

The maze of languages in Aosta Valley (Italy)

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Abstract: The article analyses linguistic rights in Aosta Valley, abandoning the already well-trodden path of pure legal description of legal safeguards to highlight the concrete effectiveness and limits of the measures hitherto provided for by the legal system, by means of a multidisciplinary approach. Accordingly, after a description of the constitutional-legal framework, which provides for an Italian French bilingual system and for a weaker protection of other languages, legal categories are compared with concrete reality of language practice, showing the existing cleavage between them. The paper then focuses on the causes of the current situation and their consequences on social representation of languages, highlighting the role played by the political ethnic discourse.

Finally, some suggestions are drawn in order to find a way out of what can be rightly defined as a maze.

Keywords: Italy, Linguistic rights, Aosta Valley, Minorities, Reality and representation

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1. Introduction*

The Aosta Valley, nestled on the north-western side of the Alps and on the border with France and Switzerland, is the smallest of all Italian regions. Despite its little more than 125,000 inhabitants, the region shows a great complexity from a linguistic point of view but also from the perspective of the safeguards deployed by the Italian and regional legal system.

The historic ties with the Gallo-Roman linguistic area were reinforced by the establishment of a singular regime of self-government within the Duchy of Savoy. Since the 16th century, French has consolidated as a cultured, administrative and teaching language, as well as the language of the Catholic Church, whose influence has been particularly significant over the centuries. In addition to this, there has been a widespread practice of the typical Franco-Provençal dialect, following a pattern of diglossia, well-known in many parts of Europe. Besides, since the 12th century, limited and circumscribed areas of the valleys on the slopes of Monte Rosa have been populated by *Walser* communities – speaking Alemannic idioms called *titsch* and *töitschu* – as ‘minorities within the minority’ within the region.¹

Since the proclamation of the kingdom of Italy in 1861, the entire region has undergone a progressive erosion of its linguistic particularism, as a result of the cultural and educational policies of *nation-building* that have been put forward by the kingdom and, especially, during the fascist regime,² when measures of open hostility against French were in place. The complex events of the annexation period³ (1944–1945) led to the foundation of the autonomous region of Aosta Valley. The region was thus established (also) for the protection of the Francophone linguistic minority, and endowed with specific competences in education and culture.⁴

In this paper, we will abandon the already well-trodden path of pure legal description of linguistic safeguards to highlight the concrete effectiveness and limits of the measures hitherto provided for by the legal system, trying to assess if there is room to stem the decline of the local Francophonie. In this regard, we must bear in mind the risk of treating

* The chapter has been designed and written jointly. Roberto Louvin is mainly responsible for paras. 2, 5, 8 and 9 and Nicolò Alessi for paras. 1, 3, 4, 6 and 7.

¹ For an overall approach to the linguistic particularism in Aosta Valley: Martin 1982.

² Louvin 2020, 11–14.

³ Over the last few months of the Resistance, a growing political consensus for an annexation to France developed in Aosta Valley, strongly supported by France itself – which was occupying part of Aosta Valley’s territory – by means of a specific mission established in 1944 (“Mission Mont Blanc”). As a result, the Comité valdôtain de Libération (backed by a vast part of the population) requested for a plebiscite to be held in order to settle the issue. Conversely, Italian authorities and secret services completely opposed the possibility of annexation and never allowed the plebiscite. The successive establishment of a pre-constitutional provisional autonomous system was thus also motivated by the necessity to address such an intense secessionist pressure; on this Lengereau 1975 and Désandré 2015.

⁴ Aosta Valley autonomy has also been driven by political and strategic reasons, such as the presence of important natural and energy resources, the intent to distance French interests from this territory and the presence of a strong secessionist movement, as well as the need to balance the structural economic disadvantage of the region due to its entirely mountainous position.

the complex socio-linguistic framework with too much superficiality indeed, Aosta Valley is characterized by a high and permanent degree of pluriglossia by virtue of the coexistence of Italian, French, Franco-Provençal (or *patois*)⁵ and, in a more limited context, the idioms of the *Walser* populations.

The expansion and strengthening of the position of the Italian language, supported by massive migratory flows from different regions of the country (and especially from Southern Italy in the last half century), have not produced a sharp contrast between different ethno-linguistic groups but have rather facilitated the increase of bi- and multilingual speakers.⁶ Establishing an adequate protection regime therefore requires taking into consideration such a complexity, which involves both the point of view of the practiced linguistic codes and that from the socio-political expectations of the community concerned.

2. The prodromes

Even preceding the birth of the Republic (1946) and the constitutional enshrinement of the principle of protection of linguistic minorities,⁷ the first and transitory form of autonomous legal system established in Aosta Valley provided for the right to free use of the French language. In fact, the legislative decree n. 545 of 1945, which established the Autonomous District (*Circoscrizione autonoma*) of Aosta Valley as a provisional self-government regime for the local population, firstly stated that “the free use of the French language is permitted in the Aosta Valley within the political, administrative and judicial sphere” and that “public acts can be drawn up in French, except for judicial acts”⁸. Beside this, French was introduced at schools as a compulsory subject and taught the same amount of hours as Italian, while its vehicular use was only optional. The transitory provisions also required the adaptation of national schools’ programs to local needs and promoted a progressive regionalization of the local school system.⁹

All this represented a first and urgent response to the protests for the long persecution suffered by the French language in previous periods, especially during the fascist regime. Indeed, the re-establishment of French toponymy (immediately achieved) and the right to use the language – already claimed after the First World War – in public life had been immediately petitioned by Aosta Valley’s autonomist movements at the end of the Second World War.

The provisional condition of free use established for the French language has then been stabilized by following a precise political-constitutional approach, while the other forms of linguistic pluralism in Aosta Valley remained legally insignificant. The Constituent Assembly

⁵ For a scientific qualification of the Franco-Provençal: Tuailon 1994 and Bétemps 1979.

⁶ Louvin 2014, 262.

⁷ Italian Constitution, art. 6.

⁸ D.L.CpS (Interim Head of State legislative decree) 545/1945, art. 17.

⁹ D.L.CpS 545/1945, art. 18.

opted for the definitive confirmation¹⁰ of an autonomous and special¹¹ regional system, a compromise solution (also) aimed at protecting Aosta Valley's minority rights. Interestingly, this solution was based on the abstract idea of the existence of a fully bilingual population, with a conceptual simplification that did not completely correspond to the already uneven socio-linguistic reality of that time.

Aosta Valley's population was thus recognized as a national linguistic minority – a linguistic group also speaking the national language of a neighbouring state – and deemed deserving its own self-government regime, like other alloglot groups in the Alps. This has implied the titularity of a high degree of legislative and administrative autonomy especially for what concerns education, as foreseen by the Special Statute, which is a constitutional law.

Linguistic regulation, characterized by the principle of so-called “integral bilingualism” and the special focus on French, has thus been deferred to the actions of the Regional self-government as a guarantee of survival of the minority group, which was supposed to be completely homogeneous but actually was not. In other words, linguistic minority protection was conceived and designed through the institution of regional institutions for the French minority, essentially reproducing the Westphalian state system on a regional scale.¹²

3. The constitutional framework

From a legal point of view, the situation today is much more complex. Language rights in Aosta Valley derive from the interaction of principles and regulations at national and regional levels. They operate in a complementary but not always coherent way; as a result, we observe a multilevel system made up of different sources which provides for various degree of protection.

The general national system for the protection of linguistic minorities has its main reference in art. 6 of the Constitution according to which: “The Republic safeguards linguistic minorities by means of appropriate measures”¹³. After a long period in which an erroneous and penalizing jurisprudence of the Constitutional Court has reserved only to the State (therefore excluding the regions) the responsibility and the power of protecting linguistic

¹⁰ By virtue of Constitutional law (L. cost.) n. 4 of 26 February 1948.

¹¹ The concept of “speciality” beckons the derogatory ratio that inspired the foundation of special autonomies, as a form of differentiation or asymmetry with respect to a uniform “ordinary” system: D’Atena 2014, 5. This political and constitutional approach towards Italian regionalism still influences the political and scientific debate today: Palermo 2009.

¹² On the reproduction of the nation State model at the regional level and the opposing concepts of the “autonomy for” a certain group and the “autonomy of” a territory: Kössler 2015, 245–272 and Palermo 2015, 13–32.

¹³ The choice of the constituents to protect linguistic minorities and not ‘ethnic’ or ‘national’ does not find an official motivation in the preparatory work. Several scholarly interpretations have been provided with respect to this issue. According to Pizzorusso 1975, 29–31, it was a voluntary choice of the constitutional legislator to limit the scope of application of art. 6 of the Constitution on the basis of differential factors. For a systematic assessment of this approach: Marko 2019a, 96–135, 138–178.

minorities by means of legal provisions,¹⁴ the possibility has also arisen for the regions to intervene in this matter. Nevertheless, the state still remains the only authority endowed with the power to establish which minorities are to be legally protected. This only occurred in 1999 (after half a century), when a general law on linguistic minorities was approved by the Parliament.¹⁵ This law has identified and recognized a limited number of historical linguistic minorities to be protected. Moreover, this statute defined the general criteria (at the same time territorial, linguistic and historical) for the recognition and set out a series of promotional measures. As regards to Aosta Valley, the French-speaking populations (not qualified, however, as ‘French minorities’), Franco-Provençal and Germanic languages are among the addressees of the law for the protection of minorities. Despite this, the impact of the legislation was rather modest in Aosta Valley, except for the provision of funding for cultural and research activities. An enactment decree is needed for the law being successfully and completely applied in Aosta Valley; however, art. 18 states that the more favourable provisions are applicable where no other forms of protection¹⁶ are provided for by regional law.

Against this backdrop, the most effective support for French language is the Special Statute, expressing the principle of co-officiality of Italian and French languages.¹⁷ Accordingly, all public acts can be drafted in one or the other language (except for rulings, which must be compulsorily drafted in Italian). It is obligatory for any state administrations (and consequently also for all other public bodies operating on the territory) to hire officials who can speak French.¹⁸

A further but more limited guarantee was added for the benefit of the *Walser* populations, by art. 40-bis of the Special statute, by means of a constitutional amendment in 1993: “The German-speaking populations of the municipalities of the Lys Valley determined by a regional law are entitled to the protection of their traditions and of their linguistic and cultural characteristics”. The teaching of the German language in the schools of the municipalities concerned is also obligatory, with appropriate adjustments of schools’ programs required for local needs.¹⁹

Conversely, the condition of the Franco-Provençal remains different and worse: there is no mention of it in the Special statute and it is not the recipient for the time of legislative provisions, except for a few rather generic provisions.

This unbalanced protection has significant implications. Indeed, concerning the French and the *Walser* languages, the general principles and the national legislation have a merely complementary and subsidiary value, while, as for Franco-Provençal, the national legislation

¹⁴ See Corte cost. n. 32 of 1960 and n. 1 of 1961.

¹⁵ Law (L.) 15 December 1999, n. 482, rules on the protection of historical linguistic minorities.

¹⁶ L. cit., art. 18.

¹⁷ Special Statute, art. 38, c. 1.

¹⁸ Special Statute, art. 38, c. 3 also provides for the preference of those born in the Aosta Valley for the purposes of employment in state administrations, but this provision does not apply due to the supervening principles of free movement within the EU; on this, Alessi 2020, 348–349.

¹⁹ L. cost. n. 2/1993.

of the Law 482/1999 is of primary importance since appropriate legal safeguards have not been established at regional level.

In terms of effective implementation of the constitutional principles, a clear distinction can consequently be drawn: the two languages which were given the status of co-official languages (Italian and French) are privileged and the expressions regarded as dialectal (Franco-Provençal and Germanic dialects) endure a weaker position.

4. The co-officiality regime: reasons and implications

According to the Special Statute, the use of French has been restored in sectors where it had commonly been practiced in the past, by structuring a theoretically bilingual public administration and by encouraging the promotion of French through school. This model can be defined as restorative and promotional. In other words, the regional system responds to two distinct *rationes*: reintegrating Aosta Valley's population into the rights enjoyed in the past by re-establishing the condition experienced by this population prior to the outward standardization policies, and promoting a wider use of French as an expression of a primary linguistic right.

Focusing on the first *ratio*, the co-official status of French has several different implications. In general, it implies an extensive legal usability of French, with the sole exception of measures taken by judicial authorities. However, this use has rather been present, albeit declining today, especially in the activity of the Regional Council of the Aosta Valley and of the regional government.

Given that the legal equal standing is absolute, Italian and French languages are totally interchangeable in drafting legislative bills. The knowledge of regulations is ensured by the publication of the laws in both Italian and French.²⁰ These acts can be directly voted in French and, in this case, it is the French text that legally prevails in the interpretation.

Although formally permitted, the use of French in forensic activities and by the state administration offices located in Aosta Valley does not take place. The same goes for the judicial activity: no organizational regulations have ever been envisaged in this regard²¹; bureaucratic bodies are not capable of carrying out a bilingual trial²² and such kind of trials has never been promoted in Aosta Valley.

²⁰ Regional law (l.r.) n. 2/2010, n. 2 governs the Regional Official Bulletin and the Regional News Bulletin, art. 5.

²¹ Only with regard to trials before Justices of peace and for the appointment of these Justices, Chancellors and other officials to legal offices, the l.n. 374/1991 obliges to ascertain the knowledge of the French language, theoretically preparing an organization suitable for a bilingual trial: Poggeschi 2015, 106.

²² On 4 July 2011, the Joint Commission for the implementation of the Special Statute drew up a proposal for the linguistic regime in Aosta Valley containing provisions on the French language, the idioms of the *Walser* populations and *patois*. Although in October 2011 it received a positive assessment from the Regional Council, this proposal has never been approved by the Council of Ministers, although the Regional Council repeatedly claimed its adoption.

Instead, a ‘protectionist’ regime has been generalized in the public sector, where access to work is submitted to a previous assessment of knowledge of the French language.²³ Passing the language test generally entitles to a ‘bilingualism allowance’, an economic incentive first introduced for state employees and subsequently extended to the entire public regional and local service staff.²⁴

The underlying reason of these provisions is to guarantee the citizens that they really can use either of the two official languages indifferently when dealing with an official of the public administration. Subsequently, public officials operating on the regional territory and even in the absence of explicit provision are obliged to reply in the language used by the citizen. This obligation derives from the bilingual setting of the regional administration, and from the application of the principles of good performance and impartiality of the administration referred to in art. 97 of the Constitution. This obligation is confirmed by the existence of the abovementioned salary item directly linked to bilingualism, which is evidently a guarantee of the effective use of French in all cases in which it constitutes for the interlocutor the preferred way of expression and comprehension. Even though no cases of administrative or judicial dispute of this mechanism exist, the violation of the obligation to speak French should be considered as punishable in terms of disciplinary or possibly criminal liability.²⁵

The co-officiality regime also implies that some professions are subject to legal measures formally requiring knowledge of French language as a condition for their occupation. This is the case for notaries, whose French proficiency is subject to prior assessment to access offices in Aosta Valley.²⁶ Likewise, it is required for pharmacists dispensing in Aosta Valley to take a speaking assessment test as a proof of their linguistic skills in French.²⁷ Similarly, a linguistic test is also a condition for access to University courses in the Nursing professions, in Midwifery, in Care and Rehabilitation, and for the Health and Prevention professions. Moreover, some professional workers in fields related to the alpine environment are asked to pass a preventive examination in French.²⁸ this applies to ski instructors and mountain

²³ Rosset 2020, 217, recalls that the first trace of this model can be found in the Organic Rules for Offices and employees of 23 March 1946, which required “to have sufficient knowledge of the French language proven by suitable qualifications or by an exam”.

²⁴ Signs of dissent with respect to this linguistic assessment and repeated attempts to reduce the rigidity of linguistic requirements – despite the level of knowledge of the required language being far from prohibitive [...] – have emerged especially in the health sector. Based on simplistic reasoning, it is argued that the Welfare system in Aosta Valley would be facilitated with an easier influx of doctors from other Italian regions, without ever envisaging the possible advantages connected to possible greater benefits of networking with the neighbouring French and Swiss health systems.

²⁵ Louvin 1997, 112–113; Alessi 2020, 350–351.

²⁶ Pursuant to the implementing rules of the Special Statute (Legislative Decree 22 May 2001, n. 365 and Legislative Decree 2 March 2018, n. 26), a high level of French (competence ascertained by a special commission) is required to a notary for the assignment of a registered office in the Regional Administration.

²⁷ The l.r.n. 44/1985 requires that participants to entry examinations for the assignment of pharmacies located in the Aosta Valley must take a speaking assessment test to prove their knowledge of the French language.

²⁸ L. r. n. 44/1999.

guides, which are additionally requested to prove their competence in a third language of the European Union.²⁹

Except for the abovementioned rules applying to some professional categories, the private sector is not targeted by specific linguistic provisions, thereby the constitutional principles of equality and minority protection only apply in terms of a prohibition of negative discrimination against workers who communicate in the protected language.

Finally, restorative purposes underlie the entitlement to Aosta Valley of an exclusive competence on toponymy. Employing it, the region passed the regional law n. 61/1976,³⁰ which officially established the official name of all 74 municipalities of Aosta Valley (already restored in 1945), according to the traditional French versions (only Aosta-Aoste has an officially bilingual name). The immediate reestablishment of traditional toponymy has therefore prevented any form of societal tensions on this issue.

The second ratio underlying this model has primarily been implemented in the educational system: art. 39 of the Special Statute stabilizes the pre-statutory provisional linguistic measures, by stating the equal teaching of Italian and French and the possibility of using the latter as a vehicular language. Also the special mechanism of adaptation of the national school curriculum to specific local needs through the so-called *Adaptations* is confirmed.³¹ The combination of these statutory rules has given rise to a bilingual school system which, differently from South Tyrol's educational system, has not been based on the principle of monolingual mother tongue instruction³² but rather on contextual bilingual teaching (although in practice objectively unbalanced in favour of Italian) since its origins.³³

With respect to the broadcasting and print media, the situation is totally unbalanced in favour of Italian. In fact, specific provisions safeguarding French almost only exist with regard to television and radio:³⁴ the public service broadcasting concession and the national service contract Aosta Valley require RAI to broadcast 110 hours of radio time and 78 hours of French-language television programmes in Aosta Valley (corresponding to 20 and 12 minutes a day, respectively). These radio and television broadcastings are self-produced by the regional RAI centre.³⁵

Only from the 1970s people in Aosta Valley have been allowed to enjoy two French-language television channels (Antenne2 and TV Suisse romande), but they never had the

²⁹ L. r. n. 7/1997.

³⁰ Special Statute, art. 2, letter v.

³¹ Special Statute, art. 40. The *Adaptations* are approved by the regional government following a complex process that includes an agreement with the Minister of Education and an advice from a mixed commission made up of representatives of the Ministry, the Regional Administration and teachers.

³² Alber 2012, 399–415.

³³ Both models have been established for specific situations and after different historic events; nevertheless, every differential solution is always subjected to periodic assessment and possible readjustment; on this, Palermo/Woelk 2011, 352–357.

³⁴ Consolidated Law on Radio and Television, Legislative Decree n. 177 of 2005, last amended by l. n. 225/2015, art. 42, 45 and 46.

³⁵ According to: La tutela delle minoranze nella comunicazione (2019), dossier by the Head of the Operational service of CoReCom Valle d'Aosta.

chance to receive French or Swiss radio channels. There have never been exclusively or even predominantly French-speaking local public or private broadcasters in the area. After the transition to digital TV, the region has, however, been assigned frequencies for the transmission of French and German-speaking TV channels, which today are occupied by only 4 networks, compared to a *bouquet* of about a hundred Italian-language channels.³⁶ Aosta Valley's Regional Communications Committee (CoReCom)³⁷ is responsible for monitoring compliance with the regulations on the exercise of radio and television broadcasting activities (public and local). It is worth noting that private radio stations based in Aosta Valley rarely broadcast French and Franco-Provençal language programmes, while the few local television stations closed down in 2015.³⁸

As for the press and other print media, the situation is even worse, since few periodicals, such as the *Peuple valdôtain*, which was mainly published in French, have gradually ceased their activity, so that today no French newspaper is usually sold at newsstands in the region: the region is therefore undergoing a process of real desertification.

According to the regional legislative framework, some financial support is provided to local publishing, broadcasting and activities that supply products in French.³⁹ The region still finances the creation and diffusion of programmes relating to *Walser* linguistic and cultural traditions through the media, including the reception of German-language radio and television programmes. However, for the time being the norm remains on paper.⁴⁰

In general, language is not relevant from an electoral point of view at regional level, while it assumes indirect relevance in national rules.⁴¹ First of all, the whole Aosta Valley is an electoral constituency for the elections of members of the national parliament: this condition ensures a parliamentary representation to the “French” minority. Secondly, the electoral process in Aosta Valley follows derogatory rules (for example, concerning the registration requirements of candidates for election). Thirdly, national electoral regulations have foreseen the possibility of a seat in the European Parliament being allocated to an Aosta Valley's minority candidate by virtue of a connection between minority lists and national ones. Nevertheless, this is unlikely to happen, since Aosta Valley is part of the macro-electoral district of north-western Italy (including Piedmont, Liguria and Lombardy, with a total

³⁶ The infrastructure provided by the public service concessionaire guarantees the re-broadcasting of the programmes of some channels in the Aosta Valley: France 2, France 24, RTS1 (French-speaking Swiss channel) and TV5Monde.

³⁷ The powers of the CoReCom Valle d'Aosta, in terms of supervising compliance with the spaces reserved for the French language, are specified by art. 12.2 of l. r. n. 26/2001.

³⁸ La tutela delle minoranze nella comunicazione (2019), cit., 43–44.

³⁹ According to l. r. n. 39/1980, some grants are awarded to associations promoting the spread of the French language: the *Alliance Française* association and the CIEBP (*Centre d'Information et Éducation Bilingue et Plurilingue*), a centre for linguistics studies based in Aosta.

⁴⁰ La tutela delle minoranze nella comunicazione (2019), cit.

⁴¹ Exceptions to this are the specific safeguard rules on the use of French in ballot papers.

of twelve million voters) and the provision permits the allocation of the seat only if a very high and almost unattainable political consensus on a regional scale is achieved.⁴²

5. The other protected languages: a composite but scarcely coherent system of protection

The protection of the Franco-Provençal is far less perceptive although the *patois* is much more widespread than the French language. In fact, the protection and the promotion of the Franco-Provençal have no specific regulations and are supported by the sole intervention of promotional policies in the cultural field.

On a regional level, the linguistic safeguards are limited to the French language alone alongside Italian, whereas, interestingly, as for the activity of the local authorities, municipal statutes also promote the use of local languages. In fact, the regional law regulating the system of local autonomies not only affirms that each municipality, by virtue of its own statute, may foresee appropriate forms of implementation of the principle of bilingualism; it also explicitly allows the local statutes to support and regulate the free (only spoken) use of Franco-Provençal. Moreover, some municipalities have also opted for local denominations of toponyms in Franco-Provençal alongside the official names.⁴³

As said above, national provisions in favour of *patois* would be applicable throughout the territory of Aosta Valley and could play a significant role, although in fact only a very limited enforcement has taken place so far, due to the lack of enactment decrees implementing l. n. 482/1999; this state of affairs negatively affects *patois*'s condition, given that the law n. 482 could and should have allowed at least in theory the teaching of the language in nursery, primary and middle schools in the municipalities concerned.⁴⁴ Instead, so far, the application of law l. n. 482/1999 has only led to the use of funding in the cultural field.⁴⁵

Furthermore, *patois* in school context is only generically considered by regional laws that specially entrust the Regional Administration itself with the task of promoting the Fran-

⁴² L. n. 18 of 1979, artt. 12 and 22; “should none of the candidates on the related linguistic minority list be included in the list of posts to which the group of lists is entitled, the last place should belong to that linguistic minority candidate who has obtained the highest individual figure, provided that it is not less than 50,000”. This result (equal to about 50% of the total number of voters in the Aosta Valley) has never been achieved.

⁴³ Under l. r. n. 4/2001, which amended l. r. n. 61/1976.

⁴⁴ L. n. 482/1999, art. 4; the same law also assigns universities in the regions concerned with the task of taking on any initiative, including the establishment of language courses and culture of languages to facilitate the scientific research and cultural and educational activities. These provisions have also had limited application, although the Statute of the University of Aosta Valley reaffirms this *mission* giving this University the task to contribute “in its own autonomy, to the identification and pursuit of the objectives of cultural growth and socio-economic development of the territory, with particular regard to the linguistic and cultural specificities of the region of Aosta Valley”.

⁴⁵ The territorial scope for the protection of the l. n. 482/1999 is operated by the l. r. n. 54/1998 which directly locates the Franco-Provençal minority instead of the deliberations of the municipalities. The protected municipalities have given the Regional Administration the leading role in developing projects for the promotion and enhancement of Franco-Provençal funded by national law, such as the ‘Language Desk’ and the creation of educational material.

co-Provençal language and culture.⁴⁶ The 2016 *Adaptations* – introduced on an experimental basis for two years – promoted an ‘approach’ to Franco-Provençal in preschools and to its teaching in primary schools. The Regional Administration has organized training courses (thus, not provided by the university) for experts in *patois* and issued certificates. The modality chosen by the Regional Government to train teachers of *patois* totally deviates from the provisions of law l.n. 482/1999, which instead specifically designates the universities, and not the regional bodies, for this activity.

Outside the school context, extensive regional measures have been undertaken to support and to promote Franco-Provençal, with specific initiatives and funding for associations or activities.⁴⁷

For this purpose, the *Bureau régional ethnologie et linguistique* (BREL) has been established since 1985 as a specialized structure for the promotion of local culture and languages. The decision to operate directly through a regional office and not through an autonomous entity has never been questioned so far, even though this may imply problematic aspects. Likewise, the use of Franco-Provençal, its development, transmission and progression have been promoted by financial backing for the *École populaire de patois*,⁴⁸ a *patois* private school,⁴⁹ and for local publishing, radio and television broadcasts and online activities.

With regard to the German-speaking minority, the protection of languages is weaker than that provided for French, even if constitutionally entrenched. In school, a (not fully-fledged⁵⁰) trilingual system has been established. Interestingly, the local community has opted for teaching German instead of local Germanic dialects. This decision was based on the idea that German could constitute a useful tool for preserving the *Walser* dialect and, at the same time, increasing linguistic proficiency of young people in a multilingual European context because of its greater diffusion.⁵¹

Again, the municipal layer of government proves more sensitive to language issues, providing for the promotion of *Walser* dialects in the activity of municipal bodies or offices.⁵² However, the Regional Council has established that the *Walser* municipalities can insert a

⁴⁶ L. r. n. 18/2005, art. 1, c. 5.

⁴⁷ L. r. n. 89/1993.

⁴⁸ The *École populaire* includes extracurricular courses in *patois* for adults and children. The organization is now delegated to municipalities. The Regional Government also finances the *Centre des études francoprovençales* René Willien in *Saint-Nicolas* and organizes the *Concours Cerlogne*, a language contest to arouse interest in *patois* (and in the German idioms of *Valle del Lys*) in the new generations.

⁴⁹ L. r. n. 11/2008; the Regional government also supports cultural associations that enhance and promote the Franco-Provençal language such as the *Association Valdôtaine Archives Sonores* (AVAS) and the *Fédération Valdôtaine di Téatro Populéro*.

⁵⁰ This is due to the fact that German is only present until middle school and that its position is not comparable with that of French and Italian.

⁵¹ Alby Tregsch 2006, 20–21.

⁵² The languages of the *Walser* community are protected by the Statute of the *Unité des Communes Valdôtaines Walser* and of their municipalities. The *Unité* promotes the use of *titsch*, *töitschu* and Franco-Provençal *patois* (only for the population of the municipality of Gaby), worthy of respect as traditional forms both in institutional bodies and offices. The *Unité* encourages their written production too, as in toponymy, in road signs.

preliminary test in the recruitment of civil servants to assess the knowledge of German and add toponymy in *titsch* and *lõitschu* dialects.⁵³

Besides, the Regional government is also deeply committed to encouraging the protection and the enhancement of *Walser* populations' linguistic and cultural heritage by sustaining specific initiatives in various fields in connections with local authorities, institutions, organizations and associations.⁵⁴ In practice, regional intervention is mainly achieved through funding mechanisms.⁵⁵

It is interesting to note that until 2007 the regional electoral law theoretically promoted the representation of the *Walser* community in the Regional Council,⁵⁶ thanks to a connection between regional and local lists and a priority allocation of a seat to a candidate expressed by this community: this eventuality having never occurred, the provision was subsequently repealed.⁵⁷

6. Beyond the legal veil, with no hypocrisy

Sans doute le Val d'Aoste est-il à un tournant de son histoire linguistique. Il peut accepter avec fatalisme la disparition du franco-provençal et l'agonie du désormais mauvais français qui y est encore présent (inévitables si rien n'est fait), ou changer de cap, tout en tenant compte du monde nouveau dans lequel nous vivons.⁵⁸

The introduction of the most important and in-depth linguistic survey conducted in Aosta Valley to date,⁵⁹ carried out in 2001, opens with this remark highlighting the contradiction between the reality and the formal protection of linguistic rights in Aosta Valley, and the existing cleavage between the concrete practice and the political, ideological and legal approach towards these issues.⁶⁰

Methodologically, it is necessary to move away from traditional approaches by reconnecting legal assessments with the concrete experience of the linguistic dimension and by taking the high linguistic complexity and the different levels of use of languages into con-

⁵³ Regional regulation (r. r.) n. 1/2013.

⁵⁴ L. r. n. 47/1998. For this purpose, the Permanent Consultative Committee for the safeguard of the *Walser* language and culture has been established, with proposing and consulting tasks to encourage the participation of the local population in initiatives in its favour.

⁵⁵ These include the Centro di Studi e Cultura *Walser* in Gressoney and the *Associazione Augusta* in Issime.

⁵⁶ L. r. n. 3/1997.

⁵⁷ L. r. n. 22/2007.

⁵⁸ Barbè et al. 2003, 10: "Aosta Valley is undoubtedly at a turning point in its linguistic history. It can be fatalistic and accept the disappearance of Franco-Provençal and the agony of the now bad French that is still present (inevitable if nothing is done), or it can change course, taking into account the new world in which we live".

⁵⁹ The results of the survey are available on the website <https://www.fondchanoux.org/sondaggio-linguistico-domande/> (accessed on 18.10.2020) and their comment is reported in Barbè et al. 2003, with an introductory essay by Barbé 2003, 11–17.

⁶⁰ At the beginning of the 20th century, Italian enjoyed a limited use and several factors had affected the socio-linguistic evolution of the Aosta Valley: among them, Woolf 1995, 622–625, recalls the Fascist migration policies, while a consistent wave of emigration towards France took place following the failure of the local Catholic credit system in the early 20th century: Celi 2018, 4.

sideration. This perspective is indeed fundamental in order to adequately understand the dynamics affecting the analysed issues and to provide explanations, criticisms and suggestions free from biases.

Following this method, we observe that power relations between the languages drawn by the constitutional-legal framework are far from depicting daily linguistic practice. As a matter of fact, sociolinguistic reality reveals a hierarchy in the use of languages, which is affected by perceptions of the speakers and social legitimacy of the different idioms. The context in Aosta Valley is in fact characterised by an “endogenous community societal bilingualism with multiple *dilalia*”⁶¹. This complex definition describes a situation consisting of the coexistence of two high languages (Italian and French), legally but not concretely equal (Italian has eroded the spaces of French), and of various low linguistic repertoires (Franco-Provençal, Piedmontese in the lower valley,⁶² and Germanic dialects, the former being decidedly more used than the latter)⁶³.

The situation is even more complicated in the villages where the *Walser* population resides, where three high (Italian, in dominant position, French and German with very limited use) and three low (*titsch* and *töitschu*, Franco-Provençal and Piedmontese)⁶⁴ languages coexist. To complete the picture, it is also to take into account the slow but constant increase in the use of the languages of the so-called new minorities.⁶⁵

The researches carried out so far are all consistent in highlighting that Italian is increasingly eroding all the areas of use of the other idioms in every kind of communication, be it formal, informal or familiar. *Patois* is a vital idiom, still known and practised by a considerable number of Aosta Valley inhabitants; the same applies, even though to a somewhat lesser extent, to the *Walser* idioms, while French is the least used language in all areas. The analysed socio-linguistic context can therefore be defined as diffusely bi-plurilingual (on an individual level) or multilingual (on a community level) while the region is officially, legally and structurally only bilingual (Italian-French) and where French, despite its instrumental and symbolic⁶⁶ relevance, is only the third language in terms of use.

The institution of a bilingual legal system inspired by restorative and promotional purposes thus conflicts with the concrete reality, which redefines the scope of the legal categories by highlighting their distance from the social and socio-linguistic ones.

⁶¹ Berruto 2003, 42–53.

⁶² In addition to the Piedmontese dialect, there is also a widespread presence of other Italian dialect forms, as a consequence of the substantial internal migration flows that Aosta Valley has experienced over the years as a landing place.

⁶³ The boundaries of use of the high and low language variants are mobile in their functional differentiation (high variant: formal and written areas, low variant: informal and oral areas) and may overlap in some domains of use: on the concept of *dilalia*, Berruto 2005 and on the specific situation in Aosta Valley: Berruto 2003.

⁶⁴ Berruto 2018, 511–512.

⁶⁵ Already observed by Barbé 2003; for recent data on recent immigration numbers in Aosta Valley see: Dossier statistico immigrazione 2019, Rome: IDOS Centro.

⁶⁶ As can be inferred from the interviewees’ answers in relation to their bond to the Franco-Provençal language.

With regard to the restoration purpose, it should be recalled that Aosta Valley's population of 1945–1948 was considerably different from that who, still in the early twentieth century, had spoken French widely and mostly in all public contexts. The formal guarantee of equal standing between languages and the interchangeability of linguistic codes did not apply to effectively equal languages, given that French had already been clearly weakened by decades of exclusion from the educational world, by strong emigrations of the natives and by nationalistic repression, thus, gradually disappearing from common linguistic habits especially within the less educated strata of the population.

Because of this discrepancy, even promotional actions, aimed at compensating the minority through a possible and necessary “re-Francisation” based above all on school policies, have not achieved their goals. Furthermore, it was not realistic to believe that the objective of rebalancing could be reached only by use of this instrument.⁶⁷ A bilingual school system was indeed just not enough to recreate socio-linguistic habits that had already been overturned by profound transformations.

French is thus surviving especially in ‘institutionalized reserves’, within which one can perceive a practice at times contrived and somewhat far from reality. This observation also generally applies to schools, where French, despite enormous planning and programming efforts and with the exception of nursery and primary schools, is still predominantly a taught language rather than a teaching language.

With regard to political-administrative action, the use of French is evidently connected with precise themes and topics, especially the ones which have more to do with regional specificities and do not present an excessively complex content.⁶⁸ In fact, if we focus on the language in which regional laws were passed, we discover that the regional laws approved in French are only 1.5% of the totality (48 out of 3131)⁶⁹; the matters regulated in French are mainly: some aspects of the educational system; cultural issues connected with the promotion of French (especially the support to associations or cultural initiatives); toponymy and territory (especially agricultural activities).

The same holds true if we take into account the activity of the regional government, analysed here from 2018 to August 2020. In 2018, out of 1688 deliberations of the Regional Government, only 75, about 4.5%, were in French. Almost half (47%) consist of mere grants and funding to various cultural initiatives and associations.⁷⁰ In 2019, 77 of the 1811 decisions of the Council were approved in French (4.25%): among these, 37 (about 48% of the total) were adopted to grant financial support to cultural, social or voluntary associ-

⁶⁷ See: Cavalli 2003, 19: “[...] While schools are a very important language policy measure that can help to maintain an endangered language, they are not in themselves a sufficient condition for its survival within the society. There are often high, sometimes exaggerated, expectations of what schools can actually do”.

⁶⁸ Berruto 2003, 50–52.

⁶⁹ The trend has been decreasing over the last ten years: since 2010, the percentage has been 1.1%, all between 2010 and 2015, given that there have been no more laws passed in French in the last five years.

⁷⁰ The remaining part concerns agreements and cooperation with French institutions, academies and universities, Franco-Italian cross-border cooperation, purchase of books, initiatives in favour of French and Franco-Provençal, place names and archives.

ations.⁷¹ In 2020, up to August, only 27 out of 858 deliberations were approved in French (3%).⁷²

The sectorialisation of French in institutional and cultural activities is therefore evident, as well as its marginalization from social and economic life.

However, this partial failure should be better explained.

Firstly, a small minority such as the one in the Aosta Valley, with little more than one hundred thousand people, could face great difficulties in trying to survive and regenerate in a substantially monolingual state of over sixty million inhabitants. From this point of view, the lack of concrete support from France and Switzerland – for various and complex reasons, especially in the years following the Second World War – has *de facto* condemned Aosta Valley to a sheer cultural isolation. The seasonal tourist presence does not weigh heavily on the balance either, since the economic, social and cultural life of this region as a whole gravitates around the Po Valley basin and it is more affected by internal migration phenomena and interdependence with other Italian regions than by relations with the border territories of Savoy in France and Valais in Switzerland.

Secondly, as a consequence of this isolation, the evolution of French has undergone a considerable ‘regionalist retreat’, accentuating rather conservative characteristics and increasing delays with respect to the transformations that it was experiencing in neighbouring countries. Indeed, this dynamic of regionalist defence of French has reinforced its isolation, which has rapidly become a rigid linguistic code, poorly reached by semantic evolutions driven by communicative, literary and artistic activities. Today, the paradox is that students in Aosta Valley often master French better than their transalpine counterparts from a spelling and syntactic point of view, but they clearly lack confidence in everyday practical communication. On a shorter time scale, what has happened in Aosta Valley is similar to what had occurred between Québec and France after the separation of the Canadian colony from the crown.⁷³

Thirdly, the lack of a perfectly francophone teaching staff has, in turn, penalised the development of effective linguistic policies. The first generations of teachers at the newly established regional school had studied during the Fascist regime and had not even completed a full education in French. At the same time, the lack of mother-tongue teachers coming from other French-speaking areas prevented profitable confrontation, cultural exchange and successful teaching from the very beginning.

Finally, the incomplete instruments of school policy and the shortcomings of legislation cannot be overlooked, partly due to the ongoing tensions between politics and trade unions,

⁷¹ Many measures dealt with cross-border cooperation initiatives and Erasmus projects, cultural and publishing initiatives, courses for experts in *patois*, place names, education, scholarships and emigration.

⁷² 18 out of 26 resolutions are addressed to cultural activities or cross-border initiatives; the remainder to agricultural or institutional activities.

⁷³ As Lengereau 1968, 169 pointed out half a century ago, “French in Aosta Valley has evolved for too long in isolation, without sufficient outlet, without any nurturing contact with the French of France or of the French-speaking regions of Switzerland”.

which have been a significant obstacle to the laborious and still not completed process of regionalization of the school system.

All these factors must be taken into account when assessing the social sustainability and the political-legal proportionality and legitimization of maintaining today's system and when considering possible solutions for reconsidering it. For this purpose, we should now focus on the causes of the current situation and their consequences on social representation of languages.

7. The political use of languages: representation and reality

In historical and political-constitutional terms, the established institutional bilingual setting was linked to a precise approach to Aosta Valley's (and in general to all) minority issues: in the years 1945–1948, it would have been difficult to foresee solutions different from the one actually adopted, except for undertaking a linguistic separatism, which was not a feasible option, the promiscuous use of languages being already generalized at that time. Nor was it possible to envisage that the implementation of the statutory principles would have proved ambiguous and unattainable in terms of the promotion of French, eventually ending up with a reduction of the original linguistic richness and a penalisation of the other languages present in the area.

Given this, let us now focus on the political and ideological value of French in regional, national and international politics, since a close relationship exists between linguistic issues and minorities' identity claims.⁷⁴ It is worth considering this perspective, as political dynamics and ideologies are a conditioning factor not only for collective choices but also for the very formulation and interpretation of legal concepts and devices.

The rights to use and teach French – tenaciously claimed by Aosta Valley's cultural elites before the conquest of autonomy – could be regarded as *totems* aimed at safeguarding the (re)conquered self-government, after the gradual fading of the ancient autonomous institutions: Marc Lengereau highlighted the concept in the 1960s: “At present, French has become a myth. Insofar as it is still invoked, it is above all an irreplaceable justification of autonomy. It retains a little, if one wishes to express it in this way, the value of a relic.”⁷⁵

Accordingly, the political representation of language issues has produced a defensive attitude towards linguistic particularism, protected as an identity stronghold and a code of exclusion rather than inclusion. This political capture of linguistic and cultural issues has amplified and crystalized their detachment from reality:⁷⁶ the role of the political groups that have ruled in Aosta Valley – and, above all, of the main autonomist party present on the

⁷⁴ On this point, the in-depth analysis of Marko 2019a, 96–135.

⁷⁵ Lengereau 1968, 168.

⁷⁶ Sandri 2012, 11, 287–317, highlights a gradual discourse shift of the *Union Valdôtaine* party from a defence of Aosta Valley's community as a French-speaking linguistic minority to a wider protection of (professed) ethnic diversity, without, however, the political discourse ever being focused on the protection of the Franco-Provençal idiom.

regional political scene, the *Union Valdôtaine*⁷⁷ – has been particularly incisive in this sense.⁷⁸ As a result claiming for a protection of, language and cultural particularism has generally become rather a rhetorical exercise today: every political actor feels obliged to uphold generic slogans, always reproducing consolidated and old-fashioned schemes and not opening up to innovative perspectives. Therefore, if, on the one side, linguistic issues are totems, on the other, they are taboos, in the sense that questioning them is unlikely to happen, as well as politically inconvenient, given this paralysed and ideologically consolidated situation.

A mention should also be made of Franco-Provençal, which nobody, after the Liberation in 1945, deemed worthy and in need of protective measures. In fact, it was considered only a vernacular, similar to other idioms practiced among the popular classes, in the French-speaking, Italo-phone or German-speaking area. This scarce consideration was also the result of a perception, generalized at that time, of *patois* as an outdated legacy, linked to the pastoral and agricultural dimension of the region: consequently, many native families more or less consciously considered to give up *patois* with a view to ensuring a better future for their children.

The first cultural claims to affirm its distinctiveness, also in opposition to the legal position of French, appeared in the early 1970s, with the birth of the *arpitianist*⁷⁹ political-cultural movement that actually rejected the definition of Franco-Provençal itself.⁸⁰ It indeed emphasized the ideological value of *patois* and supported the name *arпита* as a common label for this Gallo-Roman language rooted and widespread – albeit heterogeneously – in the Alpine region around the Mont Blanc divided among Italy, France and Switzerland. These claims have recently been revived in Aosta Valley's political arena.

If it holds true that, with the exception of restricted literary, artistic and theatrical circles, “the intellectuals of Aosta Valley have never upheld the primacy of *patois*”⁸¹, it is undeniable that it remains the most diffused language with Italian, especially in the popular classes of the region. Furthermore, Franco-Provençal is frequently used in informal political communication, and it has eventually ended up being strongly revalued in the political discourse. There have also been sporadic attempts, but never concrete results, to allow its use in the meetings of the Regional Council. In spite of this, it does not yet have formal recognition and legitimacy at regional level, neither in the Special Statute nor by means of an enactment decree.⁸² Consequently, it cannot fully express its expansive potential in political activity, in

⁷⁷ The Unionist ideological lines are summarised by Salvadori 1978. On the subsequent evolution of the political strategy of the UV during its lifespan: Sandri 2011, 195–214; Bottel 2009.

⁷⁸ Martial 1995, 813, underlines *Union Valdôtaine's* ideological shift starting from the 1970s, towards a strong focus on ethnic discourse. Other regional political forces have had to ‘chase’ the UV, which in the meantime has become a relative majority force, and even, between 2003 and 2008, an absolute one.

⁷⁹ On this subject: Henriët 1976, 1.

⁸⁰ The term Franco-Provençal was coined and used for the first time by the Italian linguist Graziadio Isaia Ascoli at the end of the nineteenth century and has become common use only for linguistics and law.

⁸¹ On the roles of the elites on the process of assigning a symbolic value to language in Aosta Valley, Woolf 1995, 34; Omezzoli 1995, 26.

⁸² Regional initiatives for the promotion (but not protection) of *patois* are thus mainly limited to cultural and extra-curricular activities.

public administration and in schools,⁸³ nor can it be effectively protected against the standardising advance of Italian.

Today, the greatest incentive in terms of protection of the Franco-Provençal language comes from the municipalities, responsive to the needs of their population but often also in a condition of subjection to the Regional Government. Therefore, expectations about the ‘subordinate’ language are especially linked to the commitment and determination of the lower-ranking political body, by somewhat institutionally confirming *patois*’s weakness; thus, an obvious paradox can be detected: the region, born especially by virtue of its linguistic peculiarities, does not have within it, from the point of view of regulatory protection, an attitude of openness and support with respect to a significant part of its linguistic heritage. This incongruence was instead partly solved with regard to the rights of the *Walser* minority, thanks to the constitutional law n. 2 of 1993 and the ensuing regional legislation.

8. Minority languages in Aosta Valley: which expectations?

While politics has increased distance and disaffection from linguistic issues, the economic effects of the use of languages provide interesting insights. In the 1960s, after the opening of the Great St. Bernard and Mont Blanc tunnels, trade and tourism relations with the neighbouring regions of Valais and Savoy have significantly increased, and the influx of French-speaking tourists into the region has reinforced the *chances* of a modest revival in the use of French. Economic operators in certain sectors are also looking favourably on this linguistic skill when recruiting staff.

Contrarily, and rather surprisingly, what has had little effectiveness as a stimulus to the use of French by the public administration was the introduction of the bilingualism allowance (or in French *prime de bilinguisme*), initially addressed to the employees of national administrations working in Aosta Valley, and subsequently extended to the entire regional public employment.

This additional salary item has not had the expected effect of increasing the practice of French, and it has been generally perceived by the population just as a clear disparity between public and private sectors. Unless for language preliminary assessment, hardly anything was done to culturally regenerate the administration and ensure continuity to language training. Furthermore, Aosta Valley’s Regional Administration and local authorities are not supported by instruments similar to the *Office québécois de la langue française*: its local counterpart, the *Office de la Langue Française*, established by and within the region, employs too little staff and most of its activity is taken up by the translation of official documents.

Also online communications in French are overlooked by regional and local authorities, so that people are forced to manage a wealth of information in Italian and, consequently,

⁸³ Berruto 2003, 44, deems the extension of *patois* to administrative uses to be ‘exaggerated’: *patois* would only have an informal functional domain and would not be able to fulfil its communicative function in more formal contexts, especially at the level of regional public administration. However, according to Chanoux Foundation’s language survey, a high number of respondents use *patois* with local authorities and, less frequently, with regional offices.

to use only this language when dealing with the administration. The lack of implementation of these tools generates a vicious circle of informative and terminological impoverishment and makes it difficult even for the most motivated to make continuous use of the minority language.

While for the majority of the population the French language still represents a cultural heritage to be respected and preserved, for another part, it has been reduced to a mere ‘title’ to be displayed for the enjoyment of particular privileges,⁸⁴ as in the case of the bilingualism allowance we mentioned earlier. There are therefore still contradictory feelings towards the French language: its symbolic importance remains undeniable, but in certain social spheres it is cumbersome and the opinions on it are strongly stereotyped.⁸⁵ Moreover, the protection of French within the region is not always deemed positive, especially with respect to the rules that impose obligations or duties: the protective mechanisms, apparently motivating, make it perceived as a source of punishment, imposition or preclusion, or of privilege, rather than as a cultural asset and a real opportunity.

A glaring example of these contradictions and conflicts underlying French status in Aosta Valley can be traced back to the years 1998–1999 when the so-called ‘fourth written test’ of French in the National Curricular Examination was introduced⁸⁶. Although the regulatory innovation was a natural implication of a bilingual school system in Aosta Valley, the resistance and harsh hostility of the teaching staff and the school community witnessed a latent unease in dealing with these issues and resulted in a referendum trying to repeal the regulations in question (which was not approved)⁸⁷.

As for *patois*, the abovementioned linguistic survey highlights that part of the population speaking the Franco-Provençal language wishes to use it more and considers it as an essential element of its linguistic identity. However, it does not seem so far sufficiently motivated to take action in this direction;⁸⁸ thus, *patois* is still widely regarded only as an idiom with a subordinate social status.⁸⁹

⁸⁴ See the results of the language survey: Barbè et al. 2003, 9–10.

⁸⁵ Puolato 2006, 355; the author underlines the difference between attitude and behaviour, so that not always attitudes towards a language correspond to active behaviour for its protection; this situation seems to fit the situation in Aosta Valley, which shows a passivity of the population towards linguistic issues.

⁸⁶ This is a written test of French which has been added (by l.r.n. 52/1998, recently repealed and substituted by l.r.n. 11/2018) to the ordinary written tests provided for by national regulations for the final high school examination; it has thus been called the “quarta prova”, also because it is held only in Aosta Valley after the ordinary ones. Since the latest reform of high school examination (Legislative decree n. 62/2017), that has reduced the number of the written tests to two, the French one has become the “third test”.

⁸⁷ On this, see Palici Di Suni 2002, 34–35; Alessi 2019, 228–235.

⁸⁸ According to Cavalli 2003, 24, “It is then legitimate to ask why this interest in seeing Franco-Provençal enter school is not expressed in an effective request from the Aosta Valley people or in political activism”.

⁸⁹ Puolato 2006, 356.

9. Getting out of the maze

Our analysis has shown a strong discrepancy existing between legal categories and the socio-linguistic reality, stressing the role played by ethnic identity political discourse in the implementation and interpretation of a (formally) bilingual legal system. Given the above, it is thus worth reflecting on the reasonableness, proportionality and sustainability of the existing differential legal safeguards⁹⁰ and trying to propose further potential solutions; this is necessary, as said before, not to highlight rather simplistically the unacceptability of such a legal system,⁹¹ but to reconnect law with the reality it rules.

Furthermore, Aosta Valley's legal framework of protection of linguistic rights should be assessed and reviewed without falling into an uncritical and assertive position in favour of minority languages: if pluralism is a principle underlying contemporary constitutional systems and cultures, however, its implementations, included the safeguard of linguistic diversity, still requires continuous evaluation and potential revision in presence of a changing social context. In this perspective, two main issues are to be addressed: the legal and social sustainability of a bilingual system in this context of limited and stereotyped practice of French, and the support of the most vital languages such as the Franco-Provençal language.

There might be well-founded possibilities for a revitalisation of French in Aosta Valley, as well as for a more intense promotion of linguistic pluralism, but only by virtue of conscious, determined, coherent and, above all, shared policies; indeed, the current limited use alone is not sufficient to justify the dismissal of a heritage of diversity. Moreover, other minorities in similar situations have already shown that reversing a trend of decline is possible. However, the current condition of French and, as said, the overall system in which this language is living, cannot be neglected when addressing legal instruments for its promotion in order to reach less “defensive”, more innovative, and technically refined legal instruments.

A first necessary precondition is a broad collective consensus on the willingness to recover the spaces lost by the Francophone community, including the population speaking French and Franco-Provençal.⁹² This implies, on the population's side, a renovated social interest in the enforcement of linguistic rights and, on the institutions' side, the removal of some barriers, for instance, by promoting the effective use of the Franco-Provençal mother

⁹⁰ On the necessary continuous revision of the law of diversity, Palermo/Woelk 2011, 352–357.

⁹¹ The current general political context does not show positions clearly opposed to the protection of French and uses a narrative that is aligned on a generic, but not very aggressive, desire to enhance linguistic particularism.

⁹² 43.5% of the people of Aosta Valley consider it important to know French to live in Aosta Valley or to be native to the region, 12.5% fundamental and 25.5% quite important, while about 16% consider it little (9.8%) or not at all important (6.5%). As for *patois*, 30% consider it important for a Aosta Valley citizen, 25.5% consider it fundamental and 21% consider it quite important, while about 20% consider it little (12%) or not at all (8%) important (Chanoux Foundation Survey).

tongue⁹³ specifically towards the public administration at all levels. The synergic and parallel use of French in written form may prove to be strategic for this purpose.

The utilitarian value of the French language is no less important: the strategic position of the region at a crossroad with the neighbouring French-speaking territories is an advantage in this respect. If properly exploited, single market, labour and service mobility, communications with border operators may strengthen motivation and opportunities, of which the education and training system could anything but benefit. In this perspective, we need to look at a strong neighbourhood policy and close cross-border cooperation rather than to the distant international relations traditionally handled by the region within the framework of international *Francophonie*.

Nor should we neglect the inclusive potential of a francophone and multilingual context in relation to non-European immigration (partly coming from French-speaking countries): what has been done so far has gone, paradoxically, in the opposite direction, for instance by providing an almost exclusively Italian language education to adult migrants rather than enhancing the use of French as a communicative and cultural bridge.⁹⁴

From the point of view of the policies that could be put forward, firstly, the role of new technologies should not be overlooked, since they may be able to restore or create ex novo a lively and open francophone linguistic context that is no longer archaic and stereotypical.

Secondly, as for education policies, interesting tools to make the school system⁹⁵ more effective already exist: one can only hope that opportunities will soon be seized. For example, it is possible to reinforce the role of French as a vehicular language by means of the so-called *Adaptations*, or to foster exchanges of teachers and students with French schools in order to strengthen the ties⁹⁶ between the regional and other francophone educational systems. The educational system, which has so far been subject to excessive instability and frequent experimentations, should be stabilised. The bilingual proficiency of Aosta Valley's students already shows encouraging results, especially in secondary school. Therefore, further efforts could be made in this direction.⁹⁷

⁹³ As for this language, as said before, the fact that whoever speaks *patois* also normally knows at least one of the other two official languages and the still evident presence of legal (and social) barriers have heavily penalized its practice and its status.

⁹⁴ One can speak in this sense of a (for now) missed occasion. The cultural contradictions of this regional policy are rightly stigmatized by Medda-Windischer 2017, 229–268.

⁹⁵ On this point, Alessi 2019, 205–236.

⁹⁶ The likelihood of popular acceptance of this kind of innovation are also demonstrated by the significant parental support for the *Projet Ecole Vda*, a project aimed at enhancing multilingualism in schools in 2014. However, the proposal has received a cold welcome from regional school institutions, which hindered its implementation.

⁹⁷ According to Floris 2013, high school students (about half of the school population in the upper end of the range) all have results well above the OECD average and obtain results similar to those of students for whom French is the exclusive language. Their proficiency in French enables them to become fully integrated into contemporary society, confirming the overall validity of the regional bi-plurilingual education model.

Thirdly, in general, policies should be at the same time flexible, clear and coherent, with a specific attention to financial issues. Welsh language policies⁹⁸ could represent a useful reference, providing well-articulated set of strategies aimed at creating a real “infrastructure” for minority language, focusing on several areas, namely “community and economy”, “culture and media”, “Wales and the wider world”, “digital technology”, “linguistic infrastructure”, “language planning”, “evaluation and research”. It is worth noting that the strategy is assessed annually and planned in a long and medium term. As the Welsh example reveals, overly rigid solutions are neither desirable nor practicable, as the language used varies, as we have seen, depending on the context, be it in the administration, in the family or in the community. At the same time, the lack of a long and mid-term strategy is completely penalising.

For what specifically concerns the legal instruments, given the difficulty of revisioning the Special Statute, the first step ought to be a rapid approval of a structured enactment decree (which the inertia of the national government has so far prevented), so that the provisions of Law 482/1999 could be concretely implemented and, possibly, enhanced.

Ultimately, a real innovation could be effectively achieved only through a dialogue within the whole community and between the institutions and the population, perhaps by means of an official and open forum which could openly assess the expectations, costs and benefits of a profound transformation operation at all levels. Such a discussion platform, perhaps managed by an independent body, may plan and promote a new linguistic environment, which could be able to meet real communicative needs in order to avoid a further cultural decline.

In fact, the discovery of a way out of the maze requires that minority languages should no longer be perceived as cultural artefacts belonging only to a tiny part of the regional population; rather they should be willingly shared as a heritage and as an asset for the entire community within a framework of authentic pluralism. Only a ‘common feeling’ of this kind can pave the way for effective policies based on a broad democratic consensus.

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⁹⁸ On this, see <https://gov.wales/welsh-language-strategy-and-plans>.

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