

Summery of the  
Juridical Veredict about the asturian  
language in the education system



The Advisory Council of Lawyers for Asturian

Uviéu 2007

:: axa ::

stvdium ivris § tvtela lingvae § form ivstitiae



Copyright – Some rights reserved  
The Advisory Council of Lawyers for Asturian, 2007

This work is under a **Creative Commons** license  
This work can be distributed and copied freely, with citation of the original source and author. There can't be  
obtained commercial benefit from it, and potential derivative works that are made, will be under the same  
license to the original work

1. In this section the process of incorporation of the regional languages to the education system in Balearic Islands, Catalonia, Galicia., the Biscay country and Valencia is studied.
2. In it, the process, exceptional and discriminatory , of the incorporation of the regional language to the system of education in Asturias.
3. Here we give a description of the current situation of the Asturian language in the education system.
4. Analyzes the non-fulfilment of the mandates of the European Charter for Regional or Minority languages in the education system in Asturias.
5. Collects and dismantles the arguments of a false political debate of the voluntarily learning of the regional language.
6. Summery of the study in the following text:

#### “6. SUMMERY AND CONCLUSIONS.

I.- In the process of incorporation of the regional languages to the system of education , the State of Spain discriminated the Asturian language giving it a voluntary treatment in Primary an Secondary education, not incorporating it to Pre-school and Professional Formation education, avoiding the recognition of the pupil's right to be educated in Asturian, not valuing its knowledge in university entrance exams and not facilitating its presence in it, while for Catalanian, Biscay and Galician established a normal subject system, together with the right to be educated in it, in all the pre-university education steps, its valuing in university entrance and its presence in it a philology speciality and a vehicle in teaching of varied subjects. The discrimination has no justification whatsoever since the incorporation of the Spanish regional languages to the education system is sustained in its condition of cultural asset and the Asturian language is so much a cultural asset as Catalanian, Biscay language or Galician.

II.- The transference of education competences to different Autonomic Communities does not change the condition of minimizing the Asturian language since each of them confirms the model collected by the Central Administration. On the other hand, the Asturian autonomic authorities are characterized for looking for the division of the Asturian language, in its varieties , while the rest of the communities work for the normalization of their languages incorporating their varieties. Also by not fulfilling in practise the programmatic and legal declarations they have made (article 4 of the statute of Autonomy and 9 to 11 of the Law of the Principality of Asturias 1/98), on the contrary to what they did in other Autonomous Communities by developing them as far as possible.

III.- On its behalf , the State continued deepening in the impoverishing of the Asturian language denying it the condition of an official language which it recognized to all the rest of the languages in the corresponding Organic Laws of approval of the different Statutes of Autonomy, for next giving it in the Organic Education Laws and other laws of

a basic character, also in the selection of personnel, a different treatment to the official regional languages ( all the others) and to which it does not want to recognize such condition (the Asturian)

IV.- The consequence of an unjustified different treatment, discrimination in conclusion, of the Asturian language in the education area and during 32 consecutive years (the process commenced in 1975) it is evident, not only in the shameful social reality ( the Asturian language comes to being at a starting point imposed in the last few years of Franco's dictatorship: incorporation, as an experience, of the voluntary learning of the language) but that it is also materialised in a clear non-fulfilment normative on behalf of the public authorities of the Autonomic Community and the Spanish State. So:

First.- In all pre-school centres in Asturias the articles 10.1 of the law 1/98, of March the 3d , of use and promotion of the Asturian dialect are breached .

Second.- In all Professional Formation Centres in Asturias the articles 10.1 of Law 1/98 of 23d of March , of use and promotion of the Asturian dialect are breached.

Third.- In most private centres, including concerted centres, Primary and Secondary Schools in Asturias the articles 10.1 of the Law 1/98, of the 23d of March, of the use and promotion of the Asturian dialect are breached.

Forth.- In the teaching of adults the article 10.2 of the Law 1/98, of the 3d of March, of the use and promotion of the Asturian dialect is breached .

Fifth.- In all the Secondary school centres in Asturias the article 10.3 of the Law 1/98, of the 23d of March, of the use and promotion of the Asturian dialect is breached.

Sixth.- In all pre-school centres in Asturias article 8.1.a) of the European Charter for Regional or Minority Languages is breached.

Seventh.- In all the Primary school centres in Asturias, sections i) ii) and iii) of article 8.1.b), of the European Charter for Regional or Minority languages is breached.

Eighth.- In most concerted and private centres of Primary schools in Asturias section iv), of article 8.1.b), Of the European Charter for Regional or Minority languages is breached.

Ninth.- In all centres of Secondary schools in Asturias sections i), ii), iii), of article 8.1 c) of the European Charter for Minority or Regional languages is breached

Tenth.- In most private and concerted centres of Secondary schools section iv), of article 8.1.c.), of the European Charter for Regional or Minority languages.

Eleventh.- In all centres Of Professional Formation in Asturias article 8.1.e), of the European Charter for Regional or Minority languages is completely breached.

Twelfth.- In the Asturian University article 8.1.e), of the European Charter for Regional or Minority languages is totally breached.

Thirteenth.- in the formation of adults in Asturias article 8.1.f), of the European Charter for Regional or Minority languages is totally breached.

Fourteenth.- In all education steps in Asturias article 8.1.g), of the European Charter for Regional and Minority languages is breached.

Fifteenth.- The Asturian education authorities breach article 8.1.h), of the European Charter for Regional or Minority languages.

Sixteenth .- The Asturian education authorities breach article 8.1.i), of the European Charter for Regional or Minority languages.

V.- In conclusion, the Spanish State, in its obligation to foment the Asturian language breaches all the sections of article 8 (education) of the European Charter for Regional or Minority languages and with it the nine dispositions of such a norm that in its Instrument of Ratification made a commitment to respect and, what is even worse , the minimum demanded to any country ratifying in its article 2.2, the respect of at least three of its dispositions amongst what article 8 contains..

VI.- Besides , the Spanish State does not fulfil two other commitments which it assumed with the ratification of the European Charter for Regional or Minority languages: the respect of at least the 69 for all the languages specified in its instrument o f Ratification and the 35 commitments of the whole legislation demanded in its article 2.2 from any ratifying State”.