38. Skutnabb-Kangas, Tove & Phillipson, Robert (1996). Minority workers or minority human beings? A European dilemma. **International Review of Education**, Special issue, 'The Education of Minorities', eds. Normand Labrie and Stacy Churchill, 291-307.

Summary

"European" identities may be politonymic, toponymic, ethnonymic or linguonymic. Each dimension may influence whether migrant minorities are treated as "European", and influence their schooling, integration, and rights to citizenship and to form national minorities. Treatment and terminology vary in different states and periods of migration, and different scenarios can be envisaged. However, the position for immigrated minorities is that they are still largely seen as workers rather than human beings with equal rights. Thus Turks, despite their numerical strength and length of residence, are still "foreigners" in Germany. Lack of success in schools is blamed on migrants rather than the German/Danish/... school system. This construction of migrants as being deficient dovetails with educational practice which falls within a UN definition of linguistic genocide, and contributes to mis-education. If current efforts in supranational fora to codify educational linguistic human rights were to lead to greater support for minorities, this could assist in a redefinition of national identities corresponding to the de facto diversity of these societies, and a reduction of racism and conflict.

Introduction

Education has always been about inclusion and exclusion, along lines of class, "race" and gender. In this article we shall discuss some aspects of how education has been and is being used to exclude migrant minorities from acquiring the attributes needed for negotiating about and the right to their fair share of "political power, economic resources, social services, and, most importantly, cultural symbols" (Kalantzis 1995, 2), including language. We will concentrate on the "Europe" of the powerful western and northern European club, because this is where the most sophisticated exclusionary strategies are being perfected. What constitutes the real "European dilemma" for us minority workers/human beings is the struggle over multiple identities, over who is included and who excluded and on whose terms.

Which "Europe" are we going to "integrate" into and who is deciding? "Europe" can be interpreted in many ways. A restrictive one is to interpret "Europe" as only the 15 countries of the European Union. In 1994 that would have meant that the problems faced by the Finnish labour immigrant minority in Sweden (the largest migrant minority group in Scandinavia) would not have been a "European" dilemma. Sweden and Finland only joined the Union in 1995. But in 1995 it would be an internal "European" dilemma, whereas the problems that the Baltic states face with the Russian-speaking labour (im)migrant minorities (or that these face with the Baltic states) would not be a "European" problem. Neither the Russian Federation nor the Baltic states are members of this Club which tries to appropriate the label "Europe" for itself. But if Russians or Poles or ex-Yugoslavs or Bulgarians or Rumanians try to enter the German or Italian labour market, that is a "European" dilemma.

This "Europe" is a specific politonymic[i] reading of Europe. Another politonymic "Europe", that of the Council of Europe, is much larger (37 countries, including Turkey), and the OSCE (Organisation for Security and Cooperation in Europe) has over 50 countries (including Canada and the USA).

A toponymic reading of Europe also opens up several possibilities. Some of the ex-Soviet Central Asian republics are trying to get support from both European and Asian development banks (Tomaševski 1993) which is symptomatic of the definitional problems that diversity and multiple identities may give. Where are the eastern and south-eastern borders of the toponymic "Europe"? Does "Europe" stop at the Urals?

When schools are supposed to teach about "European" culture or include a "European" dimension in the curriculum, or inculcate a "European" identity into the students, we supposedly have to do with an ethnonymic and linguonymic reading of "Europe". But are the cultures of all those ethnic groups who toponymically live in Europe or who politonymically claim a "European" identity really included? Are the literatures and oratures of all the peoples whose languages are spoken in toponymic Europe (reaching at least to the Ural mountains) really included in the "European" heritage that migrants from outside the toponymic "Europe" are supposed to learn? Are their own languages and cultures included? To one of us, Eino Leino's Helkavirret is one of the greatest books of poetry in the world. The other is ignorant of this part of "European" heritage because it has not been translated from Finnish into any of the seven "European" languages he knows.

Focussing on identities has been seen by some researchers as fussing about less important issues and diverting people away from the decisive political and economic questions. Quite the opposite. Mary Kalantzis has captured the relationship between economic, political and identity struggles in a integral way:

"The global moment is one in which the Cold War has ended. And with it has the politics of East/West boundary drawing, an argument essentially about economic systems. Into the space have stepped arguments that are still about access to social resources, but arguments that are now expressed through a discourse of culture, identity and nation." (1995, 1).

Identities are about different degrees of belonging and inclusion - or not belonging and exclusion. Which Europes are the grandchildren of migrants going to be integrated into - or will they be forced to assimilate in some and be marginalised in relation to others? Are all toponymic Europeans also allowed to be politonymic Europeans: are those who live in "Europe", whatever that may be, also allowed (or, in some cases, forced) to belong politonymically, i.e. become citizens? Are all toponymic Europeans allowed to maintain their ethnonymic and linguonymic identities (become national ethnic minorities, learn their own languages and cultures, and use them - also in some official contexts, including schools), in addition to taking on (some of) the cultures and languages of the dominant groups in the countries where they live? Or are they instead being forced to assimilate to the new ethnonymic and linguonymic identities subtractively, at the cost of their own? Are multiple identities allowed in the beautiful multicultural Europe, celebrating diversity - or is the "European diversity" just nation-state monolingualism and monoculturalism multiplied (as Monica Heller (forthcoming) puts it)?

Did imported workers become multilingual bicultural citizens?

Different scenarios

Before we focus on education, a few structural and ideological conditions/prerequisites have to be mentioned. What has happened to all those millions of people who came to work in (other) European countries after the Second World War? The range of types of experience and outcome of migration are highlighted by Tara Mukherjee, the President of the European Union Migrants' Forum:

... there are just over a million and a quarter Asians in Britain, about two and a half percent of the population... Asians provide nearly a quarter of the doctors in the UK National Health Service, and nearly a fifth of British General Practitioners. They also provide nearly six percent of British accountants and just under fifty percent of British retail traders (all working 25 hours a day and eight days a week). The contribution of the Turkish community to the German economy is likewise enormous ... Just about everywhere in Europe the transport, laundry, hotel and catering sectors would fall to pieces without migrant labour (Mukherjee 1995).

The analyses of migration researchers can be regarded as building up to five possible scenarios:
A. Have immigrants happily integrated and formed new national minorities, where home and school cherish their bi- or multilingualism and bi- or multiculturalism?
B. Are they segregated, still doing the shitwork (Castles & Kosack 1973), with the school non-educating or miseducating their children and grandchildren to continue doing the shitwork, i.e. a permanent dual labour market (Wadensjö 1981) in a two-thirds society?
C. Are they specialising along ethnic lines or taking over certain niches (e.g. Hannerz 1974), regardless of their status, pay and working conditions (Turks: corner shops, greengroceries, Greeks: cleaning, Pakistanis: restaurants; Finns & ex-Yugoslavs: heavy industry)?
D. Are they marginalised, outside political influence, with a different hunger (Sivanandan 1982), are they the ticking time-bomb (Castles 1980) which will turn Europe into the same type of civil-war-like conditions as in inner cities in the US (where Europe, in contrast to the USA, hopefully still does not spend more money on internal as compared to external control of violence even if it is growing (see articles in Bunyan (ed.) 1993 for the growth of internal control in Europe)?
E. Or will they be contained and coopted, despite often experiencing appalling conditions (Mukherjee 1995). Have they been assimilated ideologically and culturally, though not incorporated structurally (Schermerhorn 1970)?
There are no simple answers, because each of the scenarios applies to some migrant minorities, in some countries, with the possible exception of the happily integrated scenario A. Education plays a major role in each of them.

Kjell Öberg, the former Director General of the Swedish National Board of Immigration and Naturalisation, lists (1981) the terms used after the Second World War in official documents to refer to people who came to Sweden to work: "1. imported labour; 2. foreign labour; 3. foreigners; 4. immigrants; 5. (ethnic) minorities." Is it correct to interpret the change of attitudes reflected in the labels as meaning that 1. may be goods that can be exported again when their labour is no longer needed; 2. are Others, aliens whose only characteristic is that they work; 3. are still aliens who are visiting, i.e. they are not allowed to stay, but they are people who might do other things too, not just work; 4. are allowed to stay if they so wish; 5. (in use since 1975) are allowed to integrate and to maintain their languages and cultures if they so wish?

This interpretation might though be wishful thinking for Sweden. It seems that current labels (since the late 1980s) have changed again. Now either "ethnic/cultural groups" or "immigrants" is used, no longer "minorities". The Swedish state has not accepted the declaration of Finnish organisations in Sweden that the Finns now see themselves as a national ethnic minority and want the Swedish state to acknowledge this officially, nor have they or other immigrant minorities been accepted by Sweden as groups that the European Charter on Regional or Minority Languages should apply to. It does not seem that Sweden is willing to allow the children and grandchildren of immigrants to develop into national minorities (see Skutnabb-Kangas 1991, in press).

One might have thought that many European "receiving" or "host" countries would have gone through a similar development to Sweden. In Germany, the Swedish phase 1 has not led on to 4, immigrants, but only to 2, Gastarbeiter, guest workers. For decades, Germany categorically denied being an immigration country. Even if many politicians, often grudgingly, now start admitting that that is what Germany is, Barbara John, Commissioner of Foreigners' Affairs in Berlin (our emphasis), writes (1995) of 420,000 foreigners living in Berlin, 13 percent of Berlin's population (and roughly 8 percent of the population of the Federal Republic of Germany). More than half of these "foreigners" in Berlin were in fact "born here or grew up here" (1995, 2) - but still to her they are "foreigners". Most of these "foreigners" are foreign nationals, though. It is very difficult for Turks, for instance, to obtain German citizenship. One of the basic prerequisites for integration is a right (but not duty) to citizenship. Immanuel Wallerstein writes (1990: 42-43) that citizenship is

"... a principle which today usually asserts that all persons born in that state are citizens ... and that all such citizens enjoy equal rights. (The most notorious exception, South Africa, which as a state refuses to acknowledge the legitimacy of this theory of citizenship, is considered for that very reason a world scandal)."

Wallerstein, living in the United States, does not seem to be aware of the fact that both Sweden and Germany as states "refuse to acknowledge the legitimacy of this theory of citizenship" and should maybe therefore also be "considered for that very reason a world scandal" in the same way as South Africa under apartheid. Neither in Sweden nor in Germany is a person entitled to citizenship automatically on the basis of ius soli when born in the country. In Germany, it is extremely difficult for people of Turkish origin to become German citizens, despite being born in Germany and having lived all their lives in Germany. In Sweden it is much easier but certainly not automatic.

But even those who become citizens are not necessarily allowed to form a national ethnic minority. Britain is a good example: most of those who have migrated to Britain to work there are citizens of former colonies. But none of the rights accorded to regional or minority languages in the European Charter on Regional or Minority Languages are deemed to apply to them - nor to any other minorities in Europe that have been formed through migration this century.

A national ethnic minority has many more rights in international law than any migrant groups. It is not likely that any migrants will be allowed to form officially accepted national ethnic minorities. In that sense, they are to remain (migrant) workers, not human beings. But what about their grandchildren?

Education

The social context

What structural prerequisites apply when migrant minority children start their schooling? The situation of immigrant

and refugee minorities in Germany is fairly representative of western Europe, including Britain and France. We will merely add a few observations from other countries.

At the end of 1993 there were 6.5 million Ausländer ("foreigners"/foreign nationals) in Germany (Arbeitsplatz Deutschland 2, 1994, p. 2). There are over 1.5 million "foreign" children under the age of 18, over 2.5 million under 25. There are around 160,000 "foreigners" over the age of 60 and in ten years' time there will be more than half a million elderly "foreigners" (p. 3). 60% of the "foreigners" have been in Germany more than 10 years, 40% more than 15 years, 25% more than 20 years. Three quarters of the "foreign" children and youngsters were born in Germany. There are around 1.4 million people in Germany with dual or multiple citizenship (pp. 3-4).

80% of the "foreigners" live with their families in Germany. Only 20% of the "foreigners" live alone, as compared to over 33% of "Germans". Marriages between Germans and "foreigners" have increased from around 28,000 per year in 1980 to almost 40,000 per year in 1990. 55.4% of these were between German women and "foreign" men. Two "foreigners" divorce much less often than two "Germans", but the divorce rate is higher among mixed marriages than among "German" marriages. The number of children is going down but the birth rate is still higher among "foreigners" than "Germans": 1.6 children per family in "German" families, 1.87 for "foreigners" in general, 2.2 for Turks (who are the group with the highest fertility).

"Foreign" families live in less attractive housing. They are often discriminated against when trying to find places to rent. "German" families have over 34.5 square meters per person, "foreigners" 21.5.

The familiar statistics for all "receiving" countries on differences between the dominant group and the minorities have not changed much during the last decade (as one can ascertain by looking at SOPEMI, ILO etc reports). They relate to type of work (more physical labour and services), working conditions (more dirty, heavy and dangerous work, monotonous movements, less independence, long and inconvenient hours, long commuting times etc), much higher rates of unemployment, and so on,

Explanations

There are many migrant minority children of obligatory school age in all European countries who are not in schools at all. Some are undocumented (e.g. in Switzerland and France), some are children of refugees who do not get (full-time) schooling while waiting for a decision on asylum (e.g. Denmark), some have "adjusted education" (a Danish concept for children in grades 7-9 who only spend a few days per week in school and the rest working as apprentices - needless to say most of them are migrant minorities), many are pushed out[ii] before reaching the end of obligatory schooling[iii].

There were over 800,000 "foreign" children and young people in the German comprehensive (allgemeinbildende) schools at the end of 1993, 11,5% of the school population. Young "foreigners" between the ages of 14 and 19 make up over 14% of the age group but only 7,6% of the school population. Most of those "foreigners" who continue their education go to Hauptschule (vocational stream) after the comprehensive school, but an increasing tendency of going to upper secondary school (Gymnasium) is reported. But many are pushed out without getting a school leaving certificate of any kind, and few get a vocational training.

For many of those who do go to school, school achievement is at a group level below that of the majority children as a group[iv]. Why do young "foreigners" not get Berufsausbildung (vocational training) in Germany? We will compare what the German editors of the official state publication Arbeitsplatz Deutschland (2: 1994) report about what Fachleute (professional people) say, with what the editors themselves think. Fachleute give, according to the editor, the following reasons (p. 12; our translation):

- lack of knowledge of the German language
- gaps in knowledge because of irregular schooling
- adjustment problems
- prejudices of German employers against foreigners.

It is interesting to note that not even the professionals in Germany voice any criticism of how the school functions as a system, according to the editors, i.e. the editors' account does not reflect the full range of German professional opinion.

Then the editors express their own opinion (unserer Meinung nach) (p. 12; our translation):

- Many foreign youngsters and many parents have not yet understood that vocational training is very important, in

many cases even necessary, in order to find a job.
- Many of them do not know to whom to turn in order to get advice and help.
- Many foreign parents still demand of their children that they earn money as soon as possible and help the family. For them, years spent on education are a waste of time (verlorene Zeit).
- Many foreign youngsters believe that it is possible to manage well in life even without formal schooling, provided one is clever and has good connections. Therefore they seek a job immediately with relatives or good acquaintances, where they instead of vocational qualifications can learn more self-assertion.
- According to the views of many foreign parents, girls do not need to learn a profession because even without one they will marry and have children.

This confirms Stacy Churchill's diagnosis more than a decade ago of the reasons for problems faced by immigrant minorities (1985; see also Skutnabb-Kangas 1984, 1988): the German editors of the official state publication place the blame squarely on the minority youngsters, their parents and their culture. The parents are the ones who "do not know", "have not yet understood", who have old-fashioned cultural values which prevent their children from achieving and learning. There is not one reason on their list which would even hint at the need for the educational system to change, to "integrate" - changes are required only of the "foreigners".

The Danish Ministry of the Interior is equally blunt in their definitions and diagnoses. In their report suggesting measures for better integration of immigrants, their definition of "immigrants" includes "only foreign nationals who do not come from the Nordic countries, the countries of the European Common Market and North America and who do not have political asylum in this country" (1990: 15). Why? Because the aforementioned groups "in general are expected to be able to manage". "Immigrants" are those who are not expected to be able to manage, i.e. they are the ones who are deficient and need help. And their major deficiency (which is repeated several times on most pages of the report) is "their lack of competence in the Danish language". Consequently, the main suggestions in the report have to do with coaxing, urging, forcing and threatening the immigrants into learning Danish (and teaching it to their children before these come to school). Minority organisations' severe criticisms of the report (including statistics documenting the wish of immigrants to learn Danish and long queues for Danish courses) have not seemed to lead to much enlightenment in more recent ministerial and other reports emanating from the Danish authorities. The immigrants are still the deficient ones, to be blamed, the ones who have to change.

Many politicians and even researchers who are confronted with the figures for poor school achievement claim that all of these can in fact be explained by inherent characteristics in the migrants themselves. They are mostly working class, the parents have little formal education, and dominant group children with those characteristics are not doing well as a group either. Besides, many claim, immigrants are in fact already often doing better than dominant group children, and that shows that there is nothing wrong with the schools.

The tendency for some minority groups to do better than the majority population which can be seen in the United States and Canada for several Asian groups (Chinese, Japanese, Korean, Vietnamese, etc) is not common in western Europe, though there are some tendencies towards this among Indian and Pakistani nationals in a few countries (e.g. Britain). In most cases this seems to be despite the school, not on the basis of how the schools are organised. Often it can be explained by either factors which correlate with high levels of school achievement also in the majority population (e.g. parents' high level of formal education, unusually long hours of homework, coupled with very high expectations) or with factors which have strengthened the mother tongue and the knowledge base of the children outside the majority school (e.g. several years of education in the home country, literacy in the mother tongue, acquired outside school, frequent visits to the home country, presence of grandparents, other relatives or recent arrivals who strengthen the need and/or wish to develop the mother tongue, etc). A further analysis of the figures (Liljegren 1981) from the only global study done in Sweden of all obligatory school leavers with mother tongues other than Swedish in 1979, seems to show that both factors which are decisive for majority students' further education (e.g. parents' SES) and factors which are often thought to be important for the minorities' school achievement and their learning of the dominant language (e.g. linguistic and cultural similarity to the dominant language and culture) explain very little of the variation and relative hierarchisation between different minority groups.

A lot of effort in all "receiving" countries has gone into trying to change and "help" migrant minorities. Much money has been spent on employing dominant group "experts" to do this changing and "helping"[v], and the minorities themselves have in these attempts been constructed as deficient and helpless.

Our claim is that most migrant minority education in industrialised Western European countries is organised in ways which counteract most scientific evidence of how minority children best achieve in school and become high-level multilinguals. The educational systems prevent the use of minority mother tongues in schools, through organisational measures and through prevailing ideologies. They are thus committing linguistic genocide according

to the definition included in Article III in the final draft of what became the Convention on the Prevention and Punishment of the Crime of Genocide (E 794, 1948) of the United Nations. Article III was voted down, and is not part of the final Convention, but the definition is still valid:

(1) Prohibiting the use of the language of the group in daily intercourse or in schools, or the printing and circulation of publications in the language of the group.

Our claim is that "prohibition" can be direct or indirect. If the minority language is not used as the main medium of education and childcare, the use of the minority language is indirectly prohibited in daily intercourse/in schools, i.e. it is a question of linguistic genocide. When the children are prohibited from using and learning their own languages in school, this often leaves them without one of the basic supports for learning other languages to a high level. Lack of other basic supports for L2-learning (e.g. bilingual teachers) is another hurdle. Most of the basic requirements known from research to support the development of high levels of multilingualism for all children (see Skutnabb-Kangas & García 1995 for a summary of these; see also Cummins 1981, Hakuta 1986, Baker 1993 for overviews) are not fulfilled in the education of most migrant minority children. Still, it is the children who are blamed: their exclusion from the acquisition of the attributes needed for the right to and negotiations about a fair share of power and resources is legitimated by reference to shortcomings and deficiencies inherent in migrant minorities rather than the educational systems.
The conclusion must be that despite the manifest good will of many teachers and administrators, few attempts have been made to change the educational system with its submersion (or, in the best case, transitional) programmes for migrant minorities. Since the diagnosis of causal factors in the educational problems that many migrant minority children and youngsters face in most cases is insufficient or wrong, the real problems are not being addressed adequately, if at all.

Tendencies

Some of the general tendencies in relation to migrant minorities in all the rich western and northern European "receiving" countries can be summarised.
- The presence of immigrant minorities is seen as the main reason for racism. If this presence is somehow hidden, through forced assimilation or forced marginalisation, there will, according to this reasoning, be less racism. "Integration" has often been understood as synonymous with assimilation and the main choices given to migrants are thus between assimilation and marginalisation. In both, minorities are invisibilised. In assimilation, minorities are made invisible by "thinning them out", by spreading minorities out physically, in order to "avoid ghettoes" and "prevent racial unrest" (not more than x "foreign" families in an apartment block, not more than x percent "foreign" children in a school or class). In marginalisation, minorities are likewise made invisible, but through measures which superficially may look the opposite: by forcing them into "ghettoes" so that the "mainstream" can feel that they are still comfortably in their own country and do not need to "hear all these foreign languages" or "feel like we are in Istanbul" (all examples from Denmark, see Skutnabb-Kangas 1993, Information 19.8.1993 'At sprede flygtninge og indvandrere eller ej?'). Integration has also been understood as something that only the migrant minorities are to do (they have to change).
- Solutions to structural (economic and political) problems are often proposed using cultural measures. Racism, xenophobia and intolerance are treated as matters of lack of information about migrants and their cultures in the dominant group populations, and information and multiculturalism are seen as The Solutions; multiculturalism is often understood in a vague and superficial way and it seems in most cases to exclude multilingualism.
- Problems that migrant minorities face are "of their own making", seen as due to "their" characteristics, rather than unequal power relationships and the ways the dominant group organises social institutions.

Educational linguistic human rights

Immigrant minority languages have been excluded from the educational system in several ways. One effective way has been international law. Immigrants have not been seen as minorities (and even the linguistic human rights of minorities have notoriously been weak, especially in education, see Skutnabb-Kangas & Phillipson 1994, Skutnabb-Kangas, in press b). And international law grants migrants no binding linguistic human rights, especially mother tongue related rights in education.

Among the bodies currently codifying language rights for minorities are the Council of Europe, the European Parliament, the OSCE, the UN and UNESCO. The European Charter for Regional or Minority Languages has great symbolic value, but explicitly excludes migrant languages. In addition, the countries signing it can decide which minorities thery want to apply it to, i.e. even if they accept that a group in their country is a minority, they do not necessarily need to extend the rights to this group. The Charter is full of escape clauses and alternatives which make it possible for an unwilling state to sign it and still grant very few rights (see Skutnabb-Kangas & Phillipson 1994 for details). The European Parliament's Directive on the education of the children of migrant workers (77/466/EEC of 25.7.77) is fraught with difficulties of interpretation and implementation, as the Parliament's own Report drawn up on behalf of the Committee of Inquiry into RACISM and XENOPHOBIA indicates (A3-195/90, PE 141.205/FIN, 111). The Council of Europe's European Commission for Democracy through Law drafted a Proposal for a European Convention for the Protection of Minorities (CDL 91 - 7), which could also have applied to those migrants who have changed citizenship, but it included very little on language rights and is under complete revision in any case. The Conference on Security and Cooperation in Europe (CSCE, now OSCE) stated unambiguously in its Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE (1990) that national minorities should have the right to maintain their ethnic, cultural, linguistic or religious identity, the right to seek voluntary and public assistance to do so in educational institutions, and should not be subjected to assimilation against their will (CSCE 1990a: 40), but has so far not agreed on any binding conventions, and has not included immigrant minorities. An OSCE High Commissioner on Minorities was appointed in 1992. The UN Draft Universal Declaration on Indigenous Rights in its present form would recognize the right of indigenous peoples to all forms of education, including in particular the right of children to have access to education in their own languages, and to establish, structure, conduct and control their own educational systems and institutions. But again, many states will probably want to change the positive formulations (see e.g. Daes 1995, IWGIA Yearbook 1994, Morris 1995). It is in striking contrast to the UN Convention on Migrant Workers and Their Families, which accords minimal rights to the mother tongues and is assimilation-oriented (see Hasenau 1990).

Article 27 of the UN Covenant on Civil and Political Rights (1966, in force since 1976) grants the best binding minority language protection so far:

"In those states in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language."

This article has been one of the most important for the protection of linguistic minorities, as both Capotorti (1979, the UN Special Rapporteur on minorities) and more recent UN reports confirm. Both the UN Conventions on the Rights of the Child (1959 and 1989), and several Council of Europe and CSCE documents have used approximately the same formulation.

In the customary reading of Article 27, rights were only granted to individuals, not collectivities. And "persons belonging to ... minorities" only had these rights in states which accept that the minorities exist. This has not helped immigrant minorities in any countries because they are not seen as minorities in the legal sense by the states.[vi]

Recently (6 April 1994, Doc. CCPR/C/21/Rev.1/Add.5) The UN Human Rights Committee adopted a General comment on Article 27 which interprets it in a substantially more positive way than earlier. The Committee sees the Article as

- recognizing the existence of a "right";
- imposing positive obligations on States;
- protecting all individuals on the State's territory or under its jurisdiction (i.e. also immigrants and refugees), irrespective of whether they belong to the minorities specified in the Article or not;
- stating that the existence of a minority does not depend on a decision by the State but requires to be established by objective criteria.

It remains to be seen to what extent this General comment will influence the State parties. If the Committee's interpretation ("soft law") becomes the general norm, and if the Western European countries where migrant and refugee minorities live start observing this norm, the educational linguistic rights might improve.

However the ideology of the isomorphism of one state, one nation, one language that has dominated Europe in the past two centuries is still prevalent, and has meant that it is only in a few states that multilingualism has been actively encouraged and even then only for national ethnic minorities, not migrant minorities. Some states (like Britain in the example below) have even discouraged the maintenance of multiculturalism:

A national system of education must aim at producing citizens who can take their place in society properly equipped

to exercise rights and perform duties which are the same as other citizens. If their parents were brought up in another culture or tradition, children should be encouraged to respect it, but a national system cannot be expected to perpetuate the different values of immigrant groups (Commonwealth Immigrants Advisory Council 1964, 7).

This "European" policy of the state having an "ethnic" and linguistic identity and repressing or barely tolerating the cultural and linguistic identities of others, especially migrant minorities, i.e. denying to others basic linguistic and cultural human rights, is a peculiarly European dilemma (and here the Neo-Europes[vii] have followed suit). Educational tokenisms (migrant minorities may, for instance, be allowed to study their mother tongue as a subject, sometimes as a foreign language, together with those for whom it is a foreign language) are part of the exclusionary processes. The risks of such a policy are stressed by Jurek Smolicz (1986, 96):

... attempts to artificially suppress minority languages through policies of assimilation, devaluation, reduction to a state of illiteracy, expulsion or genocide are not only degrading of human dignity and morally unacceptable, but they are also an invitation to separatism and an incitement to fragmentation into mini-states.

Just as <u>absence</u> of economic and social rights in the period <u>between</u> the world wars <u>promoted</u> the emergence of totalitarian regimes (Eide 1995, 29-30), <u>absence or denial of linguistic and cultural rights</u> can <u>today</u> be regarded as an effective way of <u>promoting</u> "ethnic" conflict and violence. In contrast, <u>granting</u> linguistic and cultural human rights to everybody, including migrant workers (i.e. making them "human beings") is a step towards <u>avoiding</u> "ethnic" conflict, avoiding disintegration of (some) states and avoiding anarchy, where the rights of even the elites will be severely curtailed because of increasingly civil war-like conditions, especially in inner cities. But this promotion of civic pluralism (instead of the monolingualism/monoculturalism-oriented nation-state reductionism) requires a pluralistic state, as Mary Kalantzis formulates it:

Civic Pluralism means that all people have access to political power, economic resources, social services, and, most importantly, cultural symbols regardless of their cultural affiliations and styles. This cultural symbols point is in some important respects the key to the others. The State can no longer have an 'ethnic' identity as it did in the era of traditional nationalism. Under Civic Pluralism, the nation's cultural symbols are open and inclusive. One shouldn't any longer have to take on the cultural <u>and linguistic</u> demeanour of the so called 'mainstream' in order to enjoy access to political power, economic resources, social services and the symbols of nation. Far from fostering tribalism or fragmentation, Civic Pluralism is their only antidote. It is a means to create a postnationalist sense of common purpose." (1995, 2; our emphasis).

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i   The concepts politonym, toponym and ethnonym were developed by the Soviet academician Yu. Bromley (1984).

ii   "Push-out" is a more realistic term for the customary "drop-out", in expressing where change has to be sought if the children are to be retained in school.

iii   We (Rahbek Pedersen & Skutnabb-Kangas 1983: 206-207) showed for instance for the late 1970s, that of those Turkish nationals between the ages of 12 and 15 who were resident in Denmark according to census statistics,

less than a third were to be found in the school statistics. Similar figures were reported for (West) Germany (e.g. Kühn 1979: around 25% of the "guest worker" children of obligatory school age, living legally in the country, were not in school). Widgren's estimate for Unesco in 1975 was that up to half a million school-aged migrant children in western European industrialised countries were not in school (see Skutnabb-Kangas 1984, 291ff.). Even the oldest of those children are still under the age of 35. There is no reason to believe that the figures have changed considerably since then even if we know that some improvement has taken place.

iv   There is a tendency in many countries not to admit this, interpreting statistics in misleading ways, focussing on and emphasizing those (often small) groups which **are** doing well, and making optimistic noises about migrant minorities catching up within a few years.

v   See Marianne Gronemeyer's (1992) brilliant analysis on the construction and historical development of the concept "help".

vi   Finns in Sweden have tried and the Swedish response has been negative - see Skutnabb-Kangas, in press a.

vii   Neo-Europes or Europeanised countries are those colonised by Europeans, e.g. Australia, Canada, New Zealand and the United States. For several criteria and definitions of Neo-Europes, see Crosby 1994, 2-7, 148-149.

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