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Austrian Language Policy on the rights to mother tongue education

1. Introduction

Conducting language policy and planning (LPP) in Austria involves the following aspects:

- a) The safeguarding of the state language
- b) Policy of promoting minority languages or dialects
- c) Granting education for all recognised minorities

The first aspect highlights on the protection of the national language. The second on the importance of recognizing minority languages and the third promotes the study of minority languages on all levels.

The country's goals and methods of language policy regarding the protection and promotion of minorities are recorded in The Austrian Federal Constitution. Apart from the protection of the national language, Austria's language policy involves the protection of minority languages too. In general, Austria's system for preserving and maintaining minority languages is effective. These protections are fixed and specialized in the European Charter for Regional or Minority Languages. The European Charter for Regional or Minority Languages is a treaty of the Council of Europe putting obligations on its states parties to protect and promote the country's traditional minority languages in all fields of public life: education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, and transfrontier exchanges.

Austria signed The European Charter for Regional and Minority Languages on 5 November 1992 and ratified it on 28 June 2001. The Charter entered into force in Austria on 1 October 2001.

In 2023 Austria submitted its fifth evaluation report. The fifth evaluation report is based on the political and legal situation of Austria.

2. Language Policy in Austria

Austria's language policies and legislations significantly impact the German state language and the indigenous minority languages. Article 8 Paragraph 1 of the

Federal Constitution of Austria includes the most noteworthy law, which was expended with Paragraph 2 in 2000.

In 2005 Paragraph 3 was added as well. The first paragraph recognises the German language as the state language; the second paragraph specifically states the rights of linguistic minorities while the third paragraph acknowledges Austrian Sign Language (ÖGS)¹:

- Article 8 (1) *“The German language is, without prejudice to the rights established by Federal Constitutional Law, the State language of the Republic.”*
- Article 8 (2) *“The Republic (Federation, Länder and Municipalities) acknowledges the grown linguistic and cultural diversity that finds its expression in the autochthonous ethnic groups. Language and culture, existence and preservation of these ethnic groups shall be respected, secured and fostered.”*
- Article 8 (3) *“Austrian Sign Language is recognised as an independent language.”*

According to Article 8 (1) of Federal Constitutional Law, the German language is the official language of the Republic of Austria. Article 8 (2) acknowledges the long-standing linguistic and cultural variety of The Republic of Austria, which is expressed in Austria's indigenous ethnic communities. The existence and preservation of ethnic groups are to be respected, safeguarded, and promoted. Article 8 (3) recognizes in law The Österreichische Gebärdensprache (ÖGS, the Austrian Sign Language) a language in its own right.

Documents, legislations and main institutional structures have been implemented in Austria since the 1980s. The development and increased language policy activities continued in the 1990s after the political changes in Europe. Large number of projects and regulations altered Austria's language policies which are still relevant today.

The main bodies responsible for the development were the Austrian Federal Ministry of Education, Science and Research, school administration bodies in various regions, universities and NGOs²:

- the Kulturkontakt was founded by the former Austrian Ministry of Education, Science and Art
- in 1993 a section called Kultur und Sprache (culture and language) was established

¹ The Federal Constitution of Austria. Available at: https://www.ris.bka.gv.at/-/Dokumente/ErV/ERV_1930_1/ERV_1930_1.pdf (Last accessed: 2023 August 15)

² The Austrian Federal Ministry of Education, Science and Research. Available at: <https://www.bmbwf.gv.at/en.html>. Last accessed: 2023 August 15

- in 1994 as the European Centre for Modern Languages (ECML) was established
 - Vienna Bilingual Schooling – association of schools formed
 - the development of a specifically Austrian language diploma in German as a Foreign Language (DaF, Deutsch als Fremdsprache) called österreichisches Sprachdiplom Deutsch (ÖSD)
 - the signing of The European Charter for Regional and Minority Languages
 - becoming members of the European Union in 1995
 - EU project at Vienna University in 2001 on the future of European multilingualism
 - ratification of The European Charter for Regional and Minority Languages
- Austria has actively participated in European language projects and innovations and this activity continued since the accession to the European Union.

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The promotion of minority languages has been included in the new agreement according to Article 15A of the Austrian Federal Constitution between the federation and the Länder (regions of Austria) with respect to pre-school education¹.

A new curriculum for schools has been adopted in order to protect and promote understanding of the history and culture of ethnic minorities and groups. By these regulations the main aim of the country is to create an environment where all conditions are given to respect and appreciate diversity, highlighting on the importance of multilingualism.

3. Minorities in Austria

The recent census held in 2001 in Austria show that Austria is a multilingual country. German is the main language among 88,6% of the population, 8,6% speak German and other languages while 2,8% spoke other languages. The population of Austria is 8.9 million and 1.5% represent the indigenous minorities. According to legal provisions, six indigenous ethnic minorities are recognised: Slovenians, Croats, Hungarians, Czechs, Slovaks and Roma. These ethnic minorities can be found in the following territories of Austria:

- the Croatian ethnic group in Burgenland
- the Slovenian group(s) in Carinthia and Styria
- the Hungarian group in Burgenland and in Vienna; Hungarians lives in Burgenland, in and around the areas of Oberpullendorf/Felsőpulya, Oberwart/Felsőőr, Siget in der Wart/Őrisziget and Unterwart/Alsóőr
- the Czech group in Vienna

- the Slovakian ethnic group in Vienna

The Austrian Federal Constitution mandates that ethnic communities residing in Austria be respected and supported.

In 1992 Austria promoted the idea that an International organization (Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities) should be established which protect the right of minorities. This International organization would assure ethnic minorities to practice their own language, culture and religion.

On July 1st, 1998, Austria ratified the Council of Europe's Framework Convention for the Protection of National Minorities, which requires nations to take action to protect and support national minorities. The ratification of the Framework was the first milestone in the protection of minorities on the European level in Austria. The implementation of the Framework is monitored by The Committee of Ministers of the Council of Europe. The main aim of the Committee is to guarantee *“full and complete information on legal provisions and other measures which they may have taken to realise principles laid down in this Framework Convention”*. (Fiala-Butora, 2018)

Another important document of the European Council, regarding the protection of minorities, is The European Charter for Regional and Minority Languages. The Charter's main aim is to protect historically grown regional and minority languages as a common European heritage and to give support to Europe's cultural variety and richness.

Austria delivered the first state report in 2002 and has already submitted its fifth report in 2021.

Table 1: Monitoring of the application of the Charter in Austria

	State Report	Committee of Experts' Evaluation and Recommendations	Committee of Ministers' Recommendation
Report 1	01 10 2002	16 06 2004	19 01 2005
Report 2	12 12 2007	10 09 2008	11 03 2009
Report 3	28 07 2011	18 06 2012	28 11 2012
Report 4	19 04 2017	22 11 2017	04 04 2018
Report 5	15 11 2021	15 03 2023	

Note: Data collected by author

4. Educational institutions of minorities in Austria

Burgenland-Croatian

In **Burgenland** the Minority School Act (Minderheitenschulgesetz)³ guarantees schooling at primary and secondary schools. Apart from guaranteeing teaching on these levels of education, teacher training is given as well. The registration of children for bilingual education on all of the previously mentioned levels happens with the help of the government.

The kindergarten law (Kindergartenfondsgesetz)⁴ is also a crucial document for safeguarding minorities. The kindergarten law has been in force since 1989, the law specifies the minimum amount of time for children to receive care in their own ethnic language.

There are members of the Croatian minority population all over Burgenland, with the exception of the vicinity of Jennersdorf. In the following administrative areas Croatian is used as an official language: Neusiedl/Niuzalj, Eisenstadt/Zeljezno, Mattersburg/Matrštof, Oberpullendorf/ Gornja Pulja, Oberwart/Borta und Güssing/Novi Grad.

In Carinthia minority education is available, however there are difficulties concerning the continuity of education. Teaching about cultural heritage and richness of their own culture and language is vital in minority schools in Burgenland and Carinthia. In Carinthia there are specific subjects dedicated to history and society.

In these two regions specific textbooks are provided, but still improvement is needed.

Kindergartens are available for minorities in Burgenland where apart from the minorities' language the government gives the opportunity to learn German. The organization at this level heavily relies on the municipality and the staff that is available.

In many primary schools Burgenland-Croatian is studied as a compulsory subject, in two primary schools it is learnt as an optional subject. At this level sometimes lower quality of education is noticeable and one of the biggest difficulties that it is not guaranteed to have bilingual education yearly.

At secondary level, there is one bilingual lower secondary school and two additional lower secondary schools with bilingual classes or instruction in specific subjects. In many gymnasiums Burgenland-Croatian is taught as a compulsory subject, but in several cases it is taught as an optional subject with grades or without grades.

³ The Minority School Act (Minderheitenschulgesetz). Available at: <https://www.ris.bka.gv.at/Geltende-Fassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10009948>. Accessed on: 2023 August 18

⁴ The kindergarten law (Kindergartenfondsgesetz) Available at: <https://www.jusline.at/gesetz/k-kgfg/paragraf/9> Accessed on: 2023 August 18

Croatian is offered in vocational education as a required elective subject at one school, a subject in three schools, and an optional course with grades in another two institutions.

Burgenland-Croatian is a subject studied at the university level in Graz (Slavic studies), and equivalent courses are given in Vienna (Slavic studies).

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Adult education and teacher trainings are provided by Private College of Education (Private Pädagogische Hochschule) in Burgenland.

Apart from Burgenland and Carinthia, bilingual education of Croatian can be found in Vienna. These lessons are provided through Saturday schools and are founded by local organizations and NGOs.

Czech

Large number of the Czech minority is situated in Vienna. The Czech minority is granted education for all levels with the help of the private association named Komenský. The Komenský provides educational possibilities from pre-school to university level.

Bilingual education is organized by the Komenský. Czech-German education is granted on all levels of education. The wages of teachers are guaranteed by the federal government, and the kindergarten, like all private kindergartens, receive subsidies from Vienna. Other costs, which are vital in the school's operating, are funded by government.

According to Czech speakers, the remainder of the school's operating costs are funded by government financing for ethnic groups dedicated to the Czech minority, with the Czech minority receiving the lion's share of this cash.

Apart from Vienna, there is only one other school which provides the opportunity to learn in Czech. On the university level Czech may be studied at the University of Vienna.

Hungarian

The Minority School Act in **Burgenland** ensures that all students have access to primary and secondary education. Additionally to ensuring instruction at these academic levels, teacher training is provided too. On each of the previously mentioned levels, the government assists in the registration of children for bilingual education. The kindergarten law is a vital piece of legislation for minorities' protection. Since it went into effect in 1989, the kindergarten law

establishes a minimum length of time for children to receive care in their native language.

Eight kindergartens are bilingual and Hungarian is used in these institutions. Unfortunately, the number of these kindergartens is low. In four primary schools which are bilingual, German and Hungarian are the language of instruction. In lower secondary education there are six institutions where Hungarian is taught as compulsory while in three other institutions it is taught as an optional subject. Among the Austrian gymnasiums, the gymnasium in Oberwart/Felsőőr offers bilingual education. Other gymnasiums teach Hungarian as a compulsory or as an optional subject.

In vocational education Hungarian is offered as a compulsory elective subject in four institutions, as a compulsory subject in one, and as an optional subject in one.

On university level, Hungarian can be studied at the University of Vienna and at the University of Graz. The Hungarian School Association in Vienna organizes bilingual pre-school education in Hungarian-German. Hungarian language courses are organized by the Association too. Further bilingual schools are in plan to be opened in the following years.

Romani

The ethnic group of Romani is mostly settled down in the territory of Burgenland but we can find other groups in the eastern part of Austria. The legal provision that governs the education of ethnic minorities (specifically for Romani) was set in force in 1993.

The teaching of the Romani minority is organized in the primary and secondary schools of Oberwart. Romani is taught as an optional subject after lessons without grades. Unfortunately, in the past years the number of students has decreased. Another challenge which the Romani community have to face is the lack of teaching materials and the number of teachers is critically low.

Romani is taught as "mother tongue instruction" in eight schools in Vienna.

Cross-border relations are maintained by Romani speakers, particularly with organizations in the Slovak Republic, Slovenia, and Hungary.

Slovak

Since 1992, the Slovak minority is recognised as an autochthonous minority. The Slovak minority is granted education for all levels with the help of the private association named Komenský. The Komensky is the only association which provides education for the Slovak minority. Apart from the mentioned association, Slovak is only taught in one other school in Austria. At the university level, Slovak may be studied at the University of Vienna as an optional subject.

Slovenian

The Slovenians are an ethnic group located in two geographically distinct sections of Austria: Styria and Carinthia. In Styria, Slovenians are mostly located in five villages of Radkersburger Winkel/Radgonski Kot, Leutschach and in the Soboth/Sobota area.

In Styria, there are no separate legislative rules governing their status as an ethnic minority. On the other hand in Carinthia both Slovene and German are official languages. In Carinthia there is a legal status which protects the usage of Slovenian language. The Minority School Act (Minderheitenschulgesetz)⁵ guarantees primary tuition and teaching at lower and upper secondary education levels. The registration of children for bilingual education on all of the previously mentioned levels happens with the help of the government. Furthermore, teacher training is provided as well. It is mandatory in Carinthia, that children are registered in bilingual schooling. Slovenian is taught at all levels of education in Carinthia.

The kindergarten law (Kindergartenfondsgesetz)⁶ establishes criteria for language pedagogy principles, as well as management organizations for bilingual or multilingual kindergartens. Most of the kindergartens receive funds by the Länder. In 2001 the Carinthian Kindergarten Fund Act has been passed which financially supports the bi- or multilingual kindergartens in the “settlement area of the Slovenian ethnic group”⁷

Table 2. The availability of Educational Institutions for minorities in Austria

	Pre-school	Primary school	Secondary school	Technical/Vocational Education	Higher Education/University
Croatian	+	+	+	+	+
Czech	+	+	+	+	+
Hungarian	+	+	+	+	+
Romanian	+	+	+	-	-
Slovak	+	+	+	+	+
Slovenian	+	+	+	+	+

Note: Data collected by author

⁵ The Minority School Act (Minderheitenschulgesetz). Available at: <https://www.ris.bka.gv.at/Geltende-Fassung.wxe?Abfrage=Bundesnormen&Gesetzesnummer=10009948>. Accessed on: 2023 August 18

⁶ The kindergarten law (Kindergartenfondsgesetz) Available at: <https://www.jusline.at/gesetz/kgfg/paragraf/9> Accessed on: 2023 August 18

⁷ Early childhood education and care policy. Recommendations by the OECD. Available at: <https://www.oecd.org/austria/36472878.pdf>. Last accessed: 2023 August 19

5. Conclusion

In recent years positive developments could be seen in the protection and safeguard of ethnic groups and minority languages.

Raising awareness about ethnic minorities or groups should be essential in every country. Teaching cultural background for not just only members of minority groups would raise awareness of all people not just only in Austria. The primary goal is for the majority population to recognize that regional or minority language speakers contribute to the state's linguistic and cultural history through their many languages and cultures.

The promotion of ethnic groups and minority languages in Austria are handled by the Austrian Federal Constitution. Apart from the protecting laws in the Constitution, a new school curriculum has been adopted to protect and promote awareness of ethnic minorities and highlight on the importance of multilingualism.

Further measures were implemented in the promotion of minorities, one of these measures were the substantial raise of funding for the ethnic groups and minority languages.

Another positive sign of the safeguarding of minorities is that different private groups support financially the minorities. One of these associations is the private association named The Komenský School. For Slovak and Czech minorities teaching is provided with the help of this private association. The Komenský School provides financial support for schools of the minorities; however parents need to pay an additional fee.

In 2023 Austria submitted its fifth evaluation report. The fifth evaluation report is based on the political and legal situation of Austria. As it can be seen in the evaluation report Austria recognizes 6 national and ethnic minorities. In view of the collected data regarding rights to mother tongue education in Austria, the following changes should be recommended:

Burgenland-Croatian

- supplying a suitable number of teachers
- making available teacher training
- supplying the appropriate teaching materials
- increasing the weekly teaching hours
- raise awareness of the Croatian culture among the society

Czech

- the promotion of language education in Vienna
- funding of the Komenský School
- increasing the weekly teaching hours

- raise awareness of the Czech culture among the society
- the support of cultural activities

Hungarian

- providing adequate number of teachers
- making teacher training available
- providing the necessary teaching materials
- increasing the weekly teaching hours
- raise awareness of the Hungarian culture among the society

Romani

- improve Romani education at all levels
- raise awareness of the Romani culture among the society

Slovak

- funding of the Komenský School
- raise awareness of the Slovak culture among the society
- increasing the weekly teaching hours
- the support of cultural activities

Slovenian

- supplying a suitable number of teachers
- raise awareness of the Slovenian culture among the society
- providing a suitable number of teaching materials
- increasing the weekly teaching hours

The government should promote awareness about the importance of improving the quality of initial teacher training for minority instructors. By making teacher training available, the government could make this profession more popular. Unfortunately it is a global trend that becoming a teacher is not so popular nowadays and that is one the key areas which governments should try and improve. It is noticeable that the number of teachers in pre-schools and in secondary education is lower every year. In order to support teaching, new methods, innovative techniques and processes should be implemented.

Another important development that should happen which is closely related to teacher training, is the improvement of teaching materials. It is recommended that the Austrian government update textbooks and other teaching resources for regional or minority language education.

Further changes are required in the mind-set of the society. The Austrian government should raise awareness of the importance of minorities and multiculturalism. By making minority languages part of the Austrian cultural heritage, this problem could easily be solved.

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The study focuses on Austria's key language policies and legislations that have an impact on German as a state language as well as minority languages. The Federal Constitution of Austria contains the most important regulations protecting German and minority languages. The first three articles of Austria's Constitution are critical legislations for the protection of state and minority languages. The Austrian Federal Constitution requires ethnic communities to be protected and preserved. The study then goes on to explore the primary organisations and administrations responsible for the evolution of today's Austrian language policy. The system in Austria for safeguarding and promoting minority languages is typically well-developed. Austria has been an active participant in European programmes aimed at the protection of minorities. Ratification of the European Charter for Regional and Minority Languages is a critical step towards the European Union's integration. Austria signed and ratified the Charter in 1992 and 2001, respectively. Slovenians, Croats, Hungarians, Czechs, Slovaks, and Roma are the six indigenous ethnic

minorities recognized in Austria. Austria issued its fifth evaluation report in 2023. This report was reviewed by the researcher using critical discursive analysis. Based on the facts gathered, Austria is a country that should be emulated in terms of minority safeguarding and protection; nonetheless, changes are needed in several areas.

Keywords: *language policy, language policy in education, minorities, minority rights, minority rights in Austria, Austrian language policy*

Австрійська мовна політика щодо права на освіту рідною мовою

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Дослідження зосереджено на найважливіших питаннях мовної політики і законодавстві Австрії, які стосуються німецької мови як державної, та мов нацменшин. Конституція Австрії містить найважливіші положення щодо захисту німецької мови та мов нацменшин. Перші три статті Конституції Австрії є законодавчими актами, які мають вирішальне значення з точки зору захисту державної мови та мов нацменшин. Конституція Австрії передбачає захист і збереження етнічних спільнот. Далі в роботі досліджуються основні організації та адміністративні органи, які є відповідальними за розвиток сучасної австрійської мовної політики. В Австрії система захисту та підтримки мов нацменшин, як правило, добре розвинена. Австрія є активним учасником європейських програм, спрямованих на захист нацменшин. Ратифікація Європейської хартії регіональних мов і мов нацменшин є критичним кроком до інтеграції Європейського Союзу. Австрія підписала Хартію в 1992 році і ратифікувала її в 2001 році. В Австрії є шість визнаних корінних нацменшин: словенці, хорвати, угорці, чехи, словаки та роми. У 2023 році Австрія опублікувала свій п'ятий звіт про оцінку. Дослідник розглянув цей звіт за допомогою критичного дискурсивного аналізу. Виходячи зі зібраних фактів, Австрія є тою країною, з якої варто приклад щодо захисту та збереження нацменшин, однак у кількох сферах потрібні зміни.

Ключові слова: *мовна політика, мовна політика в сфері освіти, нацменшини, права нацменшин, права нацменшин в Австрії, австрійська мовна політика*

Az osztrák nyelvpolitika az anyanyelvi oktatáshoz fűződő jogok tekintetében

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A tanulmány Ausztria nyelvpolitikájára és jogszabályaira összpontosít, amelyek hatással vannak a német nyelvre mint államnyelvre, valamint a kisebbségi nyelvekre. Ausztria szövetségi alkotmánya tartalmazza a német és a kisebbségi nyelvek védelmét szolgáló legfontosabb rendelkezéseket. Az osztrák alkotmány első három cikkelye az államnyelv és

a kisebbségi nyelvek védelmét szolgáló kulcsfontosságú jogszabályok. Az osztrák szövetségi alkotmány előírja az etnikai közösségek védelmét és megőrzését. A tanulmány a továbbiakban azokat az elsődleges szervezeteket és közigazgatási szerveket vizsgálja, amelyek a mai osztrák nyelvpolitika kialakulásáért felelősek. Ausztriában a kisebbségi nyelvek védelmének és támogatásának rendszere jellemzően jól kiépített. Ausztria aktív résztvevője a kisebbségek védelmét szolgáló európai programoknak. A Regionális és Kisebbségi Nyelvek Európai Kartájának ratifikálása meghatározó lépés az Európai Unióba való integrációja felé. Ausztria 1992-ben aláírta és 2001-ben ratifikálta a Kartát. A szlovének, horvátok, magyarok, csehek, szlovákok és romák a hat Ausztriában elismert őshonos etnikai kisebbség. Ausztria 2023-ban adta ki ötödik értékelő jelentését. Ezt a jelentést a kutató kritikai diskurzuselemzéssel vizsgálta felül. Az összegyűjtött tények alapján Ausztria a kisebbségvédelem és -megőrzés tekintetében egy olyan ország, amely példamutató, mindazonáltal több területen is változtatásokra van szükség.

Kulcsszavak: *nyelvpolitika, nyelvpolitika az oktatásban, kisebbségek, kisebbségi jogok, kisebbségi jogok Ausztriában, osztrák nyelvpolitika.*