereby Canadian claims to territory and occupancy can be sealed.
- 7.21 Sandra Inutiq's answers to Mr O Síocháin's probing questions revealed how deep scars had been left by the colonial and post-colonial experience. In effect the victim became a willing supplicant in this de-humanising programme whereby oppressive regimes encouraged internalised negative images which were self-perpetuating.
- 7.22 The presentation ended with a contemporary illustration of how several young documentary makers were producing an alternative, grounded representation of life in Nunavut and beyond, which was in complete contrast to that provided by Flaherty many years ago. In my closing address I applauded the spirit of self-sustaining creativity generated by some among the younger generation who are willing to swim against the tide.
- 7.23 The day's events were summarised briefly and the speakers thanked by Dónall Ó Braonáin, Chief Executive of Acadamh na hOllscolaíochta Gaeilge, National University of Ireland, Galway.

## **8. Northern Ireland: Language Rights and a Language Act**

- 8.1 The second day of the conference continued the emphasis on the island of Ireland. Janet Muller of Pobal chaired the session in which Professor Robert Dunbar of Edinburgh University presented his interpretation of the developments to date of the attempts to legislate for the rights of Irish speakers. He traced the conceptual and legal precedents in an authoritative manner by drawing out the relevance of International Treaty Obligations and Framework for official state and lesser used languages. He argued that although there were no legal rights for Irish speakers in Northern Ireland there were in fact useful and significant policy developments. Some of these were in response to civil society pressure, particularly the professional advocacy role of Pobal and its commissioning of a draft Northern Ireland Language Act in 2006, which was revised in 2012. This initiative had provided a template for future considerations regarding the legislative status of Irish.
- 8.2 He then drew attention to the constitutional implications of the Belfast Agreement 1998 and the St Andrew's Agreement 2006 which both had significant clauses regarding the promotion and protection of designated languages within Northern Ireland.
- 8.3 Turning to the level of domestic jurisdiction in Northern Ireland, Professor Dunbar examined the relevance of three illustrative cases which demonstrated the inconsistent and at times politically loaded treatment of Irish. The first was the Administration of Justice Act 1737 which by advocating the salience of the English language produced collateral damage to the cause of recognising Irish as a language of justice; the Act was framed within very odd arguments he suggested.
- 8.4 The second case was Reid vs Belfast City Council, 2014 where the High Court in Belfast refused a challenge by Eileen Reid to the process by which Belfast City Council reached its decision to erect an additional street name plate in Irish on her street, Ballymurphy Drive. As part of the consultation the Council had issued 92 survey questionnaires to the people named on the electoral register for Ballymurphy Drive. Having received only 52 yes responses (below the required 62 positive replies) the application was not granted due to insufficient responses. Mr Justice Homer presented five grounds on which to reject the applicant's complaint. Professor Dunbar averred that the court reasoned that International Court arguments were not relevant to domestic law, and he suggested that there were serious weaknesses in the Court's reasoning which reinforced the negative attitude of the judges.
- 8.5 A third illustration, McKee versus the Department of Education Northern Ireland, 25/10/2011, involved the applicant, Colma McKee, Vice Chairperson of the Board of Governors of Coláiste Feirste secondary school at Beechview Park, Falls Road, Belfast, who had applied for a judicial review regarding the

decision of the Minister of Education, NI not to provide transport for pupils from Downpatrick to Coláiste Feirste. Having due consideration of Article 89 of Education (NI) Order 1998; aspects of the Good Friday Agreement; Article 52 of the Education and Libraries (NI) Order 1986, and the Department of Education's Circular 1996/41, 1996 updated in 2009, the application for judicial review was deemed successful and the respondent was required to reconsider this matter.

- 8.6 The implication of this is that there is clear legal protection for Irish due to the International Treaty Framework, but that it is of limited effectiveness and relevance in case law. While it is true that Irish speakers have used the Courts, even in the absence of designated legislation, this situation is highly unsatisfactory. Matters are made more difficult by a Catch-22 situation occasioned by the deadlock created by an unresponsive Executive. Professor Dunbar's conclusion was that an attitudinal change was necessary, as so much of the debate surrounding the rights of Irish speakers was as much social as it was legal and turned on the varying perceptions that were held as to the relevance and role of Irish in Northern Irish public life.

## **9. Education through Irish: in the Gaeltacht, outside the Gaeltacht and in Northern Ireland**

- 9.1 This education panel was chaired by Seosamh Mac Donnacha of the National University of Ireland, Galway. The first speaker, Muireann Ni Mhóráin, An Chomhairle um Oideachas Gaeltachta and Gaelscolaíochta, described the current situation of the 134 Gaeltacht Schools, and explained how since the 1956 boundary designation, the context has changed significantly. Attempts to reverse the deleterious trends of the failure to produce and reproduce Irish were characterised by the Gaeltacht Act 2012 which established local plans to strengthen community vitality, and where education in and through the medium of Irish is critical. The base however, was atrophying as only some 10% of all the children are native speakers of Irish in the primary schools. Some 50 native speaking students sit the formal exams each year and clearly this is a low level of transmission and skill acquisition which has to be addressed.
- 9.2 One fundamental policy recommendation would be to define what exactly is meant by a Gaeltacht school. Given that there are two new primary school curricula for juniors, there is some flexibility within the system to cope with the range of language skills displayed among the younger people of the Gaeltacht. Echoing a recurrent theme of this conference the speaker proposed that there be an emphasis on immersion education *sans* English for the initial two years where the foundations of the Irish Language could be taught and acquired in a safe space so to speak. Allied to this there was a dire need for the professional development of Irish medium teachers while a parental support resource pack

and guidance for those among the majority who have little Irish themselves would be advantageous, both to help parents manage some of the educational demands placed on their children and to encourage some of them to become new speakers of Irish. The organisation she represented offered regular advice to the Minister of Education mainly in respect of the development of electronic resources, research and corpus development and the articulation of policies for the statutory education sector.

- 9.3 Throughout this and all other presentations on Irish there was a clear set of capacity issues which were unresolved as yet.
- 9.4 The second speaker, Bláthnaid Ní Ghréacháin of Gaelscoileanna Teoranta, (the Irish medium sector) asked in relation to education through Irish, just who is the system for? She rehearsed the growth of the sector since 1973 when parental and teachers' initiative established a separate Irish medium sector whose public perception is one of substantial growth and contented pupils. The aims and function of Gaelscoileanna Teoranta was to establish and sustain Irish medium schools. The organisation's brief included advocacy and representation, support services and project oriented initiatives together with maintaining professional development and standards. The organisation did not have a monitoring role, but it did diffuse best practice throughout the system.
- 9.5 She traced the growth of the school system between 1972-2014. The biggest lacuna it was suggested was a lack of continuity between the primary and secondary levels within the minority sector. This not only led to the diminution of Irish language skills of those who chose not to advance to Irish medium secondary schools, it also weakened the case for a holistic representation of Irish based on both need and demand. The irony is that acute oversubscription is a real issue. The Department of Education determines how demand is to be satisfied by current provision, and in many cases parental exceptionalism is trumped by provision and expedience. While there is an Education Department Scheme available, the real need is for more well-disposed critical decision-makers who are supportive of Irish medium schools so as to animate the Scheme within the 20 Year Irish Language Strategy. The sad truth is that the provision of support is all too often weak and thus competence varies widely within and between the partner organisations.

## **10. Language in Early Education: Finland**

- 10.1 The final session, chaired by Meri Huws, the incoming president of IALC, was devoted to the importance of language in early education. The speaker Minister Pär Stenbäck of Finland tackled the question of how minority languages are

treated in the education systems of multilingual societies. He traced the evolution of Finnish and international models of bilingual schools. He asked should the majority receive compulsory teaching of the minority language. This is a live issue in Finland, as elsewhere in Europe, made more acute by a citizens' initiative in 2014 for the abolition of Swedish as a compulsory subject, with it being proposed to be transformed into a voluntary subject. Despite the resolution being defeated in Parliament by a vote of 134 against and 51 for, out of a total of 200 votes, the issue remains a live one. The populist response of the majority with regards to the teaching of a minority language is why bother? What's in it for me, for us?

10.2 The brutal truth is that there is a lack of respect for minorities, accompanied often by a lack of understanding of the history and culture of the country. Mr Stenbäck's recipe to counter such negative attitudes was to emphasise enlightenment values which implies that the issue of learning languages in general is an integral part of a civilized society, of its cultural fabric. 'Bilingual schools' were problematic for Pär Stenbäck for he argued that 'All models must be based on the assumption that the pupils come to such a school with a strong mother tongue, backed up from home.' When this is not the case then the very survival and preservation of the weaker official language is at stake because such schools can increase integration with the long-term risk of assimilation. Acknowledging that it is often expensive to maintain, his preferred solution is to emulate the parallel and autonomous school networks as they operate in Canada, Belgium, Switzerland, Ireland, Bolivia, Singapore and of course his own homeland of Finland. Internal tension and external pressures challenge the stability of such systems and a greater demand is made by the majority for a one school model solution in multilingual societies. This is influenced by globalization, mobility/urbanization, immigration, the economies of competition and the loosening of traditional community ties based on religion, local culture and language. Echoing Graham Fraser's opening address in Ottawa 2015 and the work of generations of Human Geographers and Sociolinguists, the speaker argued that 'The weaker language needs safe havens, inside and outside the family, environments where the language can be freely spoken and be felt as socially and culturally useful.' To this we could add economic, instrumental and social-psychological reinforcements for such safe spaces, an abiding theme in this conference also.

## **11. The Mosaic of Mutual Influence**

11.1 The final presentation was that made by myself as rapporteur. Having summarised the presentations and highlighted the key points and common themes, I introduced several issues I believed were important for the development of IALC and its series of conferences and interchanges among

staff. A useful starting point would be to maximise the diffusion of best practice, principles and action so that all members of IALC would gain a mutual benefit and then interact more broadly in terms of core philosophy, methodology, execution and implementation of remit and evaluation of performance. A second initiative would be to address the issue of how Language Commissioners operate within the broader context of other Commissioners/Ombudsmen/Agents of Parliament.

11.2 I argued that in a short space of time IALC had demonstrated its worth and that the establishment phase of IALC was now over. It had a sound constitution, a good working relationship and a ready understanding of what needed to be done by its energetic membership. But in order to expand, to develop its impact, it had to move beyond the promotional aspects of its work to tackle much harder questions. Three were posed by me:

- a. How does IALC best serve its members? By that I meant the staff who worked within the constituent Commissioners' offices and not just the senior managers.
- b. How was the role of IALC to be finessed in policy and legal realms?
- c. How could IALC attract new members? Should each of the applicant members be formally constituted as those who delivered language commissioners functions, or could cognate bodies and agencies be admitted if they had a substantive language rights protection and compliance function?

11.3 Attracting new members was a two-way process and thus in order to signify how IALC could benefit potential members, I argued that IALC should construct a portfolio of its activities which spelt out the opportunities for interaction and professional development. A separate, but important consideration and one which should be handled judiciously, was the potential of IALC to be more involved in post-conflict resolution situations. Some experience has been gained in Kosovo and in Sri Lanka under IALC and its partners, but given that so many jurisdictions are grappling with the after-effects of ethnolinguistic and regional separatist conflicts, it seems prudent to draw on the experience of well-established IALC members who have a history of dealing with conflict resolution without that straying too far into Foreign Policy territory.

## 12. Key Challenges

12.1 I identified six salient challenges which IALC, in tandem with others, could tackle so as to add value to its contribution to the common wealth of society.

- 12.2 The first was its handling of how best to manage the multi-level influences it could bring to bear through its operations in relation to the individual, community, judicial, administrative and political realm. Balancing all these constituent elements demands extraordinary acumen and it is tempting to focus mainly on administrative procedures and compliance mechanisms, rather than seeking to secure outcomes which make the official language(s) remit more effective.
- 12.3 The second was how it interpreted the discourse, strategy and potential for enhancing language vitality by examining the relationship between majorities and new speakers. If any growth was to be anticipated within the various systems represented within IALC then surely it was from new speakers among the pluralist, often hegemonic majority population that such growth was to be garnered.
- 12.4 The third was how to handle the scale of migrants, refugees and new residents and their cumulative, but often unclear and contradictory, effect on official language strategies. It seems evident that powerful pressures are being brought to bear on the rapid integration of such newcomers to host societies, but in a dual or bilingual/multilingual context, there are clear dangers that the weaker, non-hegemonic official language will face particular challenges posed by an ever-changing demolingusitic reality.
- 12.5 The fourth was the differential reaction of the majority and minority networks to these new challenges.
- 12.6 The fifth was the effect of the international community's efforts to grapple with post-conflict reconstruction and to secure the relevance of both international law and good governance to the attempts to bring lasting peace to troubled lands.
- 12.7 The sixth was the need for fresh, new thinking which is realistic not idealistic and does not suppose the inherent privileging of some at the expense of the neediest in society. Easy to declaim, so hard to put into action as policy.
- 12.8 I expressed the hope that we as members of IALC looked forward to gathering in Cardiff, Wales, under Commissioner Meri Huws' guidance.
- 12.9 I concluded, by thanking on behalf of the delegates, the splendid work undertaken by An Coimisinéir Teanga and staff, the personnel of OÉ Gaillimh – NUI Galway, all the Speakers and Chairs, the interpreters, the faithful and critical audience and of course the hotel staff for their professional assistance in making this conference such a memorable occasion.

12.10 Meri Huws thanked the rapporteur and as the new President of IALC gave some preliminary information about the next conference planned for May 2017 to be held in Cardiff under her oversight.

12.11 Rónán Ó Domhnaill, Coimisinéir Teanga, closed the conference with his summary of the gains made and his deep appreciation of the contributions made by both speakers and audience participants and expressed his sincere thanks for the skill and commitment of his and the NUIG staff for allowing the event to run so smoothly, a sentiment which was warmly applauded by the audience.

### **13. Acknowledgements**

13.1 I am grateful to IALC that has facilitated my work as rapporteur at each of their successive annual conferences.

13.2 Elements of the establishment and development of my involvement with IALC have been supported by an ESRC grant for the period 2012-2015 (ES/J—30393/1) to research ‘The Office of Language Commissioner in Wales, Ireland and Canada’. The investigators are Dr P. Carlin, Prof. D. Mac Giolla Christost and Prof. C. H. Williams of the LPPRU at the School of Welsh, Cardiff University.