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INTERSECTION OF LANGUAGE WITH NATIONALISM AND JUSTICE IN GERMANY

AUTHORED BY - HARSH

INTRODUCTION

This research paper explores the relationship between language, nationalism, and justice in Germany. The essay's first section discusses the crucial role of language in German nationalism, emphasising the influence of Martin Luther's use of common language during the Reformation and the subsequent rise in the printing of his writings and pamphlets. The importance of language in forming cultural identity and the German nation is emphasised in the study. It discusses the variety of languages spoken in Germany, the importance of German, and the difficulties and advantages of multilingualism, particularly for immigrants. The effect of language on justice is also examined, with particular attention paid to minority languages, prejudice, court cases, and government initiatives to uphold and advance regional and minority languages. The historical, cultural, and legal dimensions of language's involvement in nationalism and justice are examined.

LANGUAGE AND NATIONALISM IN GERMANY

German Nationalism advocates the idea of the unity of Germans and the German-speaking population living in the nation. However, how to define the German nation has been in conflict for a long time. The nation is a conceived order, a culturally defined idea that determines people together as an amalgamation. However, this is decided by certain criteria, giving an idea of a collective nation. If the said criteria happens to be ethnic, then the nation would be known as an ethnic amalgamation; if this criterion happens to be cultural, then the nation could be known by its community and language¹.

This paper explains how critical the role of language is in a nationalist movement. Lepsius and Campbell discuss language as one criterion to unite nations. The one thing to gather from here is that the authors talk about a cultural nation. It stems from a belief that is based upon a shared

¹M. Rainer Lepsius and Jean A. Campbell, *The Nation and Nationalism in Germany*, 71(3) SOCIAL RESEARCH 481, 481-482 (2004).

cultural identity. "The "cultural nation" is defined by cultural equality between human beings. In German history, its importance has been seen occasionally in the relationship of substitution and complementarity to the political nation-state. Faced with the real experience of the political fragmentation of the cultural community established by the German language"², Lepsius and Campbell work on the idea that language forms the cultural aspect of nationalism. Moreover, it unites a region's people as a unifying cultural factor and has created divisions in the cultural community. However, there can still be a formation of nationalism in these differences if we dwell in the history of Germany.

Language and Nationalism in Reformation

The first movement that led to the idea of the German nation was the Reformation in the 16th century, where there was an increase in literacy. Martin Luther, one of the main contemporaries, wrote in vernacular. He wrote the 95 Theses, which marked the beginning of the Reformation. "The 95 theses penned by Luther were affixed to the doors of the castle and university church in Wittenberg on October 31, 1517, which is widely acknowledged as the commencement of the Reformation."³.

John Schofield describes the role of Martin Luther in the Reformation, one of the largest religious movements in Europe. He also wrote "To the Christian Nobility of the German Nation" along with the translated Bible and other books at that time, which were printed in German vernacular. He became the first best-seller author. Language does play an important role in driving any movement. "Between 1517 and 1518, the inaugural year of the Reformation, there was a remarkable 530 per cent surge in pamphlet production. This growth continued swiftly until 1524, reaching an almost eight-fold increase over these six years. The publication of Luther's works also experienced a rapid rise, jumping from 87 printings in 1518 to a peak of 390 printings in 1523, eventually tapering off to around 200."⁴

The analysis by author Mark Edwards and the statistics provided in his book "Printing, Propaganda and Martin Luther" show the role of language and how people could read and understand their vernacular language instead of Latin in the previous texts before print technology. The print led to the boom in ideas and propagation of knowledge in vernacular

² *Ibid.*

³ JOHN SCHOFIELD, MARTIN LUTHER 122 (2010).

⁴ MARK U. EDWARDS, JR., PRINTING, PROPAGANDA AND MARTIN LUTHER 17-19 (1994).

language. This Reformation period is also regarded as when protestants and Catholics were divided on linguistic grounds, and a new idea of the German nation was born here.

Language and Nationalism in Today's Germany.

Nationalism gets affected by languages and languages are a part of people; Germany is the home to German language, "Per the EU, the most widely spoken, native language or mother tongue is German (16%), followed by Italian and English (13% each)"⁵ and "The five most widely spoken foreign languages are English (38%), French (12%), German (11%), Spanish (7%) and Russian (5%), Germany is third here"⁶. "Germany is a pivotal European nation and a noteworthy participant in global affairs. Leveraging its extensive diplomatic resources, the country actively upholds multilateralism and international liberalism. It is crucial in prominent global agreements such as the G7, G20, OECD, and NATO. As an economic powerhouse in the European Union, Germany boasts one of the largest GDPs. Its foreign policy places a persistent emphasis on European integration, underscored by robust ties with France and other EU member states."⁷.

Due to the position of Germany in the European Union, the German Language also benefits, and the census shows the language's popularity in the EU. It has marked its dominance, and the role of vernacular in Global markets has increased, but even though vernacular has increased, it has created a problem in Germany. "Language barriers are not particularly unique to Germany, but they present a unique situation. The German education system and administration procedure require a person to be well-versed in German.

This also presents a situation in relatively advanced economies: "On average, immigrants have a limited impact on economic indicators such as the GDP growth rate, with their contribution being relatively low. However, this dynamic undergoes a fundamental shift over time as immigrants enhance their linguistic abilities, assimilate into the prevailing culture and language, and acquire the necessary experience and skills for employment, according to data from the International Monetary Fund (IMF). The German government has undertaken initiatives and implemented measures in response to this issue, but the challenge persists." Rafik Hariri tries to convey the language barrier between German companies and people who are immigrating or working from outside their language domain. German language preference in Germany, a unified nation, and

⁵ *Europeans and their languages*, Special Eurobarometer 386, 2012.

⁶ *Ibid.*

⁷ Felix Heilmann et al., *Is Germany ready for the future?* E3G 55 (2020).

globalisation pitted against each other. Even though German is substantially spoken in Germany, it is not the only language.

“The official language of Germany is Standard German, with over 95% of the population speaking German as their first language. Minority languages include Sorbian, a language used by 0.09% of the population in the east of Germany and North Frisian, spoken in North Friesland by around 10,000 people, or 0.01%, who also speak German. Danish is also spoken by 0.06% of people, mainly along the German-Danish border. Romani, an indigenous language, is spoken by around 0.08%. Immigrant languages include Turkish, which is spoken by around 1.8%, and Kurdish, by 0.3%.”

Role of Dialects

However, the German spoken widely is Standard; it has certain dialects that we need to see to realise the depth of this language. Graphically, the language situation in Germany could be represented in the following way: in the centre, there is a circle, representing the standard German (High German), divided into various sections like a pie chart. The sections form the dialects used in Germany. There are 16 big dialect groups, including Bavarian, Alemannic, Upper Saxon, Brandenburg, etc. One does not need to go too far to see another dialect, which is quite different and could be difficult to understand, even for Germans with German as their native language.

There has been a possibility of switching to the standard language. Nevertheless, people of the same region are more likely to speak in a dialect. Ekaterina and Svetlana research the situation in Germany on various dialects and find out that these dialects are multiple languages in themselves and come under the umbrella term “German”. “A dialect is closely connected to where a person was born. Thus, it becomes a part of their personality and their upbringing. It is relatively easier for a person to express their thoughts or to conduct a soul conversation in a dialect than in high German. Two people speaking the same dialect feel a certain connection because they have a common background and a similar way of thinking.”⁸

The authors and researchers talked to a person in Berlin to understand the present condition of dialects and find out how dialects work in different areas. Moreover, how different dialects change the effective lives of people in those areas. However, these dialects have been constantly

⁸ *Ibid.*

changing, too, with the ongoing globalisation in Germany. “Based on interviews with some of the few remaining speakers of the dialect of the German-speaking linguistic island of Moundridge, Kansas, Michael T. Putnam, ‘Dative Case Maintenance in Moundridge Schweitzer German via Restructuring’, *ZDL*, 79:43–64, shows that a small group of the most competent speakers use a particular definite article that serves both as the third person singular possessive pronoun and as a dative definite article, while a larger group of less competent speakers mark nouns in the dative by using prepositional phrases.”⁹

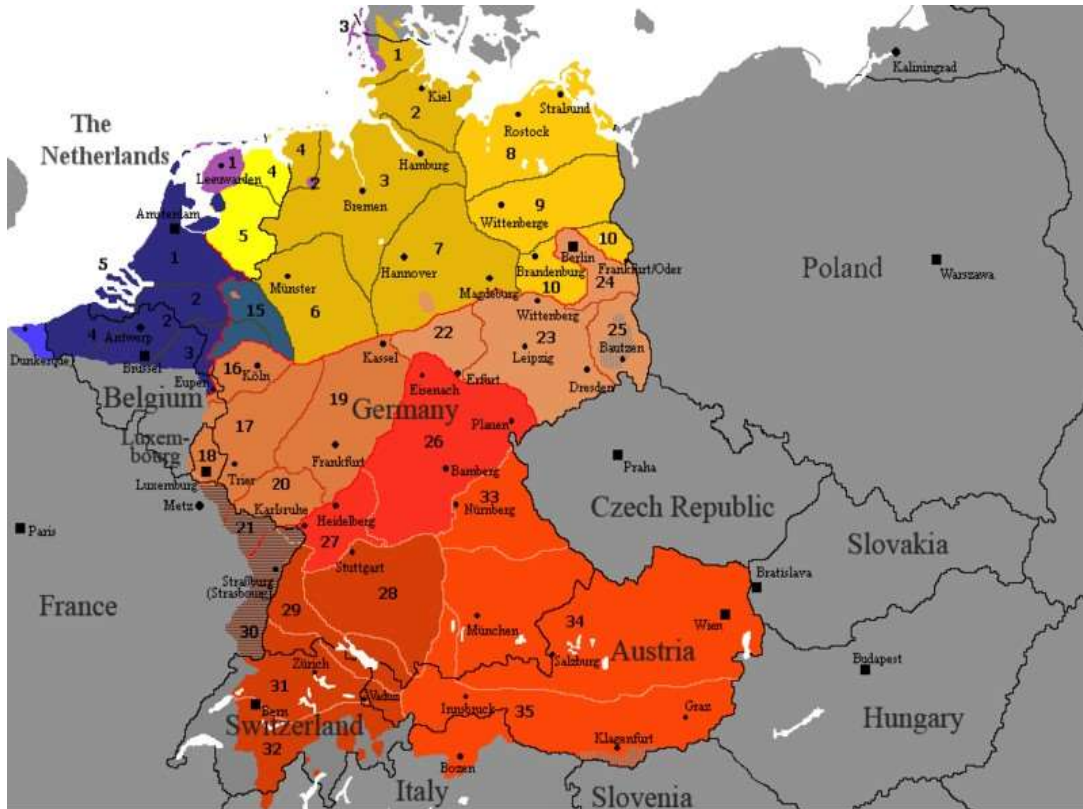
The authors, Alan Scott and Marc Pierce, studied investigations, reports, and surveys. They conducted interviews to understand the changes in dialects and how language is being affected by modernisation, globalisation, and even television. To understand these ongoing differences arising between the standard language and dialects. The dialects are regional in German but uphold a cultural and symbolic representation there. “Dialects play an important role in connecting the life of German people.

They help them to preserve their identity and culture in this ever-changing world. Dialects stay stable, whereas Standard German undergoes permanent influence from outside, mostly from the English language. Through dialects, adults and children feel connected to their homeland. One should do their best to contribute to protecting the culture through speaking dialects and preserving local specialities.”¹⁰ The authors reached this conclusion after studying dialects and understanding their importance in people's day-to-day lives. However, it is not limited to that. These dialects give a feeling of nationalism, unity, and connection to their land in Germany. They preserve the cultural heritage for which their ancestors fought hard. This is an image explaining just how diverse the dialects in Germany are.¹¹

⁹ Alan Scott and Marc Pierce, *German Studies: Language and Linguistics*, 76 Y.W.M.L.S. 281-293, 289 (2014).






¹⁰ Ekaterina V. Koneva & Svertlana K. Gural, *Supra* note 10.

¹¹ EARTH ANDERSON et al., *ALPHA MU GAMMA LEXICON* 19 (2019).



Although the Alsatian German dialect has seen a strong decline since the Second World War, a reasonable amount of people still claim to speak the dialect. Generally some 45% of the population claims to speak it.

Area in which Dutch is spoken. Like German dialects in France, the Dutch dialects also suffered reasonably if one compares the modern situation to the 17th century, when the area was nearly completely Dutch-speaking.

(German dialects)			(Frisian dialects)	
				
Low	Central	Upper		
A. Low Saxon	West Central German	North Upper German	1 = West Frisian	
1 = Sleswickian	16 = Ripuarian	26 = East Franconian	2 = East Frisian	
2 = Holsatian	17 = Moselle Franconian	27 = South Franconian	3 = North Frisian	
3 = North Low Saxon	18 = Luxembourgish	West Upper German		
4 = Gronings-East Frisian	19 = Hessian	28 = Swabian		
5 = Dutch Low Saxon	20 = Rhine Franconian	29 = Low Alemannic		
6 = Westphalian	21 = Lorrainian Franconian	30 = Alsatian		
7 = Eastphalian	East Central German	31 = High Alemannic		
B. East Low German	22 = Thuringian	32 = Highest Alemannic		
8 = Pomeranian	23 = Upper Saxon	East Upper German		
9 = North Margravian	24 = Berlin dialect	33 = North Bavarian		
10 = Central Margravian	25 = Lower Silesian	34 = Central Bavarian		
		35 = Southern Bavarian		
			(Dutch dialects)	
				
			1 = Hollandic	
			2 = Brabantian	
			3 = Limburgish	
			4 = Flemish	
			15 = Low Rhenish	

LANGUAGE AND JUSTICE

Multilingualism in Germany

According to the Council of Europe, “Minority languages within the European Charter for Regional or Minority Languages in the Federal Republic of Germany are Danish, Upper Sorbian, Lower Sorbian, North Frisian and Sater Frisian languages and the Romany language of the

German Sinti and Roma; a regional language within the meaning of the Charter in the Federal Republic shall be the Low German language.”¹² These are the languages given the status of minority languages. Germany’s (single) national official language is German. “There is a dominance of German in schools, politics, the legal system, administration, and the entire written public domain, which is so great that not having a coherent language policy was not considered an issue for a long time. State restraint in this area is somewhat due to historical reasons and also because it has been promoted by the federal system in Germany, which grants the federal states far-reaching responsibilities in education and culture.

More recently, multilingualism among the population has increased, resulting in a growing interest in understanding the language situation in Germany and (in particular) taking a closer look at the different minority languages. In 2017, for the first time in about 80 years, there was a question on the language of the population in the German micro census.”¹³ Adler and Beyel explain how the German population, strictly speaking German, has created a system accessible to the German population.

Importance of German Language

People who come as immigrants to the Nation of Germany need to learn German to prosper in the nation eventually, be it any field – administration, politics or legal system. Minorities still face ethnic and racial discrimination in Germany even after so many legal policies have been made for the prevention of this racism. “Germany has had a mixed record when it comes to migrant’s participation in electoral politics.

At the federal level, the numbers have increased in recent years, except for Berlin, where they are small and stagnant at the state level. Even at the federal level, the number of representatives with a non-ethnic German background remains a very small percentage when viewed against the background of the significant number of migrants in the German population.”¹⁴ Barbara Donovan explains how politics affects the non-German population’s lives. Most of these non-ethnic immigrants do not speak German as their first language. Germany has its fair share of problems with language and race criteria. “The government of the Federal Republic of Germany considers

¹²Council of Europe. [COE], Reservations and Declarations for Treaty No.148 - European Charter for Regional or Minority Languages.

¹³ Astrid Adler & Rahel Beyer, *Languages and language policies in Germany*, H.A.S. 221, 221 (2017).

¹⁴ Barbara Donovan, ‘*Minority*’ Representation in Germany, German Politics 455, 476 (2007).

national minorities to be groups of the population that meet five criteria: The community members are German nationals, i.e., they differ from the majority population because they have their language, culture and history, meaning their own identity; they wish to maintain this identity; they are traditionally resident in Germany, and they live in the traditional settlement areas.

The institutions of the nation-state identify national minorities, and they are defined by citizenship. However, any national minority in Germany has ethnic or linguistic characteristics differing from the majority.”¹⁵. Dieter Kugelmann, in his research, found out about what constitutes the national minorities and also tried to explain how the minorities are not as collective, and this seriously had effects, as the German-speaking population is more and well united in terms of both language and ethnicity. The feeling of oneness is what the language provides to a group of people.

In recent times, though, the government has taken steps to protect language rights among the community and provide their language with a head start to compete with the German-speaking population. A press release by the Council of Europe states that “Following a visit in May 2018 and discussions with German government and civil society representatives over the progress made since their last report, the Committee of Experts say that the protection and promotion of regional and minority languages is a topic which “regularly receives” attention from German authorities. The experts praise several *Länder* for positive initiatives, including Schleswig-Holstein, which amended its Constitution and put Danish minority schools on an equal footing with public schools regarding public funding.

They praise an amendment to the Land Administration Act, which enables submitting applications or documents in Low German, North Frisian or Danish to national, regional or local authorities.” This report suggests that Germany has been making changes not only in the public sphere by funding schools and providing safety to minority languages but also in the legal spheres by adding Regional and Minority languages in important acts. These changes can also be there because of the history of Germany.

¹⁵ Dieter Kugelmann, The Protection of Minorities and Indigenous Peoples Respecting Cultural Diversity, Max Planck Y.U.N.L.O 233, 238 (2007).

The Courts in Germany operate in the German language. Germany follows the civil law system and has codified the statutes. The German constitution is known as “Grundgesetz” roughly translated to “Basic Law”. A German committee created the German constitution, and the Federal Ministry of Justice issued the German public gazette, publishing the basic law for the German population in 1949.

<h1>Bundesgesetzblatt</h1>		
1949	Ausgegeben in Bonn am 23. Mai 1949	Nr. 1
Inhalt: Grundgesetz für die Bundesrepublik Deutschland vom 23. Mai 1949 Seite 1		
<p>Grundgesetz für die Bundesrepublik Deutschland vom 23. Mai 1949.</p> <p>Der Parlamentarische Rat hat am 23. Mai 1949 in Bonn am Rhein in öffentlicher Sitzung festgestellt, daß das am 8. Mai des Jahres 1949 vom Parlamentarischen Rat beschlossene Grundgesetz für die Bundesrepublik Deutschland in der Woche vom 16.—22. Mai 1949 durch die Volksvertretungen von mehr als Zweidritteln der beteiligten deutschen Länder angenommen worden ist.</p> <p>Auf Grund dieser Feststellung hat der Parlamentarische Rat, vertreten durch seine Präsidenten, das Grundgesetz ausgefertigt und verkündet.</p> <p>Das Grundgesetz wird hiermit gemäß Artikel 145 Absatz 3 im Bundesgesetzblatt veröffentlicht:</p> <p style="text-align: center;">Präambel</p> <p>Im Bewußtsein seiner Verantwortung vor Gott und den Menschen, von dem Willen beseelt, seine nationale und staatliche Einheit zu wahren und als gleichberechtigtes Glied in einem vereinten Europa dem Frieden der Welt zu dienen, hat das Deutsche Volk</p> <p style="padding-left: 2em;">in den Ländern Baden, Bayern, Bremen, Hamburg, Hessen, Niedersachsen, Nordrhein-Westfalen, Rheinland-Pfalz, Schleswig-Holstein, Württemberg-Baden und Württemberg-Hohenzollern,</p> <p>um dem staatlichen Leben für eine Übergangszeit eine neue Ordnung zu geben,</p> <p style="padding-left: 2em;">kraft seiner verfassungsgebenden Gewalt dieses Grundgesetz der Bundesrepublik Deutschland beschlossen.</p> <p>Es hat auch für jene Deutschen gehandelt, denen mitzuwirken versagt war.</p> <p>Das gesamte Deutsche Volk bleibt aufgefordert, in freier Selbstbestimmung die Einheit und Freiheit Deutschlands zu vollenden.</p>		
<p>I. Die Grundrechte</p> <p style="text-align: center;">Artikel 1</p> <p>(1) Die Würde des Menschen ist unantastbar. Sie zu achten und zu schützen ist Verpflichtung aller staatlichen Gewalt.</p> <p>(2) Das Deutsche Volk bekennt sich darum zu unverletzlichen und unveräußerlichen Menschenrechten als Grundlage jeder menschlichen Gemeinschaft, des Friedens und der Gerechtigkeit in der Welt.</p> <p>(3) Die nachfolgenden Grundrechte binden Gesetzgebung, Verwaltung und Rechtsprechung als unmittelbar geltendes Recht.</p> <p style="text-align: center;">Artikel 2</p> <p>(1) Jeder hat das Recht auf die freie Entfaltung seiner Persönlichkeit, soweit er nicht die Rechte anderer verletzt und nicht gegen die verfassungsmäßige Ordnung oder das Sittengesetz verstößt.</p> <p>(2) Jeder hat das Recht auf Leben und körperliche Unversehrtheit. Die Freiheit der Person ist unverletzlich. In diese Rechte darf nur auf Grund eines Gesetzes eingegriffen werden.</p> <p style="text-align: center;">Artikel 3</p> <p>(1) Alle Menschen sind vor dem Gesetz gleich.</p> <p>(2) Männer und Frauen sind gleichberechtigt.</p> <p>(3) Niemand darf wegen seines Geschlechtes, seiner Abstammung, seiner Rasse, seiner Sprache, seiner Heimat und Herkunft, seines Glaubens, seiner religiösen oder politischen Anschauungen benachteiligt oder bevorzugt werden.</p> <p style="text-align: center;">Artikel 4</p> <p>(1) Die Freiheit des Glaubens, des Gewissens und die Freiheit des religiösen und weltanschaulichen Bekenntnisses sind unverletzlich.</p> <p>(2) Die ungestörte Religionsausübung wird gewährleistet.</p> <p>(3) Niemand darf gegen sein Gewissen zum Kriegsdienst mit der Waffe gezwungen werden. Das Nähere regelt ein Bundesgesetz.</p> <p style="text-align: center;">Artikel 5</p> <p>(1) Jeder hat das Recht, seine Meinung in Wort, Schrift und Bild frei zu äußern und zu verbreiten und sich aus allgemein zugänglichen Quellen un-</p>		

Image- Bundesgesetzblatt gazette stating basic laws on 23rd May 1949 after adopting basic law.

Law and German Language

“In German courts, the official language is German. In many cases, the parties are hesitant to agree on German jurisdiction. The non-German party often feels uncomfortable litigating contractual relationships established in English before a German court in German.”¹⁶ This situation happened in Germany in 2010 when the North Rhine-Westphalia government proposed a bill to make English a language for business-related cases. This problem had a solution – According to the ZPO in Germany, court proceedings must be conducted in German only. “However, there is an exception to this general rule: If both parties forgo their rights to translators, they can get the court proceeding to go on in their preferred native language.

The state of North Rhine-Westphalia decided to use this exception and establish special chambers to conduct hearings in English if requested by the parties.”¹⁷ The provision in the Code of Civil Procedure does help minority language speakers: they can get a trial in their native language if they forgo their right to have translators. However, in this German-English case, it is more of a struggle between two giants – English, which is Universally spoken and German, a widely spoken language in Germany; having them compete does not much help the cause of Danish, Sorbian and Frisian groups and the German Sinti and Roma groups who speak minority languages.

However, In the case of Germany, due to the presence of section 1045 of ZPO (Code of Civil Procedure), which states, “(1) The parties may agree on the language(s) to be used in the arbitration proceedings. Absent such agreement, the arbitral tribunal shall determine the language of the proceedings. Unless otherwise provided for therein, the agreement of the parties or the determination by the arbitral tribunal shall govern the written declarations submitted by a party, the hearings, arbitration awards, other decisions, and other communications of the arbitral tribunal. (2) The arbitral tribunal may direct that any evidence submitted in writing must be accompanied by a translation into the language(s) that the parties have agreed on or that the arbitral tribunal has determined.”¹⁸. It saves the people from getting exploited in the court just

¹⁶ Miriam Lichstein & Oliver Seyd, English as an official language in German courts: lost in translation? I.L.O, Apr. 06, 2010.

¹⁷ Ibid.

¹⁸ Code of Civil Procedure as promulgated on 5 December 2005 (Bundesgesetzblatt (BGBl., Federal Law Gazette) I page 3202; 2006 I page 431; 2007 I page 1781), last amended by Article 1 of the Act dated 10 October 2013 (Federal Law Gazette I page 3786).

because they cannot speak German. Moreover, it provides them with translators; if that is not an option, the court may decide the proceedings to go in the minority or native language. The German law system also has other language legislations.

There are not many subsidiary laws present in the basic law of Germany that recognise the official status of the German language. Section (1) of §184 of the *Gerichtsverfassungsgesetz* (Courts Act) states that German is the language used in court. The §23 section (1) of the *Verwaltungsverfahrensgesetz* stipulates German as the language to be used in public administration, and this particular act applies to 16 Federal states in Germany. However, the constitution has no particular role for the German language, nor are there any other higher-level legal regulations.

There are three reasons for this: 1) During the period of National Socialism, language policies were abused to control and divide the population and gain power over neighbouring countries. This history made it very difficult for Germany, after the war, to keep the German language as a “pure” language or make policies and laws regarding only preserving German (Marten, 2016, p. 145). 2) Germany is a federal republic. This gives the Federal States control over laws regarding cultural sovereignty. 3) Thirdly, provided an overwhelming German speaker, “the dominant position of German is perceived as normal and unnecessary to mention” (Marten, 2016, p. 145; author’s translation); thus, it is not considered necessary to state a law on this.”

This also makes it difficult for the country to have a single language as a whole.” according to the analysis by Adler and Beyer, the Language German does not get a special preference in the constitution, which prohibits discrimination on the grounds of language but due to an overwhelming majority speaking the language German, it is assumed to be the popular choice, and the language with a wide appeal to masses. Most popular culture cater to the German-speaking masses in Germany. Most German universities also try to encourage people to study German before taking admission tests in Germany and clear a German exam. This is the multilingualistic approach, but it will only force the Minority speakers to study and read in German and become multilingual.

Also, most of these policies focus on the population who speak the minority language rather than the minority language itself. “There is little evidence of biased treatment at the front end of the

criminal process even though differential treatment can be observed in prison regimes. Discriminatory treatment occurs also in the use of offensive language or harassing behaviour that may not affect the actual outcomes, but may be destructive of relations between minorities and justice agencies¹⁹.” After going through various surveys and police records, Hans concluded that empirical data alone does not suggest that people from minority communities get treated differently by the German legal system. However, there is harassment and police authoritative punishments and brutality in some prisons, and also verbal harassment was not taken into account, which many people may have faced.

Germany provides not only protection but also promotion of minority languages. Germany signed “the Charta for Regional and minority language” in the Council of Europe in 1992, one of the first to do so. Moreover, it is also making progress every passing year. Almost all its indigenous folks speak German in Germany but speak it in different dialects according to their regions. Most of the minority languages are from refugees or foreign immigrants, and in the 21st century, Germany is one of the most inclusive places for immigrants.

Though most of the workforce in Germany is required to have German understanding, “The German govt. has made huge efforts to accommodate a massive influx of refugees, asylum seekers and foreign nationals and to provide them with necessary government services and policies. While Germany does give language training and schooling, the longer-term challenge is ensuring these policies are effective and giving these immigrants a way to integrate into the economy, which is a difficult thing to do. However, till this time, Germany has done a good job of dealing with this crisis.”²⁰

There are also laws to protect regional and minority languages. Article 3 of Basic Law prohibits any form of discrimination on Language, and The Framework Convention for the Protection of National Minorities, signed with the Council of Europe, oversees languages mainly regarding foreign nationals who are immigrants and speak minority languages.

¹⁹Hans-Jörg Albrecht, *Ethnic Minorities, Crime, and Criminal Justice in Germany*, 21 *The University of Chicago Press* 31, 88 (1997).

²⁰Rafik Hariri Center For the Middle East, *supra* note 8.

CONCLUSION

Analysing these articles, the researcher concludes that language does play a part in Nationalism, as it unites the people and could even bring a revolution. The deeper one goes into this language, the more one realises how it impacted German History. Although Nationalism has become a sort of taboo debate in Germany after the fall of Nazi Germany in World War II, the collectiveness and a sort of oneness language, in Germany's case German, has brought to the people living here is extraordinary. Even though the dialects of German change region by region, the essence of language remains the same. Young children know they have different dialects, but to them, it brings them closer to their culture and Nation. German, due to Germany's powerful position in the EU and the world, and also because an overwhelming majority speaks German in the country, is the most spoken vernacular language and third most spoken language in the EU.

However, when a vast majority of people speak a single official language, minorities fear for their treatment in that situation, that they will not get justice from the state. Also, the government has a problem preserving and protecting these minority languages while maintaining the efficiency of the official and widely spoken languages. German government and court both deal with this in a good manner. The government has made policies for the promotion and preservation of National Minorities' languages both nationally and internationally, and it has also opened asylums, invited refugees to live in Germany, and made more laws and policies to safeguard their living standards in Germany by providing them schooling and knowledge of the German language too.

The German courts have done a good job, and German law itself has some good statutes that help minority language speakers get justice without the barrier of language; even though German laws and legislations are present in German languages, there are certain provisions for the translation and accessibility in other minority languages. There are also amendments in the basic laws to provide more rights.

In terms of empirical data, there is not much about the systematic discrimination of languages in German. However, hate speech and racism are still a part of Germany, and there is not much of a debate over national language. German is the most spoken language, with 95% of people speaking standard German. Language does affect Justice, like Nationalism, but how language problems are handled also matters. Germany has some major issues, such as the dominance of Germany over socio and political situations and not having a single opposition to Germany. Germany did better than most countries but still has many more miles.