

## The Symbolic Hungarian „Language Act”

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In my study, I place the Hungarian Language Act, passed in 2001 and discussed again in 2023 on the Day of Hungarian Culture, in the network of French and other Central and Eastern European (Polish, Slovak, Ukrainian) language acts, which serve as a basic model. I present the main features of the language act; its possible positive and probable negative effects. Almost a quarter of a century since its creation has shown that it is in fact a symbolic law, as it has hardly been used. The Hungarian Language Act has met with total rejection in the academic world, especially among linguists. Once it was passed, it did not have a particularly strong social resonance. The question of whether a particular language needs to be protected by law and, if so, in what areas. Or how else can a language be protected.

**Keywords:** *language act – symbolic law – French, Polish, Slovak, Ukrainian Language Act – advertising language act – sign law*

### The Basic Model: French Language Acts

The French language acts of the second half of the 20th century served as a model for the language acts of other countries. The Bas-Lauriol Language Act of 1975 made the use of French compulsory in the public sector, in particular in commercial designations, instructions for use, employment contracts, signs for public institutions, radio and television programmes, and prohibited the use of foreign (mainly English) words where they had an accepted French equivalent. The Bas-Lauriol Language Act was followed in 1994 by the Toubon Language Act, named after the then Minister of Culture. The essence of the French Language Act is as follows. French is the language of education, work, commerce and public service. It is the privileged link between the Francophone States (Article 1).

Its application is compulsory in all signs, business offers, instructions for use, descriptions of the conditions of guarantee of goods or services, and the issue of invoices and receipts (Article 2). Signs and notices intended to inform the public must be written in French (Article 3). If the product or service is foreign, the foreign language text must be accompanied by a French translation which must be as “visible, audible and intelligible” as the original.

Public servants may only write contracts in French, and these texts may not contain foreign expressions that have a French equivalent (Article 5). At events organised in France by French citizens or organisations, everyone has the right to speak French, and the programme and documents of the meeting must be published in French, and if the event is in a foreign language, it must be accompanied by a translation or a French summary. The language of instruction, examinations, theses and dissertations is French (except in the case of foreign or regional language teaching establishments) (Article 11). The law establishes the French Language Council, whose head is directly subordinate to the Prime Minister at ministerial level.

The law lists the supervisory bodies, the penalties (withdrawal of aid and benefits). Vilmos Bárdosi, in his description of the law in Hungarian, points out that “Toubon’s Language Act, which was very tolerant in other respects, was a very important step in France: it emphasised the democratic principle that every French citizen has the right to acquire knowledge in his or her own language, and it further strengthened or awakened the French people’s consciousness of their mother tongue, their attachment to it”.<sup>1</sup> And this language act has served as a model for many countries with very different histories.

### Language Acts in Central and Eastern Europe

In the Central and Eastern European region, language acts were passed in several countries in the 1990s, but they were less concerned with language protection and more with the relationship between the official language (state language) and other minority languages.

The Czech and Slovak Republics were the earliest to act with their language acts in 1990. This was followed in 1995 and significantly amended in 2009 by the now separate Slovak Language Act. The Act declares the primacy of Slovak over other languages: Slovak is “an expression of the sovereignty of the Slovak Republic and allows for the imposition of fines on those who use a language other than Slovak in (public) situations as defined by law. In the wake of the Language Act, a war of names and signs broke out in the 1990s (in particular, restrictions on the use of Hungarian names and historical place names in Slovakia provoked opposition from time to time).<sup>2</sup>

1 See: Bárdosi, Vilmos: Globalizáció, Európa és nyelv. A francia példa, 2010, Magyar Nyelvőr 1/1—15. (Translated by Géza Balázs)

2 See: Berényi, József: Nyelvországlás. A szlovákiai nyelvtörvény történelmi és társadalmi okai. Fórum, Pozsony, 1994., Zalabai Zsigmond (compiled) 1995. Mit ér a nyelvünk, ha magyar? A „táblaháború” és a „névháború” szlovákiai magyar sajtódokumentumaiból, 1990-1994. Kalligram, Pozsony, Balázs Géza 1995. Név- és táblaháború. Két

The Romanian Language Act of 2004 is less developed than the Slovak one. István Horváth lists such examples of the uncertainties created by the law: “For example, it would be impossible to organise a conference in English only, a Sunday sermon in Hungarian would have to be simultaneous interpreted, the name of the “Öt Kutya” restaurant in Chiucszereda would have to be translated into Romanian, the owner of the restaurant would have to put “foglalt” (reserved) on the table in Romanian, and even if someone leaves a note on the door of the shop saying “I’ll be right back”... (...) there is no need to teach bilingual education in schools (because there is a legislation on the use of Hungarian), but the question remains whether a mayor of Szeklerland can give a speech on 15 March in Hungarian only?”<sup>3</sup>

The Slovak language acts have led to a war of names and signs, while Ukraine’s successive language acts have led to a real war. According to Mihály Tóth, these language acts “can be seen as both a cause and a consequence”, and the result is that by 2020 Ukraine has moved “from the linguistic freedom guaranteed by the 2012 Language Act to the state monolingualism prescribed by law”.<sup>4</sup> The Ukrainian Language Act is not primarily about language protection, but about the forcing of an independent, sovereign, monolingual national existence.

The Polish Language Act, which came into force in 1999, bears many similarities to the French Language Act. The first chapter emphasises ‘taking care of the correct use of the language’ and ‘preventing the vulgarisation of the language’, while the second chapter contains details similar to the earlier French and later Hungarian language acts. The Polish language must be used, “in particular for the names of goods, services, advertisements, promotions, instructions for use, descriptions of goods and services, conditions of warranty, fact sheets, invoices, receipts”. “Polish is the language of education, examinations and theses...” “Signs and notices used in public offices and institutions, and those intended for public use and on public transport, must be in Polish... Polish names and texts may be accompanied by translations into foreign languages...”<sup>5</sup>

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szociolingvisztikai-névtani könyv Szlovákiából. Névtani Értesítő, 17/133–135.

3 See: Horváth, István: Románia: a kisebbségi nyelvi jogok és intézményes érvényesülésük, 2012, pp. 172–198., p. 178., in: Terveztés és határtalanítás. A magyar nyelvpolitika 21. századi kihívásai. Edited by: Eplényi Kata and Kántor Zoltán. Nemzetpolitikai Kutatóintézet, Lucidus Kiadó, Budapest, download: <https://bgazrt.hu/wp-content/uploads/2018/07/Terveztes-es-hatartalanitas.pdf> (translated by Géza Balázs).

4 Tóth, Mihály: Változások a nyelvpolitika területén Ukrajnában (2014–2020), 2021, pp. 187–192., p. 187., in: Balázs Géza (ed.): Jelentés a magyar nyelvről 2016–2020. Petőfi Kulturális Ügynökség, Budapest (translated by Géza Balázs).

5 Bancerowski, Janusz: A lengyel nyelv törvényi védelméről, 2001, Magyar Nyelvőr 2/152–158. (translated by Géza Balázs).

## The Hungarian Language Act

In Hungary, the idea of language legislation was raised primarily by lay people and civil language protection and cultural organisations. As a result, the Hungarian Language Committee of the Hungarian Academy of Sciences (MTA) first officially addressed the issue on 3 May 1996 (Is there a need for a language protection law in Hungary?). The Committee's position was succinctly formulated as follows:

"In general, language acts have a monopolistic intent and are exclusionary or at least restrictive. In this respect, it would in no way be desirable to follow them. What is needed, therefore, is not a language act (which would be particularly harmful), but a guideline in principle, enshrined in the constitution, which provides uniformly for the use of all languages in our country and which could possibly be taken as a starting point for subsequent regulation, even in a single area, such as the use of language in the mass media, etc."<sup>6</sup>

However, civil society organisations continued their struggle for the protection of the Hungarian language, especially against linguistic alienation, and despite the academic rejection, they again raised the need for legislation. In November 1997, the World Council of Hungarian Professors in Nyíregyháza proposed a new language act. On 20 May 2000, the Hungarian Language Committee of the Hungarian Academy of Sciences (MTA) again addressed the issue. "The second item on the agenda, which led to a two-hour debate, was the draft of the Ministry of Justice's proposal for the legal regulation of the protection of the Hungarian language, submitted by László Grétsy. László Grétsy said that the draft had been prepared by the Ministry on the recommendation of the World Council of Hungarian Professors and had now been sent to several organisations for comments. The former chairman of the Committee, Pál Fábíán, said that the Committee had previously taken the position that there was no need for a language act in Hungary. The debate raised the following questions: Is the draft really a language act, a framework law, or just a set of guidelines? The draft does not cover all areas of language use. Is the Hungarian Language Committee entitled to express an opinion on a draft law? The Committee adopted the following as the majority opinion: The Committee welcomes initiatives on the Hungarian language issue, but maintains its view that there is no need for a language act in Hungary. Language protection must be achieved through lower-level legislation, regulations, education and awareness-raising. The Committee does not consider itself competent to give an opinion on a draft law directly,

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6 Keszler, Borbála: Jelentés a Magyar Nyelvi Bizottság 1996. évi munkájáról, 1997, Magyar Nyelvőr 3/365. (translated by Géza Balázs).

bypassing the President of the I. Department and the President of the Academy.”<sup>7</sup>

Despite the academic rejection and dissociation, the language act was embraced by the government, and after a public debate in 2000, it was passed on 29 November 2001 with minor amendments by a nearly two-thirds majority in parliament. It should be stressed that the resulting law cannot technically be considered a “language act”, and linguists have suggested that it should be called an “advertising language or signage law”. The official, full name of the law, reflecting its full scope, is “Act XCVI of 2001 (No 4899/70) on the publication of economic advertisements and business signs and certain public announcements in Hungarian”. The law entered into force in 2001 and is still in force at the time of writing with minor technical corrections.<sup>8</sup>

The “Language Act” could be called an “advertising or sign law” because, unlike other European language acts, it covers only three areas: advertising, business signs and public notices. The Hungarian law is virtually unique in being “permissive” and not in any way exclusionary. In fact, it still allows everything in foreign languages, except that it requires that the text of public interest (advertising, notices) must also be published in Hungarian. In the case of advertisements and business descriptions, the name of the company, the so-called keywords, commodity codes, trademarks (brand names), etc. may remain in the original. For example, it would be nonsense to translate the McDonald’s brand name. In the case of public interest announcements, only those which fall outside the scope of economic activity should be published in Hungarian too. In practice, such notices have in the past only been published in Hungarian. There is no need to translate “established foreign language terms” (the definition of the latter could be the subject of endless linguistic disputes, as “established” cannot be defined), the law does not apply to areas with minority self-governments (*élelmiszerbolt* may be *Lebensmittel* in German minority settlements) and to areas under cultural heritage protection. So - however ironic one of our linguists may have been about the law - there is no need to translate into English the Latin motto of the Basilica: *Ego sum via, veritas et vita* (Én vagyok az út, az igazság és az élet).

As the scope of the Language Act covers specific commercial advertising, the Hungarian Advertising Association considered it necessary to interpret the Act both in 2001 and in 2013. The 2001 interpretation: the Hungarian Advertising Association’s position paper on the interpretation of Act XCVI of 2001 on the publication of economic advertisements and business descrip-

7 Balázs, Géza: Beszámoló az MTA Magyar Nyelvi Bizottságának 2000. évi munkájáról, 2001, *Magyar Nyelvőr* 1/128–131.

8 Source: <https://net.jogtar.hu/jogszabaly?docid=a0100096.tv> (04.08.2023.)

tions and certain public announcements in Hungarian.<sup>9</sup> The Guide 2023: The Hungarian Advertising Association's Guide on the Application of the Language Act in Advertising. Prepared 10 February 2023.<sup>10</sup> What triggered the creation of the 2023 Guide is indicated in the introduction: "The Hungarian Advertising Association considers it of the utmost importance that advertisements and promotions are understandable, and one of the important pillars of this is the correct use of the Hungarian language in advertisements. In January 2023, Judit Varga, Minister of Justice, announced that in 2023, the Consumer Protection Office will focus on the protection of the Hungarian language in advertising. The Hungarian Advertising Association has produced a guide to support its members and all players in the advertising industry in producing advertising in accessible Hungarian.<sup>11</sup> The publication of the resolution is justified by the fact that the Consumer Protection Office has included in its 2023 control programme the increased control of television, radio and print media advertising in order to protect the mother tongue. In this document, we have collected the most important information on the regulatory background, and we have tried to help our members and the advertising industry in general to comply with the law and the Language Act by providing a collection of the most frequently asked questions and answers, as well as examples and recommendations."<sup>12</sup>

After the revival of the law, its unchanged symbolic character is shown by the fact that after the announcement of the Hungarian Culture Day on 21 January 2023, the legal protection of the Hungarian language was no longer heard of, and in July 2023 the Minister of Justice left for another post.

### **Evaluation of the Hungarian Language Act**

Relatively few events can be reported on the application of the Hungarian Language Act. However, some cases are available in the legal repository databases (e.g. Decision No 473/B/AB of the Hungarian Constitutional Court).

In 2010, an interview on the Index website showed how the Hungarian Language Act is not working in practice.<sup>13</sup> The Language Advisory Board of

9 Source: <https://web.unideb.hu/~tkis/reklsz.htm>. (downloaded on: 04.08.2023.)

10 Source: [https://mrsz.hu/cmsfiles/32/18/MRSZ\\_nyelvtorveny\\_utmutato\\_20230210\\_final.pdf](https://mrsz.hu/cmsfiles/32/18/MRSZ_nyelvtorveny_utmutato_20230210_final.pdf). Downloaded on: 04.08.2023.

11 On the concept of intelligibility, see for example: Arató Balázs: Quo vadis, igazságügyi nyelvészet? Magyar Jogi Nyelv; 2020/2.; pp. 8-15. <https://joginyelv.hu/quo-vadis-igazsagugyi-nyelvet/>.

12 Source: [https://mrsz.hu/cmsfiles/32/18/MRSZ\\_nyelvtorveny\\_utmutato\\_20230210\\_final.pdf](https://mrsz.hu/cmsfiles/32/18/MRSZ_nyelvtorveny_utmutato_20230210_final.pdf). Downloaded on: 04.08.2023.

13 Source: Munk, Veronika: Nem jött be a magyar nyelvtörvény. 01.05.2010. <https://>

the Hungarian Academy of Sciences is responsible for deciding on the language cases in question. The six-member body, chaired by Ferenc Kiefer, will issue a position statement if it is necessary or if it is linguistically possible. For example, the term *nonstop* was accepted because it has become established in Hungarian, and the term *pizzeria* was accepted because it was considered unnecessary to call it an Italian flatbread bakery.

Between 2001 and 2008, they were rarely consulted, and when they were, “in all cases, the terms were English terms that were clearly foreign terms not established in Hungarian, which the Office could have established.” In 2010, Ferenc Kiefer, who opposed the Act from the outset and thus became chairman of the advisory body, summed up his opinion: “The vast majority of linguists were already against the legislation on language use when it was being prepared. We knew from international experience that such a law would not be successful. And we also know that the degree to which a foreign term has become established cannot always be clearly established. However, if a foreign language term is used a lot, sooner or later it will become established. Many hundreds of elements of the basic vocabulary of the Hungarian language today are of foreign origin!” Another article also lists such linguistic difficulties: “It is therefore difficult to give a practical example, since if a household appliance distributor calls an oil fryer a “*fritőz*” in an advertisement, which is moreover available in its “outlet”, the question is whether the latter terms are “established foreign language terms”.<sup>14</sup>

With some distance, it can be said that the Hungarian language law or “advertising language law” would be more lenient than all known language laws, could be conceived as a subchapter of the Advertising Law (1997); and its content could be regulated by lower legislation. The Hungarian Language Act ultimately does not restrict or prohibit anything, but only (with restrictions) provides for bilingualism (Hungarian and another language). The increasing number of signs and instructions in foreign languages is a clear indication of the extent to which it does not work. The latter can also be seen as a consequence of the incredible increase in online trade, which has an international background and therefore cannot be regulated by Hungarian Language Act.

But can the Language Act have any positive effect? A possible positive effect<sup>15</sup> is that the streetscape can be more linguistically colourful and varied

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[index.hu/belfold/2010/01/05/sikertelen\\_a\\_magyar\\_nyelvtorveny/](http://index.hu/belfold/2010/01/05/sikertelen_a_magyar_nyelvtorveny/). Downloaded on: 04.08.2023.

14 Source: Sirbik, Attila: „Fritőzt” hirdetek az „outletemben”, megbüntet ezért a nyelvőr Varga Judit?, 2023. január 24., <https://kreativ.hu/cikk/jogasz-valaszol-minden-jogszabaly-annyit-er-amennyit-ervenyesitenek-belole>. Downloaded on: 04.08.2023.

15 I thought in 2005. See: Balázs, Géza: „A magyar nyelv elé mozdításáról...” *Vitairat a*



(which foreigners can be happy about, since our Hungarian language with its unique and interesting spelling and look is one of the Hungarian characteristics), and it will encourage Hungarian-language use (advertisers and sign-makers will tend to strive for mother tongue). A spontaneous - social - movement for this has also been started, independently of the act on advertising language. There is no evidence of any positive effect of the Hungarian Language Act, but fortunately it has had no harmful effect either. It has become a typical symbolic law and remains so to this day.

The shortcoming of the Language Act is that because it focused on foreign words, it failed to address the even more problematic and proliferating problem of poorly worded (e.g. over-complicated, formal, legal) Hungarian texts, which, in addition to leading to communication breakdowns, also cause a lack of democracy and perhaps even more so, destroy language culture and public taste. In this context, legal experts and linguists have repeatedly advocated clear (“normative”), comprehensible Hungarian wording<sup>16</sup>, which has a thousand-year tradition in rhetoric<sup>17</sup>, and which aims to avoid misunderstanding.<sup>18</sup>

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nyelvművelésért. Akadémiai Kiadó, Budapest, 2005.

16 Vinnai, Edina: *Harc a szavakért – közérthetőség a jogban. Alkalmazott Nyelvészeti Közlemények*, Miskolc, 2017b., XII/1: 42–53., Minya, Károly-Vinnai, Edina: *Hogyan írjunk érthetően? Kilendülés a jogi szaknyelv komfortzónájából*, 2018, *Magyar Jogi Nyelv* (2. évf.) 1: 13–18., see also: Arató, Balázs: Norm clarity in the light of Hungarian case law, 2022, *Magyar Nyelvőr* 146 (special issue) pp. 80–90., DOI: 10.38143/Nyr.2022.5.81, see also: Arató, Balázs-Balázs, Géza: The linguistic norm and norm of legal language, 2022, *Magyar Nyelvőr* 146 (special issue) pp. 91–103., DOI: 10.38143/Nyr.2022.5.91. <https://nyelvor.mnyknt.hu/wp-content/uploads/146507.pdf>, and see also: Szöllősi-Baráth, Szabolcs: A normavilágosság követelményének vizsgálata a közbeszerzési jogszabályok esetén, 2023, *Magyar Nyelvőr* 146/1: 93–107. DOI: 10.38143/Nyr.2023.1.93.

17 Pölcz, Ádám: *Az emberközpontú nyelvművelés és az antik retorikai hagyomány*, 2015, *Magyar Nyelvőr* 139/4: 409–428., and see also: Pölcz, Ádám: *A nyelvművelés retorikai gyökerei. A nyelvhelyesség retorikai alapjainak hagyományáról*, 2021, *MNYKNT-IKU*, Budapest, (IKU-monográfiák, 8.).

18 Vesszős, Balázs: A félreértés pragmatikája, 2022, *Magyar Nyelvőr* 146: 458–475. *Magyar Nyelvőr* 146. 2022: 458–475. DOI: 10.38143/Nyr.2022.4.458.; on the role and tasks of forensic linguists, see: Arató, Balázs: Quo vadis, igazságügyi nyelvészet? *Magyar Jogi Nyelv*; 2020/2.; pp. 8–15. <https://joginyelv.hu/quo-vadis-igazsagugyi-nyelveszet/>; see also: Arató, Balázs: A végrendeletek értelmezésének egyes kérdései; in: *Magyar Nyelvőr* 147; 2023; pp. 78–92.; DOI: 10.38143/Nyr.2023.1.78. On the constitutional framework for the expert procedure, see: Arató, Balázs: A tisztességes eljáráshoz fűződő jog, különös tekintettel a tisztességes igazságügyi szakértői eljárásra; in: Tóth J. Zoltán (ed.): *Az Abtv. 27. §-a szerinti alkotmányjogi panasz. Tanulmányok a „valódi” alkotmányjogi panasz alkotmánybírói gyakorlatáról*; Budapest, KRE-ÁJK; Patrocinium; 2023; p. 216.; pp. 9–30.



In the economic sphere, the key linguistic area from the point of view of Hungarianisation (naturalisation) is brand names<sup>19</sup>; and terminology in general<sup>20</sup>.

A possible negative effect of the Language Act is that impossible translation and Hungarianisation ideas are generated. The number of non-Hungarian mirror translations may increase. The biggest negative effect, however, is that the Hungarian language issue has become a party political issue, dividing linguists for a long time and discouraging Hungarian language education and language strategy. This was already evident in the debate on the “language act”. According to an extreme opinion at the time: The language act is about how what has always been intertwined - politics and language education - have found each other again. The new law promotes discrimination against people on the basis of language use and its institutionalised promoters, the pseudo-linguistic impostors of the intellectual underworld”.<sup>21</sup>

And finally, a telling example of how the Hungarian Language Act has failed to influence the use of foreign words and phrases in advertising in the Hungarian-speaking world. McDonald’s worldwide campaign includes an English phrase that has been translated into national languages in almost every part of the world, but not even accidentally into Hungarian:<sup>22</sup>

ich liebe es ~ “I love it” (German)

أنا أحب (ana uħibbuhu) or أكيد أحب (akid behibuhu) ~ “I love it. / Of course I love it” (Arabic)

c’est tout ce que j’aime ~ “It’s everything that I love” (French)

c’est ça que j’m (j’m = j’aime) ~ “That’s what I love” (Canadian French)

me encanta ~ “I love it” (Spanish)

me encanta todo eso ~ “I love all that” (lit. All that enchants me.) (Chilean Spanish)

amo muito tudo isso ~ “I love all this a lot” (Brazilian Portuguese)

işte bunu seviyorum ~ “This is what I love” (Turkish)

вот что я люблю ~ “That is what I love” (Russian)

я це люблю ~ “I love this” (Ukrainian)

19 Kovács, László: Márkanevek: a márkakutatás és a nyelvtudomány metszéspontjában, 2022, Magyar Nyelvőr 146/1: 60-70. DOI: 10.38143/Nyr.2022.1.60.

20 Compare: Fóris, Ágota: A magyar nyelv a tudományban. A terminológia helye, szerepe és feladatai, 2019, Magyar Tudomány, 180/406-416. DOI: 10.1556/2065.180.2019.3.11.

21 Kis, Tamás: Kinek kell a nyelvtörvény? Heti Világgazdaság, 2001. november 17.

22 Source: <https://www.napi.hu/nemzetkozi-vallalatok/uj-mcdonalds-szlogen-im-lovin-it.172203.html> Napi.hu 05.09.2003., Downloaded on: 04.08.2023.

man tas patīk ~ “I like it” (Lithuanian)<sup>23</sup>

bax, budur, sevdiyim! (Azeri)

我就喜歡 (“I just love [it]”) (Chinese)

And of course it is translated into Hindi and many other languages. The only language into which the slogan has not been translated is Hungarian (the symbolic Hungarian language law didn’t force it either, since it doesn’t apply to the original slogans used as trademarks). It wouldn’t be difficult. It would be just that, in the most concise language in the world: “Szeretem”.

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<sup>23</sup> Source: <https://languagelog.ldc.upenn.edu/nll/?p=1954>. Downloaded on: 04.08.2023.