

Annex III - Status of Valencian in the legislation of the Spanish State and the Valencian Community

III.a) Official use of Valencian in the preautonomic stage

Before and during the Spanish democratic transition, the civil society and the authorities of the moment launched initiatives for the recognition of Valencian as a co-official language, as well as for the inclusion of Valencian teaching in the educational system.

III.a.1 **Creation of the “Valencian Linguistics” Department in the Faculty of Philosophy and Letters of the University of Valencia**

The Ministry of Education and Science decreed on February 6, 1975 the creation of the “Valencian Linguistics” Department in the University of Valencia⁸¹, in response to the proposal of the Rector of this university.

III.a.2 **Regulation of the incorporation of native languages into preschool and basic education**

The Ministry of Education and Science decreed on May 30, 1975 the incorporation of native languages into the programs of Preschool and General Basic Education Centers⁸².

This decree does not specify which shall be those *native languages*.

III.a.3 **Petitions and positioning of the civil society for the recognition of Valencian as a native language**

After the decree cited in the previous point, on the incorporation of native languages into teaching, many entities demanded the recognition of Valencian as a *native language* for all purposes.

We wish to highlight the following requests:

- Letter from the **Center of Valencian Culture** (currently *Real Acadèmia de Cultura Valenciana*, co-elaborator of this report) to the Minister of Education and Science⁸³, of June 2, 1975. It states that “*It is especially interesting that*

81 *DECREE 499/1975, of the February 6, creating the Department of Valencian Linguistics in the Faculty of Philosophy and Letters of the University of València.*
<https://www.boe.es/boe/dias/1975/03/21/pdfs/A05828-05828.pdf> [Retrieved 05/08/2018] (it can also be found in the [Documentary Appendix - Document 7](#))

82 *DECREE 1,433/1975, of May 30, regulating the incorporation of the native languages into the programs of Preschool and General Basic Education Centers.*
<https://www.boe.es/boe/dias/1975/07/01/pdfs/A14249-14250.pdf> [Retrieved 05/08/2018]

83 Giner, J. *Aportacions bibliogràfiques entorn a la identitat de la llengua valenciana* (Bibliographic contributions regarding the identity of the Valencian language). Grup d'Acció Valencianista, València c., 1979, p. 65-67.

These pages feature a letter from the *Centre de Cultura Valenciana* to the Minister of Education and Science, of 02/06/1975. It can be found in the [Documentary Appendix - Document 8](#).

Valencian-speaking students of the Kingdom of València [...] they are taught, with vocabulary, phonetics, morphology and syntax typical of their native Valencian language, and that Valencian cultural manifestations are also the ones that must be taught to these students”, and that, therefore, “the books and teaching materials should be adjusted to the previous purpose”.

It is also interesting to note that this letter emphasizes the convenience that the Ministry “*requests the collaboration of the University of València, Provincial Councils, City Councils, Centers of Valencian Culture, Institute of Alicante’s Studies, Society of Castellon’s Culture, Lo Rat Penat and other suitable centers*”.

- Request from **all the National Counselors and Solicitors in the Spanish Courts from the Valencian Region** to the Government⁸⁴, of June 14, 1975, in which it is manifested that the decree of the inclusion of *native languages* in education does not define what is meant by “native language”. Thus, based on the fact that “*the Kingdom of València [...] is a perfectly defined entity with its own personality, culture and bilingualism*”, **they request the Government “that the VALENCIAN LANGUAGE shall have such consideration and shall be one of the recognized ones [as native languages] for all purposes”.**

This petition was answered in the Official Gazette of the Spanish Courts, in its number 1,466 of November 4, 1975, stating that “*the Valencian language perfectly fits into this consideration of native*”.

- Statement from *Lo Rat Penat* (co-elaborating entity of this report)⁸⁵, of June 28, 1975, which **defends the Valencian identity** as a nationality that historically has never depended from Castile or Catalonia, and **the denomination “Valencian language” and its particular lexicon.**
- Request of the **Governing Board of the Chroniclers of the Kingdom of València, integrated into the Center of Valencian Culture** (now known as Royal Academy of Valencian Culture, RACV) to the Minister of Education and Science⁸⁶, of July 30, 1975, in which it is emphasized that in most of the municipalities of the Kingdom of València “*they have as its native language the one known as, at least since the XIV century, Valencian language, with its own lexicon, its own morphology, its peculiar twists and modisms, its verbal flexion and its phonetics*”. Therefore, **they request the Minister to “recognize as a**

84 Giner, op. cit., p. 62-64.

These pages feature a request to the Spanish government: That Valencian becomes considered as a native language for all purposes), of 14/06/1975. It can be found in the [Documentary Appendix - Document 9](#).

85 Giner, op. cit., p. 66-67.

These pages feature a declaration of *Lo Rat Penat* on the Valencian language, of 28/06/1975. It can be found in the [Documentary Appendix - Document 10](#).

86 Giner, op. cit., p. 64-65.

These pages feature the letter to the Minister of Education and Science: *La Llengua Valenciana i els Cronistes del Regne* (The Valencian Language and the Chroniclers of the Kingdom), of 30/07/1975. It can be found in the [Documentary Appendix - Document 11](#).

native language of the provinces that were part of the Kingdom of València, the universally known as ‘Valencian language’, with all its rich particularisms and excluding anything that might be strange to its rich and endearing linguistic reality”.

It can be seen that the requests make mention more or less explicitly to the existence of threats towards the name and entity of the Valencian language (that shouldn't lose its particular characteristics), or even towards the Valencian identity, coming from the annexationist sectors. This clash of positions triggered the “Battle of València” presented in Annex I.b.

III.a.4 Agreement of the City Council of València requesting the co-officiality of Valencian (06/04/1977)

In this agreement, after revealing the bilingualism of the “Valencian Region, former Kingdom of València”, it is decided that:

First. To request the Government of the Nation the declaration of co-official status of the Valencian and Spanish languages in the Valencian Region.

Second. The development and way to put into practice the declaration of co-officiality shall be carried out by the Valencian people through its legitimate representatives in its own government organs.

Third. To render account of the present agreement to His Majesty the King.

Fourth. To transmit the present agreement to all the City Councils and Provincial Councils of the Valencian Region.⁸⁷

III.a.5 Authorization of teaching in the Valencian language in the first year of High School, with an experimental nature

On February 9, 1979, the Ministry of Education and Science authorizes the teaching of the Valencian language in the first High School year, with an experimental nature⁸⁸. This authorization was requested by 4 centers from the Province of Alacant, 7 centers from the Province of Castelló and 14 centers from the Province of València.

87 *Acuerdos del Excmo. Ayuntamiento sobre la Región Valenciana* (Agreements of the City Council on the Valencian Region). València c., 1977, p. 7-9.

These pages feature the reproduction of a CERTIFICATE issued by D. Rafael A. Arnanz Delgado, General Secretary of the City Hall of València, on 26/04/1997. It can be found in the [Documentary Appendix - Document 12](#).

88 *ORDER of January 9, 1979 on the authorization of the teaching of the Valencian Language in the first year of High School, with an experimental nature*. <https://www.boe.es/boe/dias/1979/02/24/pdfs/A04996-04997.pdf> [Retrieved 05/08/2018]

III.a.6 Regulation of the use of the own language in Local Corporations

On May 10, 1979, the Ministry of Territorial Administration regulated the use of the different languages in the actions done by Local Corporations⁸⁹.

III.b) Spanish Constitution (1978)

The Spanish Constitution, in its article 3, specifies:

Article 3

1. Spanish is the official language of the State. All Spaniards have the right to know it and the right to use it.
2. **The other Spanish languages will also be official in the respective Autonomous Communities in accordance to their Statutes.**
3. **The richness of the different linguistic modalities of Spain is a cultural heritage that will be subject to special respect and protection.**

Therefore, in essence, the Autonomous Communities are responsible for determining which language is also official in them, apart from Spanish. It should be noted that the Constitution emphasizes the richness that constitutes the linguistic diversity, including to that diversity the linguistic modalities.

III.c) Statute of Autonomy of the Valencian Community (1982)

The Statute of Autonomy of the Valencian Community of 1982, in article 7, specified:

Article 7

One. The two official languages of the Autonomous Community are Valencian and Spanish. Everyone has the right to know and use them

Two. The *Generalitat Valenciana* will guarantee the normal and official use of both languages and will adopt the necessary measures to ensure their knowledge.

Three. No one can be discriminated against because of their language.

Four. Special protection and respect for the recovery of Valencian will be granted.

89 ROYAL DECREE 1,111/1979, of May 10, regulating the use of the different Spanish languages in the actions of the Local Corporations.
<https://www.boe.es/boe/dias/1979/05/14/pdfs/A10813-10814.pdf> [Retrieved 05/08/2018]

Five. The Law will establish the criteria for applying the own language in the Administration and in the Education.

Six. Laws will delimit the territories in which the use of one or more languages prevails, as well as those that can be exempted from the teaching and use of the own language of the Valencian Community.

This Statute was first published in the Official Gazette of the Valencian Government (DOGV) using the autochthonist codification for Valencian of the RACV, in effect in 1982 (see section 3.1, and in particular note 5).

III.d) Law on the Use and Teaching of Valencian (1983)

The Law on the Use and Teaching of Valencian (Law 4/1983, of November 23, on the Use and Teaching of Valencian, LUEV) is a law in effect, promoted by the Socialist government of the *Generalitat Valenciana* in that moment, chaired by Joan Lerma, and approved by the *Les Corts* (Valencian parliament), which regulates the rights of citizens to use Valencian and the obligation of the institutions to ensure that these rights are complied. It also addresses the teaching of Valencian.

Based on what is established in the Statute of Autonomy, in article 2 it is reaffirmed that:

Valencian is the own language of the Valencian Community and, as a result, all citizens have the right to know it and to use it, orally and in writing, both in the private relations and in the relationships of those with public organisms.

In articles 4 and 5, it is pointed out that there should be no discrimination due to the use of language, indicating that:

Article 4

In no case may discrimination be done because of the use of any of the two official languages.

Article 5

The Administration will adopt how many measures are still needed to prevent discrimination against citizens or activities due to the use of any of the two official languages, as well as guaranteeing the normal use, promotion and knowledge of Valencian.

Article 17 refers to the normalization of the use of Valencian in the following terms:

All citizens have the right to express themselves in Valencian at any meeting, as well as to develop their professional, commercial, labor, trade union, political, religious, recreational and artistic activities in Valencian.

In article 20, reference is made to non-discrimination, in this case in the field of education:

The Administration will adopt how many measures are still necessary to prevent discrimination against students due to the language they are used to use.

Article 25 refers to the use of Valencian in the media and other cultural manifestations, indicating that the *Consell de la Generalitat Valenciana*:

[...]

3. It will promote how many cultural and artistic manifestations are done in both languages, receiving special consideration for those developed in Valencian.

4. The *Generalitat Valenciana* will support how many actions will be aimed at the edition, development and promotion of Valencian books, and all of this without undermining the language used, but in specific treatment to those that are printed in Valencian.

In article 30.1, the possibility of fiscally benefiting acts and manifestations of Valencian culture is foreseen:

1. The *Generalitat Valenciana* and the Local Corporations may exempt and discount on tax obligations to those acts and manifestations related to the promotion, dissemination and extension of the Valencian culture, with special regard to those that entail the use of Valencian.

It should be noted that at no time this law, nor any of the subsequent legislative initiatives in relation to the use of Valencian until the creation of the AVL in 1998, nothing is determined regarding the consideration of the Valencian language as an independent language or as a variant of another language (with the exception of the consideration of “language” given to Valencian in the Statute of Autonomy), nor anything is said on which strategy should be applied to the codification of the Valencian language, or on the norms of which institution should be the official or the reference one.

However, since the adoption of the LUEV, the successive governments have used, and restored in education, the proposals of the *Institut Interuniversitari de Filologia Valenciana* (IIFV), which applies to Valencian the codification of the *Institut d’Estudis Catalan* (IEC) for standard Catalan, with a few concessions.

III.e) Law of creation of the Valencian Academy of the Language (AVL) (1998)

In 1998, based on the recommendations of the Resolution of the Valencian Council of Culture (CVC) approved in the plenary session of July 13 of that same year, it was approved the Law 7/1998, of September 16, of the *Generalitat Valenciana*, of the Creation of the Valencian Academy of the Language [1998/7973]⁹⁰.

By means of this law it is decided to create an official normative entity for Valencian, that would need to overcome what the Resolution, mentioned in the preamble of that law, defines as:

... **A conflict over the name, nature and language regulation** of the own language of Valencians, that impedes its health and accumulates the difficulties in the process of recovery of the language that should identify and unite us as Valencians, instead of separating us...

It is to be noted that the CVC's Resolution acknowledges that **the conflict is not circumscribed to the name of the language, but it also comprises the nature of the language and its codification model.**

Based on that, the *Academia Valenciana de la Llengua*, (AVL) is created, with the objectives that are detailed below:

Article 3

The *Academia Valenciana de la Llengua* is the institution that has the purpose of determining and elaborating, if appropriate, the linguistic norms of the Valencian language. As well as looking after Valencian based upon the lexicographical and literary tradition, and genuine Valencian linguistic reality, as well as the consolidated linguistic regulation, based on the known as Norms of Castelló (*Normes de Castelló*).

Article 4

The principles and criteria that should inspire the action of the Academia are those that follow from the Resolution approved by the Valencian Council of Culture on July 13, 1998, and that appear in the Preamble of this Law.

Article 5

The decisions of the AVL, in the exercise of its functions, must be observed by all the Institutions of the *Generalitat*, the Public Authorities, the rest of Public Administrations, the educational system and the communication media, the entities, organisms and companies, publicly owned or having public financing.

90 http://www.dogv.gva.es/datos/1998/09/21/pdf/1998_7973.pdf [Retrieved 05/08/2018]

As indicated in the preceding article, the official regulations must be observed by the Public Administrations and other public entities or with public financing. This last paragraph opens up the possibility of considering it lawful to exclude from subsidies any entity that uses Valencian not following the official regulations (see the cases collected in Annex IV). It must be said that this rigorous interpretation has never taken effect until 2015.

In 2002, the AVL agreed to approve an official Valencian normative referent, valid as long as the Grammar and the Dictionary, or other prescriptive texts of this institution, weren't approved. These normative works were published in successive years: Orthographic and Pronunciation Dictionary of Valencian (2006), Valencian Normative Grammar (*Gramàtica Normativa Valenciana*, GNV) (2006), Valencian Normative Dictionary (*Diccionari Normatiu Valencià*, DNV) (2014) and Basic Valencian Grammar (*Gramàtica Valenciana Bàsica*, GVB) (2016).

III.f) Resolution of the Valencian Academy of the Language (AVL) on the principles and criteria for the defense of the denomination and entity of Valencian (2005)

The Valencian Academy of the Language drew up in 2005 a resolution with its opinion on the principles and criteria for the defense of the denomination and entity of Valencian⁹¹ (hereinafter, the RESOLUTION).

This document **was expected since the law of creation of the AVL was approved in 1998, since the creation of this entity was precisely motivated by the social conflict in relation to Valencian**, not only with respect to the name but also to the entity of Valencian, and to the linguistic model that was to be proposed to Valencian speakers (see section 3 of this document).

From the autochthonist sector –and also, we think, from particularist sector– **a defense of the denomination “Valencian language”** (and also “Valencian”, or in Valencian “*llengua valenciana*”, “*valencià*” or “*idioma valencià*”) **was expected. But, above all, a defense of the entity of Valencian was expected, in which an autonomy of the linguistic modality would be recognized**, although it would be coordinated with other similar modalities. **The main practical consequence of this linguistic autonomy should be reflected in a linguistic codification of Valencian, by the AVL, faithful to the Valencian linguistic tradition and reality**, without subordination to other similar modalities.

This position was already stated by the RACV, on behalf of the linguistic autochthonism, before the creation of the AVL, when the Valencian Culture Council (CVC) received the

91 *Dictamen sobre els principis i criteris per a la defensa de la denominació i l'entitat del valencià* (Resolution on the principles and criteria for the defense of the denomination and entity of Valencian), approved by the AVL in the plenary of February 9, 2005, and published in the Resolution 2/2005, of March 29 by the Presidency of the Valencian Academy of the Language: <https://www.avl.gva.es/documents/31983/0/Dictamen+sobre+els+principis+i+criteris+per+a+la+defensa+de+la+denominaci%C3%B3+i+l%E2%80%99entitat+del+valenci%C3%A0/986f8d4d-89b2-4a12-826c-c7386f92f289> [Retrieved 05/08/2018]

command to elaborate the Resolution on the Valencian language that ended with the proposal to Les Corts for the creation of a normative entity for Valencian⁹².

However, **the RESOLUTION establishes for the first time an official position** regarding the name and entity of the Valencian, as well as respect to the codification strategy for Valencian, **an opinion we autochthonist entities disagree with.**

As a sign of this disagreement, again the RACV responded to the RESOLUTION in a letter dated February 14, 2015, in which it concluded:

9.- We consider that if the creation of the AVL was an attempt to bring together a consensus that would end with the Valencian linguistic conflict, due to its composition, with the presence of an absolute majority of supporters of linguistic annexationism and contrary to the existence of a Valencian language with its own orthography and grammar, has served to promote discord and confusion among the Valencians, fueling the linguistic war, now more present than ever in public life.

Therefore the derogation of the Law of Creation of the AVL and its dissolution are demanded with respectful energy⁹³.

We will now analyze some of the points of the RESOLUTION, showing the aspects we are disagree with, and also, to what extent the tendentious observance of this resolution has been used to depersonalize Valencian, setting it apart from its speakers, discouraging its use and discriminating a part of Valencian speakers.

III.f.1 Entity of Valencian

Regarding the entity of Valencian, the RESOLUTION states that:

1. [...] **the own and historical language of Valencians**, from the point of view of philology, **is also the one that share the autonomous communities of Catalonia and the Balearic Islands and the Principality of Andorra** [...] The different speeches of all these territories **constitute a language, that is to say, the same ‘linguistic system’...**

That is, **the AVL decides to enshrine the unification of the Valencian, Catalan and Balearic linguistics modalities, considering that they are the same linguistic system or language.** We say “decide” because the consideration of different modalities as one or many languages is a question that goes beyond the description that philology can make of a linguistic system.

92 Both the report sent to the CVC on 12/03/1998 and a declaration of principles, once known the text of the Resolution from the CVC, can be consulted on the web site of the Language Section of the RACV: https://www.llenguavalenciana.com/documents/la_racv_i_el_consell_valencia_de_cultura [Retrieved 05/08/2018]

93 The response from the RACV to the RESOLUTION can be found in: <https://www.llenguavalenciana.com/media/documents/informes/resdictamen.pdf> [Retrieved 05/08/2018]

In fact, the RESOLUTION recognizes the existence of a “particularist tradition” (equivalent to the autochthonism described in section 3 of this document), but it is minimized, in a self-interested way, in comparison to “the consciousness of having a shared language”, that, in our opinion, has not been such a consciousness of a *common language* but rather of a *linguistic familiarity*, always based on respect to the peculiarities of each linguistic modality.

4. [...] **Although there is a Valencian particularist tradition** with respect to its own language (annex 3), **the consciousness of having a shared language** with other territories of the former Crown of Aragon **has remained constant until the contemporary time** (annex 4)...

As the RACV already answered to the RESOLUTION (see note 93):

6.- [...] From the point of view of philology, the statement is incorrect since, as did the Catalans Pompeu Fabra –who was not a philologist– and Joan Coromines, **mutilates the linguistics system in an unscientific and interested manner**, in a way that no prestigious philologist can accept this **approach that leaves all the Oc’s lands, who give the name of Occitano-Romance to our system**. Curiously the resolution speaks of a system but does not say which this system is, not to make the error obvious.

The resolution confuses things that in philology are well defined as the concept of language, speech and linguistic system or diasystem. All the territories mentioned plus all of Occitania are part of a linguistic system, the Occitano-Romance system, and within it, some variants rose to the category of language with a literary prestige, first of all Occitan with the troubadour literature, in second place Valencian with the Golden Age (*Sigle d’Or*) in the XV century and in the third place the Catalans with the *Renaixença*, the other ones, without a literary tradition, remain as variants and some, like Majorcan, have assumed their annexation to Catalan, according to the Balearic Statute of Autonomy.

We have repeated on several occasions that **we don’t need to go very far to find similar cases**, such as the Galician-Portuguese one that the RAE [*that stands for Real Academia Española, the normative entity for Spanish*], defines as ‘a group of Romance languages used in the Galician and Portuguese linguistic dominions’. **Nobody denies that Galician and Portuguese form a linguistic system, but also nobody denies that they are considered two languages. Our case doesn’t have to be different.**

In conclusion, the autochthonist linguistic Valencianism disagrees with the decision of the AVL, since we understand that **Valencian is the strictly Valencian linguistic modality** –although framed in a broader linguistic family, the Occitano-Romance

diasystem–, according to the non-dialectal (and not annexationist towards other modalities) linguistic consciousness of the Valencians.

We consider that **the determined support of the AVL to the project of linguistic unification moves it away from the objective for which it was created**, and to the will of the majority of the Valencians (see the analysis of the surveys on the linguistic consciousness of the Valencians in Annex I.a), **having, in addition, serious consequences for the survival of the Valencian linguistic modality**, as it conditions the codification strategy of Valencian –subordinating it to Catalan– and legitimates the absence of textual or audiovisual content in a Valencian model.

III.f.2 Name of Valencian

Regarding the name of Valencian, the RESOLUTION determines that “Valencian” (as well as “Valencian language”, or in Valencian “*valencià*”, “*llengua valenciana*” or “*idioma valencià*”) and “Catalan” are two equally valid names for the same language:

4. In the territory of the current Valencian Community, **the own language of Valencians has received mainly the name of Valencian or Valencian language** [...] Therefore, **the historical denomination of Valencian has coexisted with that of Catalan, documented in certain Valencian sources** (annex 5), and widespread in the field of the Romance studies and the Valencian university of recent decades. Likewise, **there are not few testimonies** in which the name of one of the parts has been avoided to designate the whole language system through **composite or syncretic formulas such as Valencian and Catalan language** (annex 6), or in which integrating and overcoming denominations of the onomastic diversity are proposed (annex 7).

5. The denomination of Valencian is, in addition, the one established in the Statute of Autonomy of the Valencian Community. Therefore, in accordance with the tradition and statutory legality, **the AVL considers that the most appropriate term to designate the own language in the Valencian Community is Valencian**, a name that has been preserved legally, **since it is one of the main signs of identity of our People**. This name **can designate the whole of the language** that we share with the territories of the former Crown of Aragón already mentioned, as well as, with a more restricted semantic scope, **the idiomatic modality that characterizes us within that same language...**

In our opinion, **the onomastic solution** presented in points 4 and 5 of the RESOLUTION **tries to close a conflict intentionally reduced to the name of the language**: if most of the Valencians do not admit the name of “Catalan” for their language, it is determined that the names “Valencian” and “Catalan” are equally valid to refer to the *common language*. But the **onomastic duality is not a social reality**: as we

have said, Valencians don't have the consciousness that the denomination "Valencian" refers to Valencian and Catalan as a whole.

The approach of the AVL allows and recommends the use of the name "Valencian" or "Valencian language" in the Valencian territorial area, but point 4 recognizes that in the Romance studies and Valencian academic fields the name "Catalan" has been selected for the linguistic system –we believe that in order to avoid doubts about the alleged linguistic unity, but also because of annexationist fervor in relation to language, culture and identity–. That is why the RESOLUTION makes the following proposal:

6. [...] For this reason **the AVL considers it necessary** that the autonomous governments involved, in collaboration with the Spanish Government, take the appropriate measures (enablement of syncretic or similar formulas, for example) so that, specially outside of that linguistic area, **the onomastic duality of our language is harmonized** with the projection of it as a cohesive and non-fragmented entity. In this way, it could be **coherently guaranteed the legitimate presence of the Valencian demonym outside our Community** and, at the same time, reconcile the philological reality with the Valencian legal and sociological reality.

To Valencian autochthonist speakers, this idea of promoting solutions that respect at the same time both the onomastics duality and the projection of a cohesive and non-fragmented language **seems unacceptable on the basis of principles**, but it is also doomed to failure: it could only work in a scenario in which the linguistic particularism was be the predominant position in the academic world and the rulers of *all* the territories involved.

In the current scenario –with a strong annexationist position in these fields both in València and in Catalonia– it is a utopia, as evidenced by the fact that no action has been verified in that direction from those who have the capacity to act: **the denomination of "Valencian" is a concession to the Valencians**, but to maintain a cohesive projection of the language the name "Catalan" is used, which is a declaration of intentions over the Valencian linguistic model as we shall see later.

For example, we can mention the case of the Departments of Catalan Philology in the Valencian universities (renamed like this in 1993; before they were called of "Valencian Linguistics" or "Valencian Philology"). Although the RESOLUTION dates from thirteen years ago, there seems to be no intention of recovering the "Valencian" demonym in the academic world of the Valencian Community, nor of promoting a change towards syncretic or similar formulas in the universities of Valencian and Catalan territories.

Moreover, the annexationist association *Acció Cultural del País Valencià* (ACPV) presented in April 2018 a document, written with the collaboration of the Valencian public universities, which demanded the creation of a "Linguistic Equality" law that should contemplate for the language, along with the name "Valencian" used in the Statute of Autonomy, *"the equivalence with the name 'Catalan'"*; thus, "overcoming

the disparity of names we will avoid that the State, and diverse public and private entities, treat Valencian and Catalan as if they responded to two different linguistic communities”⁹⁴. We, the autochthonist entities that have prepared this report, consider that the name “Valencian” must be preserved in the context of the Valencian Community (in accordance with point 5 of the RESOLUTION), and that it should be used to refer to the strictly Valencian linguistic modality, so that the State and public or private entities can treat Valencian and Catalan differently, allowing the availability of different content versions for the speakers of the different modalities.

We would like to point out yet another case, in relation with the selective disrespect for some points in the RESOLUTION. Recently, the Department of Justice of the Valencian government released a web site to submit articles for the juridic electronic magazine *Drets*, the scope of which is the Valencian Community. The users of this platform could select their preferred language between Spanish, English and Catalan, not including Valencian (neither the name nor the Valencian linguistic model)⁹⁵. This fact caused protests, and the Department of Justice changed the submission form, replacing “Catalan” with “Valencian”, but leaving the text in standard Catalan untouched⁹⁶.

III.f.3 Codification model of Valencian

Regarding the codification model for Valencian –we remind that by law the AVL has the purpose of determining and elaborating, if appropriate, the linguistic regulations of the Valencian language–, the RESOLUTION states:

1. [...] Within that set of speeches, **Valencian has the same hierarchy and dignity** as any other territorial modality of the linguistic system, **and presents its own characteristics that the AVL will preserve and leverage in accordance with the own lexicographical and literary tradition, the Valencian linguistic reality** and the consolidated normalization based on the Norms of Castelló (Normes de Castelló).

[...]

7. Regarding the language codification model, it must be kept in mind that **not all the languages of culture have followed unique and exclusive guidelines** [...] there are others [language codification models], still, **that respect the different modalities within the unity** (as in the case of Portuguese from Portugal and Brazil). **This last possibility, given the rich**

94 https://www.abc.es/espana/comunidad-valenciana/abci-universidades-publicas-valencianas-piden-ley-oficialice-catalan-y-obligue-conocimiento-201804111141_noticia.html [Retrieved 05/08/2018] 05/08/2018]

95 https://www.abc.es/espana/comunidad-valenciana/abci-gobierno-valenciano-oficializa-catalan-pagina-201809041727_noticia.html [Retrieved 05/08/2018]

96 <http://revistes.gva.es/ojs/index.php/drets/user/register> [Retrieved 16/09/2018] (it can also be found in the [Documentary Appendix - Document 13](#)).

The text in the form features standard Catalan expressions such as “teva” for “teua”, “aquest/aquesta” determiners for “este/esta”, “tenir/contenir” verbs for “tindre/contindre”, as well as Catalan verb inflections instead of the Valencian ones.

linguistic and literary tradition of Valencian within the shared language, is the one that the AVL considers to be the most suitable for our language, since it allows the respect for diversity within the unity. What is proposed, for the whole of the language, is, therefore, a polycentric whilst at the same time convergent codification.

Regarding these points, the RACV expressed the disapproval of the autochthonism in its response to the RESOLUTION (see note 93):

3.- The historical reality is distorted when it is repeated that the Bases – not norms– of 1932 were a historical overcoming that meant the unification of the Valencian orthography, because in 1932 there was no debate or study, simply the signature of people and entities that, according to this bases, ‘maintain their scientific points of view’, so much so that the only philologist that signed them, Lluís Fullana, republished in 1933 its Valencian Orthography, and the main entities that signed them, like *Lo Rat Penat* and the Center of Valencian Culture, nowadays called the RACV, stopped using them, since these Bases are a simple summary, full of incorrectness, of the spelling that the Institut of Catalan Studies elaborated for Catalan and that catalanize and dialectize Valencian.

4.- The statement again distorts the reality or ignores part of it when it repeats that there has been a consolidated normalization based on the Norms of Castelló of 1932. We have already explained on many occasions that **those Bases were put aside in a short time and the party in favor of the annexation to Catalan used the Catalan spelling directly [...]**

But the authors of the resolution aren’t unaware that the normalization during the last 25 years has also been done thanks to a spelling that they never mention, the Valencian Spelling of the RACV. In this spelling, many writers have written their works and it was official and published by the General Technical Secretary of the Department of Education of the Valencian government and, following it, the Statute of Autonomy of the Valencian Community was published in the Official Gazette of the *Generalitat Valenciana*); the first textbooks for the teaching of Valencian were also written following them, until the first socialist government imposed, without debate or consensus and without formalizing it, the Catalan spelling proclaiming that those were the Bases of 1932.

5.- The statement [...] compares incomparable cases, since the **linguistic consciousness of Valencians has always been that of speaking a different and distinct language with the proper name of ‘Valencian language’, not as in Brazil, the USA or Latin America** where we don’t find the existence of dictionaries and own grammars as happen in the Valencian case since the XV century [...] **following by the clear differential**

consciousness emanating from all classical and postclassical Valencian writers (not found in any known dialect or modality) with respect to their own Valencian language and **sociolinguistically confirmed by the general consciousness of an own and substantive language**, the Valencian one, that reflects, in the XX century, the *Linguistic Atlas of the Iberian Peninsula*.

In summary, the autochthonist linguistic Valencianism disagrees with the arguments of the AVL because **it is aimed at justifying the predetermined choice of a convergent polycentric coding model** “for the whole of the language” that:

- It is based on incorrect statements –the alleged historical consensus of the Bases of Castellón⁹⁷ and the subsequent normative consolidation–.
- It ignores the existence and the contribution of the RACV’s linguistic norms, which had an official status, to normalize the use of Valencian.
- It doesn’t give enough importance to Valencians’ differential linguistic consciousness, which suggests the convenience of a completely *autonomous* model (autochthonism) –or at least a *coordinated* one (particularism)–. Instead, a polycentric but *convergent* model is proposed, showing a subordinate position from Valencian to Catalan, and a desire to reach a Catalan-centric model (annexationism).
- It makes a proposal “for the whole of the language” that the AVL is not in a position to guarantee, because it requires two things that we have not seen to date: willingness to “coordinate between peers” that depends on other codification entities, and the determination of the AVL in defending its position.

The confirmation that the proposal of a convergent polycentric coding is harmful to the Valencian modality can be found in the fact that the respect for “the lexicographical, literary tradition, and the genuine Valencian linguistic reality”, which demands the law of creation of the AVL, is very often conditioned by the “convergence with the solutions that have been adopted in the other territories that share our language, in order to guarantee the pertinent cohesion”⁹⁸, and without finding a clear criteria of which Valencian language forms should be prioritized and which forms should be subordinated to the Catalan equivalent ones.

97 The Bases of Castelló can be consulted here: http://bivaldi.gva.es/es/catalogo_imagenes/imagen.cmd?path=1002235&posicion=1®istrardownload=1 [Retrieved 05/08/2018] (it can also be found in the [Documentary Appendix - Document 14](#))

In the signatures of the document of the Bases, collected at different times, the spirit of concord is manifested by some signers, who signed the document attending to the provisional nature of it

98 V.VAA. *Gramàtica Normativa Valenciana* (Valencian Normative Grammar). Col·lecció Textos Normatius, 2 (2006), p. 14. Publicacions de l’Acadèmia Valenciana de la Llengua. Online version in: <https://www.avl.gva.es/documents/31987/65233/GNV> [Retrieved 05/08/2018]

In fact, the RACV sent the AVL a document with some ‘revalencianization’ proposals, denouncing that:

We are observing lately that are being considered the most recent lexicographical works of Francesc Ferrer Pastor, Galmar dictionary, Enric Valor’s Basic Vocabulary, above all, the Dictionary of Catalan Language, of the Institute of Catalan Studies and the Valencian dictionary of the Inter-university Institute of Valencian Philology; but we note that **the lexicographical works of Valencian entities such as *Lo Rat Penat*, the Royal Academy of Valencian Culture, *València 2000*, *Grup d’Acció Valencianista* and so many others who, for a long time and during adverse historical moments for the language, have worked and continue to work for the Valencian language and follow a strict criterion of linguistic valencianity. We also note that there is more interest in introducing the Catalan phonetics, syntax, verbal and nominal morphology, spelling and lexicon, following prescriptive criteria, rather than in recovering and leveraging Valencian forms –many of them classical– or Valencian patrimonial and traditional language, for which they do absolutely nothing.**⁹⁹

As the previous citation denounces, the normative works of the AVL do not describe all of the own Valencian characteristics, when they describe them they are not always included in the norms, and when they are included they are often relegated, prioritizing the equivalent Catalan solutions, which are the prescribed ones.

A last aspect of the RESOLUTION that we want to highlight is related to the desirable existence of Valencian versions of textual and audiovisual contents:

8. Based on these criteria, in the Valencian territorial area, **the codification has been done and it is done in accordance with a model that incorporates the own characteristics of the Valencian speeches**, as reflected in the normative agreements adopted so far by the AVL. **This makes it possible to have own Valencian versions (media, audiovisual products, computer applications, publishing market, liturgical and religious texts...)**, which should not be interpreted as a sign of linguistic fragmentation, **but as a way of promoting the use of the language through the closeness of the Valencian language model to its users...**

9. [...] This desirable convergence must be perfectly compatible with **the possibility of using the language models of each territory** in the uses that affect private relationships between institutions outside our linguistic sphere (rest of Spain, European Union...), on one hand, and institutions and

99 *Informe sobre la llengua valenciana i propostes de revalencianisació* (Report on the Valencian language and proposals for revalencianization), paragraph 3. It can be consulted in: https://www.llenguavalenciana.com/documents/informes/informe_sobre_la_llengua_valenciana_i_propostes_de_revalencianisacio [Retrieved 05/08/2018]

individuals and legal entities of the autonomous communities that share the same language, on the other.

The AVL considers the possibility of having own Valencian versions of both textual and audiovisual content in any field, but we observe that both public administrations (Valencian and Spanish) and some private companies tend to ignore this possibility, whether by annexationist conviction or because of a supposed *cost efficiency*.

As we have indicated in the section 5.2 of this document, **the current Valencian autonomic government is considering that it fulfills the commitments in the Charter in those cases in which the Valencian citizens have versions in standard Catalan**, but from our point of view –we believe that shared with Valencian particularist speakers– **these Catalan contents are distant from the living Valencian linguistic modality** –and also distant from the AVL norms, the more Valencian solutions are taken–, **which causes that Valencian speakers do not consider those contents suitable for them, thus opting for the versions in Spanish.**

III.f.4 Conclusions

To conclude this section on the RESOLUTION of the AVL, we would like to emphasize that the entities that have prepared this report regret that this entity is not complying properly with the purpose for which it was created:

- It has not built an effective solution to the linguistic problem –as it has not taken into consideration the different sensitivities in a proportional way–.
- It has defined a norm that allows the annexationism to use an identical linguistic model to the standard Catalan, while the most particularist possible model remains distant from the Valencian vernacular variant –as it does not cover all the Valencian particularities, and although some of them are considered, they hardly ever are the prescribed forms–.
- It has not acted against challenges towards its authority as a normative entity, when the Valencian government institutions have taken advantage of the points in the RESOLUTION that best fit their intentions –such as the declaration of the identity between Valencian and Catalan, and the consequent validity of the expressions of the entire linguistic dominion– to set aside the points that don't fit their project of linguistic annexationism.
- It has served as a justification to condemn to marginality those Valencian speakers –entities, authors, citizens- that legitimately disagree with the views of the AVL, and that consider it preferable to have a linguistic model constructed from the criteria of a strict linguistic valencianism, such as the one of the RACV. It must be remembered that the AVL norms impose no obligation on individuals or groups not contemplated in the Law of Creation of the AVL or in the Statute of Autonomy, unless a restrictive reading of the legislation is made, which the

“Sindic de Greuges” (Valencian Ombudsman), for example, does not share (see the Anex IV.k).

Due to all this, we, the entities that have prepared this report:

show our absolute discrepancy with the Valencian legislation currently in effect in the field of linguistic matters;

- defend our right to continue using the Valencian language in coherence with our linguistic consciousness;
- assert that we are not represented at all by the normative work of the AVL;
- and we demand that the norms of the RACV have official recognition for all purposes, at the same time that we demand that individuals, creators, associations and companies may use the norms that they consider most appropriate in equal conditions as the Valencian speakers of other sensibilities and without any discrimination. This legislative change can be easily done if there is a will from the part of the political forces with parliamentary representation, since it consists in nothing more than generalizing those rights that, at this time, only a part of the Valencian speakers has guaranteed, so that all of them, without exception, can enjoy the same rights.

We have to admit, however, that not every Valencian will agree with our autochthonist sensitivity (a consideration, by the way, that they never show towards our sensitivity), and we are aware, in addition, to the legal obligations that, in accordance to the legislation currently in effect, unfortunately affect all the Valencians. Lawful obligations that, being realistic, can only be modified (since we completely discard that the AVL modifies on its own initiative its current positions) by political pacts, which would require a majority of three fifths of the Valencian Courts to modify the Law of Creation of the AVL, (according to article 44.5 of the Statute), and two thirds of the Valencian Courts, with later approval by the Spanish Courts and ending with a referendum, to modify the consideration of the AVL as an official normative entity in the Statute of Autonomy (art. 81).

For this reason, we demand to all the Valencian political parties with government responsibilities, at least and as a provisional minimum solution, that, for the time being and as long as it is not carried out, as is desirable, a major reform of the current legislation in the above indicated direction, they encourage the public administrations to use the closest linguistic model to the living Valencian language that allows the current norms of the AVL; which, without violating the legislation currently in effect, will imply the existence and transmission of versions in a Valencian linguistic model in all fields; with the conviction that all action that separates from the annexationist drift of Valencian into Catalan will result in a greater use of the language. A solution necessarily provisional, imperfect but realistic, waiting for a future where there are new socio-

political majorities which are adequate to finally recognize, officially, a purely Valencian linguistic codification.

III.g) Statute of Autonomy of the Valencian Community (2006)

The Statute of Autonomy of the Valencian Community, after the reform of 2006, clarifies some aspects of the Statute of 1982 and includes the Valencian Academy of the Language (AVL) as a statutory entity:

Article six

1. The Valencian Community's own language is Valencian.
2. The Valencian language is the official in the Valencian Community, as is Spanish, which is the official language of the State. Everyone has the right to know and use them and to receive the teaching of, and in, the Valencian language.
3. The *Generalitat* will guarantee the normal and official use of both languages, and will adopt the necessary measures to ensure their knowledge.
4. No one can be discriminated against because of their language.
5. Special protection and respect for the recovery of Valencian will be granted.
6. The law will establish the criteria for the application of the own language in Administration and Teaching.
7. The territories in which the use of one or the other language are predominant will be delimited by law, as well as those that may be exempt from the teaching and use of the Valencian Community's own language.
8. The Valencian Academy of the Language is the normative institution of the Valencian language.

Similarly, the same Statute of Autonomy, in its article 41, specifies:

Article 41

The Valencian Academy of the Language

The Valencian Academy of the Language, institution of public nature of the *Generalitat*, has as a function to determine and elaborate, if appropriate, the linguistic norms of the Valencian language.

The linguistic norms of the Valencian Academy of the Language will be mandatory in all the public administrations of the Valencian Community.

With regard to the procedure for the appointment of its members, functions, powers, status and duration of the mandate, it must adjust to what is required by the Law of *Les Corts* that regulates it.

The wording of the Statute contemplates the obligation to follow the AVL regulations only for the public administrations of the Valencian Community, without any reference to individuals or private entities, entering into a contradiction with the Law of creation of the AVL that extends this obligation to other cases that, according to the strict interpretation of the current Valencian government, can justify the denial of subsidies to Valencian cultural entities with a different sensitivity to that of the governing authorities.