

## The French Republic and its regional languages

*Dr Alexander Ressos, TEP  
Attorney-at-Law (Switzerland), Solicitor (Hong Kong),  
Solicitor (England & Wales)*

The legal framework for these efforts is set by the French state, which has defined itself through the French language since the Revolution. Article 2 of the Constitution of 1958 was supplemented by a constitutional law of 25 June 1992 with the sentence "*La langue de la République est le français*". The amendment was adopted in connection with the ratification of the Maastricht Treaty, as a safeguard against the dominance of English in a more integrated Europe, although it soon became an obstacle to the recognition of regional languages.<sup>1</sup> In 1999 the Conseil constitutionnel held that the European Charter for Regional or Minority Languages, which France had signed, contained clauses contrary to the Constitution, notably the right to use a regional language in public life. France has never ratified the Charter.<sup>2</sup>

The law of 4 August 1994 on the use of the French language, known as the *loi Toubon* after the then minister of culture, requires the use of French in a wide range of situations: in contracts of employment and internal company documents addressed to employees, in consumer information, advertising, public signage and in the conduct of public services.<sup>3</sup> For a Basel employer that recruits staff in Alsace, the law has limited direct effect, because employment with a Swiss employer is usually governed by Swiss law. It becomes relevant when a Basel group has an establishment in France, employs staff under French law or sells products to French consumers. The constitutional reform of 23 July 2008 added Article 75-1 to the Constitution, which states that regional languages belong to the heritage of France. The provision is symbolic, since the Conseil constitutionnel later held that it creates no right or freedom that individuals can invoke.<sup>4</sup>

The most recent attempt to strengthen regional languages was the law of 21 May 2021 on the protection and promotion of regional languages, known as the *loi Molac* after its sponsor, the Breton deputy Paul Molac.

Parliament adopted the law against the wishes of the government. Before its promulgation, the Conseil constitutionnel struck down two provisions: the article that would have permitted immersive teaching in a regional language in public schools, and the article that allowed diacritical signs of regional languages in civil status records.<sup>5</sup> The decision relied on Article 2 of the Constitution and caused alarm among the associative schools in Brittany, the Basque Country and Alsace that teach by immersion. A subsequent government circular confirmed that these schools could continue under their contracts with the state, which defused the immediate conflict without resolving the constitutional tension.<sup>6</sup>

## 1 Notes

1. Constitution of the French Republic of 4 October 1958, Article 2(1), as amended by constitutional law no. 92-554 of 25 June 1992. To be verified. ↩
2. Conseil constitutionnel, decision no. 99-412 DC of 15 June 1999 (European Charter for Regional or Minority Languages). To be verified. ↩
3. Loi no. 94-665 du 4 août 1994 relative à l'emploi de la langue française (loi Toubon). On its application to employment documents, see Articles L1221-3 and L1321-6 of the French Labour Code. To be verified. ↩
4. Constitution of 4 October 1958, Article 75-1, inserted by constitutional law no. 2008-724 of 23 July 2008. On its limited normative effect, see Conseil constitutionnel, decision no. 2011-130 QPC of 20 May 2011. To be verified. ↩
5. Loi no. 2021-641 du 21 mai 2021 relative à la protection patrimoniale des langues régionales et à leur promotion (loi Molac); Conseil constitutionnel, decision no. 2021-818 DC of 21 May 2021, which declared Articles 4 and 9 unconstitutional. To be verified. ↩
6. On the circular of the Ministry of Education of December 2021 on the teaching of regional languages after the decision of the Conseil constitutionnel, see the official bulletin of the Ministry of National Education. Status to be verified. ↩

---

*For general information only. This article does not constitute legal or tax advice, does not replace advice on an individual case and creates no lawyer-client relationship. It reflects the legal position as of September 2026.*

Online version: [helveticaregister.com/basel-the-french-republic-and-its-regional-languages](https://helveticaregister.com/basel-the-french-republic-and-its-regional-languages)