

# LANGUAGE POLICY AND CONSTITUTIONS OF FRENCH-SPEAKING AFRICAN STATES THROUGHOUT "LES LOIS ET REGLEMENTS LINGUISTIQUES DES ETATS FRANCOPHONES" BY NAZAM HALAOUI

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## Abstract

*This article is based on the language policy and constitutions of African countries of the French-speaking countries throughout the work by Nazam Halaoui "Les lois et règlements linguistiques des états francophones". The question that we put is: what was the language policy adopted by linguistic laws regarding official or national status of languages in the constitutions of the French speaking African States? The goal of this article is to show this language policy. To deal with this study, we collected data from the author. Throughout this study, we realized that some States made clear the official or national languages' status in their constitutions, whereas others made no mention in their constitutions.*

**Keywords :** *constitution, language policy, status*

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## Résumé

*Cet article porte sur la politique linguistique et les constitutions des États africains de la Francophonie à travers l'œuvre par Nazam Halaoui "Les lois et règlements linguistiques des états francophones". La question qu'on pose est: quel était la politique linguistique adoptée par les lois linguistiques dans les constitutions en termes de statut officiel ou national des langues dans les États africains francophones ? L'objectif de cet article est de montrer cette politique linguistique. Pour parvenir à cette étude, nous avons collecté des données sur l'œuvre de l'auteur. A travers cette étude nous nous sommes rendus compte que, le statut des langues officielles et nationales était mentionné par certains États dans leurs constitutions, tandis que d'autres ignoraient.*

**Mots-clés :** *constitution, politique linguistique, statut*

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## Introduction

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This article deals with the language policy and constitutions of French-speaking African countries throughout "Les lois et règlements linguistiques des états francophones" by Nazam Halaoui". Across this study, the goal is to show the language policy adopted by linguistic laws in terms of official or national status of languages in the constitutions of the French-speaking Africa and their evolutions when Africa gained its independence.

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## **1. Language policy of French-speaking Africa**

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### ***1.1 The concept of language policy***

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With the cohabitation of many languages on the same territory and, even in case of monoglottism in African language, the presence of a European language by the colonial fact, arises the problem of multilingualism management. It is the language policy of a country which determines the way of managing multilingualism. About language policy we understand by decisions and options regarding the status and functions of languages. It is language policy which decides such language will be the official language, national language or not; it is it which indicates if a language will be used in formal education or non-formal. The language policy can be more or less explicit. When it is explicit or deliberated, we speak rather planning or language arrangement again. However language planning includes also the work done on language, for example its standardization, instrumentation (By linguistic description, making of dictionaries, development of orthographic code, creation of neologisms to improve the vocabulary etc..) its instrumentation (Development of pedagogic materials for its teaching) etc.

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### ***1.2 Options in terms of functions of languages in linguistic laws of the French-speaking States***

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Linguistic laws of French-speaking countries regulated differently the status of national and official language and it happened with the passage of time evolutions in the context of the promotion, as well as weakening of statutes of some languages (Halaoui 1995).

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#### ***1.2.1 The status of official language in African States of the French-speaking world***

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There were countries in which their constitutions did not mention clearly any official language. It was the case of Cape Verde and Madagascar. This did not mean that the country was deprived of the use of any language in institutions of the State. But in these situations, languages used in public institutions functioned as official languages, but not, in strict legal terms the status of official language. So in Madagascar,

"the revolutionary regime did not keep any official language, but was making take the oath in Malagasy the president taking up office, that can be interpreted as an acknowledgement of this language as official. The constitutional text on which the regime based on, had not accepted itself any official language, neither Malagasy, nor French however it made take the oath in Malagasy, and, besides, it gave to this language the status of national language» (ibid 1995).

In other countries constitutions recognized more or less explicitly one official language. According to Halaoui "French was the most often language encountered in the status of official language in States subjugated to official monolingualism". Among these ones, there were twelve whose texts had recognized this status to French. In Africa it was about Benin, Burkina Faso, Ivory Coast, Gabon, Guinea (since the constitution of 1990), Mali, Niger, Senegal, Togo, Democratic Republic of the Congo (Ex Zaire). Some countries had as one official language, an African language. It was about namely: Burundi (official language): Kirundi. Other countries got two official languages of which one African language. It was about Central African Republic (official African language: Sango) and Rwanda (official African language: Kinyarwanda).

In Comoros, Comorian was one of the three official languages. Finally some French-speaking countries had not French like official language. It was about Algeria, Morocco, Mauritania and Tunisia which got Arabic like official languages. In other cases French cohabited with Arabic (case of Chad) or other languages (for example English in Cameroon). Moreover, there were many conceptions of the term official language for countries which recognized one or more. Consequently, functions and conditions of using official languages may so vary. (ibid 1995) pointed out three conceptions.

"According to the first conception, which can be classified as classical, the official language is first of all the language used in writing within the State's institutions. It can be used in oral, but it is not necessarily. At last, it can also be, in this same conception, the language in which is done the correspondence between the citizen and public institutions".

According to the second conception, described as institutional, this language is "the official language of State, language of official expression language in which the official expresses himself or works with". Halaoui sees to this conception "a wish from the constituent to reduce and limit the field of using the official language", a limitation which does not exist in the first conception. Finally, a third conception described as "global" and "territorial", expands the field of use of the official language. This one is developed. it is extended until its extreme limits, which can be+ only those of territory of the considered country. This is the case when the official language becomes the language of the Republic or country, this being said. This third conception of the official language is typically that of France.

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### ***1.2.2 The status of national language in African States of the French-speaking world***

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As for the term official language, there were many countries whose constitutions, at given periods anyway, had not mentioned any language

having the status of national language. According to Halaoui, "Within the forty-five countries of French-speaking world, there were twenty whose constitutions made no mention of national languages". There were, namely, in Africa, Cameroon (constitution 1972-1975), Cape Verde (1980), Central African Republic (1986), Law of March 8<sup>th</sup> 1991), Ivory Coast (1990), Egypt (1980), Bissau Guinea (1984), Morocco (1992), Mauritius (1969), Togo (1992), Tunisia (1959). We see in this list some countries "whose linguistic situation would look to impose the taking into account national languages in constitution. In fact these countries rather have, in general, a linguistic situation more complex that requires an organization simply at the level of status of languages. Some among them have more than one national language widely dominant. Finally if no language is accepted by the constitution, an official language is, and this one is often a foreign language" (ibid 1995). For countries whose constitutions mention national languages, we raise also many conceptions and use of the term. According to Halaoui

"we can recognize in the observation of realities two major conceptions of national language. It is about the full conception, which takes into account all the spoken languages on the national territory and selective conception, which takes into account only some selected languages in the country" (ibid 1995). He distinguished also a full conception "territorial" from a full conception "extraterritorial" as well as a selective conception "unitary" or on the contrary, "pluralistic».

The territorial full conception is, according to Halaoui "The most expanded conception of national language in French-speaking world, without being the most certified conception in legal texts" this means, again, that the factual situations must be distinguished from situations of law clarified in regulatory instruments. According to territorial full conception, "a national language is a language traditionally spoken on the national territory". In this conception, all languages traditionally spoken in a country are recognized as national languages, irrespective of the geographic coverage or number of speakers in the country. A national language can be spoken on the whole or part of national territory of a country. It is also a language spoken within a community recognized to belong traditionally to country. We observe variations in the mention of national languages in constitutions of countries applying pluralistic full conception. In some cases, the reference is collective in what it "inserts the national language into the constitution through the use of the concept of national language or a look like concept without pointing the language for all that". In the mention of national languages, "the used expression can refer directly or indirectly to national languages, because appearing in a context whose object is different from these languages". There was collective reference to national languages in constitutions of the following African countries of French-speaking world: Benin (1990), Burkina Faso (1991), Gabon (1990), Guinea (1990), Equatorial Guinea (1982), Mali (1992), Niger (1992), Democratic Republic of the Congo (1994). Extraterritorial full

conception is a conception very wide and less expanded, applicable only, according to Halaoui in Ivory Coast and the Seychelles.

"In Ivory Coast, any negro-African language, Ivorian or foreign, spoken on Ivorian territory by a negro-African community, Ivorian, foreign, living on this territory, is a national language. This is why, in this country radio and national television include, in national languages, Moore, which we know, is a language traditionally spoken on the territory of Burkina Faso by Mossi people. It turns out the Moore is articulated today in Ivory Coast by one million immigrants come from Burkina Faso, which constitutes nearly one within ten of the current population of Ivory-Coast".

According to the pluralistic selective conception, several languages among languages traditionally spoken in the country receive the status of national languages, according to variable criteria. So, Senegal and Congo, among the other things, give the status of national language to some languages specifically. In unitary selective conception, it is only one among languages traditionally spoken in the country which is accepted like national language. It is about generally a language which shows an aptitude to take charge of the communication on all or almost totality extent of national territory. Language policy, in this case, widely promotes the dominant language to the detriment of the other spoken languages on the national territory. The unitary conception and the one that prevails or prevailed in Algeria (1976), Burundi (1992), Comoros (1992), Madagascar (1992), and Rwanda (1989).

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### ***1.2.3 Evolutions of status in African States of the French-speaking world***

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If there are countries in which we observe no evolution in given statutes to national languages (Halaoui points out the cases of Algeria, Ivory Coast, Morocco and Tunisia for example), there are others where on the contrary the statutes of languages like official languages or national languages, all conceptions together have varied from one constitution to another. The evolution can be "progressive" that is, by integrating the linguistic issue in a constitutional text whereas the previous one excluded it or by raising the status of languages already integrated into the previous text, or at last by making official languages previously taken into account.

On the contrary, the observed evolution can be "regressive". In this case

"the starting point shows some consideration of languages. Halaoui, cites as example of regressive evolution the case of Madagascar, whereas the constitutional law of 1959 recognized Malagasy and French in the status of official language, that of 1992 recognizes the only Malagasy, but in the status of national language». (ibid 1995)

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## Conclusion

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To conclude this article on *"Les lois et règlements linguistiques des états francophones »* by Nazam Halaoui. Through this document, we realized that, in French-speaking Africa, at a given moment, there were some states which did not make clearly any mention of official language in their constitutions. It was the case of Madagascar and Cape-Verde. But, other countries ' constitutions recognized more or less explicitly one official language. According to Halaoui" French was the most often language encountered in the status of official language in States submitted to official monolingualism". Among these ones, there were twelve whose texts had recognized this status to French. In Africa it was about Benin, Burkina Faso, Ivory Coast, Gabon, Guinea (since the constitution of 1990), Mali, Niger, Senegal, Togo, Democratic Republic of the Congo (Ex Zaire). Some countries had as one official language, an African language.

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As for status of national language, there were many countries whose constitutions, at given periods anyway, had not mentioned any language having the status of national language. According to Halaoui, "Within the forty-five countries of French-speaking world, there were twenty whose constitutions made no mention of national languages". There were, namely, in Africa, Cameroon (constitution 1972-1975), Cape Verde (1980), Central African Republic (1986), Law of March 8<sup>th</sup> 1991), Ivory Coast (1990), Egypt (1980), Bissau Guinea (1984), Morocco (1992), Mauritius (1969), Togo (1992), Tunisia (1959). In terms of evolutions, there are countries in which we observe no evolution in given statutes to national languages (Halaoui points out the cases of Algeria, Ivory Coast, Morocco and Tunisia for example), there are others, where on the contrary, the statutes of languages like official languages or national languages, all conceptions together have varied from one constitution to another.

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