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TOVE SKUTNABB-KANGAS

Abstract

Skutnabb-Kangas agrees here with Fishman in asserting the important place that power holds in cultural autonomy. But, at the same time, Skutnabb-Kangas disagrees with Fishman's optimistic claims regarding the growing acceptance of the right of Indigenous/tribal peoples and minorities/minoritized groups to public resources to operate institutions in their languages. To do so, Skutnabb-Kangas refers to how the different conventions and frameworks in support of minority languages create only minimal legal obligations and offer minimal public State resources, if any. Specifically, she uses the case of the Kurds in North Kurdistan to describe how the Turkish state's rejection of the rights of Kurds to self-rule and self-determination has resulted in strengthening the link between their language, ethnicity and land/territory. And the case of the tribals in India and Nepal illustrates how multilingual education has been increasingly embraced as important to their cultural survival, as well as their structural incorporation. The question of power is essential to any discussion of cultural autonomy.

Keywords: Declaration on the Rights of Indigenous Peoples (UNDRIP); Education for All (EFA); European Charter for Regional or Minority Languages; Framework Convention for the Protection of National Minorities; India; indigenous; indigenous/tribal peoples and minorities/minoritized groups (ITMs); International Labour Organisation (ILO); Kurds; language rights; mother tongue-based multilingual education (MLE); Nepal; North Kurdistan; power; racism; Roma; structural incorporation; Turkey.

1. Introduction

Joshua Fishman (hereafter JF) has, as usual, written a very rich and complex narrative, full of wisdom and novel insights. It is thus humbly and

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1 with trepidation that I, as a *chela*, offer a few comments on my great *guru*'s
2 article.

3 4 5 **2. Indigenoussness**

6
7 First, Indigenoussness — as JF correctly notes, “the very term ‘indigenous’ it-
8 self remains nebulous in terms of the time depth required for it to become
9 consensually operative”. He also writes that the Indigenous peoples are those
10 who are “popularly speaking, non-immigrant or autochthonous.” Drawing on
11 international law, Teresa McCarty and I (Skutnabb-Kangas and McCarty 2008:
12 7) present some definitions of Indigenous peoples:

13
14 Communities, peoples, and nations which, having a historical continuity within pre-
15 invasion and pre-colonial societies that developed within their territories, consider
16 themselves distinct from other sectors of the society(ies) now prevailing in those terri-
17 tories. They form non-dominant sectors of society determined to preserve, develop, and
18 transmit to future generations their ancestral territories, identity, and often, their lan-
19 guage as the basis of their continued existence as peoples, in accordance with their
20 cultural practices and social and legal systems (Cobo 1987: 4).

21 The International Labour Organisation’s (ILO’s) 1989 definition¹ may be
22 the strongest legally:

23
24 . . . peoples in independent countries who are regarded as indigenous on account of
25 their descent from the populations which inhabited the country, or a geographical re-
26 gion to which the country belongs, at the time of conquest or colonization or the estab-
27 lishment of present state boundaries and who, irrespective of their legal status, retain
28 some or all of their own social, economic, cultural and political institutions.

29
30 Self-identification is included within the ILO definition “as a fundamental cri-
31 terion for determining the groups to which the provisions of this Convention
32 apply” (<http://www.unhchr.ch/html/menu3/b/62.htm>).

33 Symptomatically, the United Nations *Declaration on the Rights of Indige-*
34 *nous Peoples* (UNDRIP) does not define Indigenous peoples.

35 36 37 **3. Limitations of the legal human rights instruments**

38
39 UNDRIP and ILO 169 are both global in scope, but both suffer from certain
40 limitations. While the UNDRIP received very broad support within the UN
41 General Assembly, such support was not universal.² In any case, as a General
42 Assembly declaration, it does not, strictly speaking, create binding legal obliga-

1 tion. Nonetheless, the UNDRIP is significant both in political and moral terms,
2 and (parts of) it may evolve into legally “harder” commitments over time.

3 ILO Convention 169, as a treaty, creates binding legal obligations for those
4 States that ratify it, but thus far, only 22 states have done so.³ Thus the ILO 169
5 definition is so far the only “binding” one. Even if it has “the establishment of
6 present state boundaries” as an alternative to “at the time of conquest or colo-
7 nization” (see above), it is understood that the latter condition is the basic one.
8 Thus neither Black people nor Hispanics in the southern parts of the USA
9 would be Indigenous — they were not there at the time of the conquest. They
10 are minorities. And in any case, the USA has not ratified ILO 169. Even if
11 president Obama now supports the UNDRIP, it is non-binding.

12 Likewise, JF is in my view overly optimistic in his claim that there is now a
13 growing acceptance of Indigenous peoples having rights to public resources in
14 order to operate various institutions using indigenous languages to an extent
15 chosen by the concerned peoples themselves.

16 The United Nations *Declaration on the Rights of Indigenous Peoples*
17 (UNDRIP) states in Articles 13.1 and 14.1–3:

18
19 13.1. Indigenous peoples have the *right to revitalize, use, develop and transmit to future*
20 *generations* their histories, *languages*, oral traditions, philosophies, writing systems
21 and literatures, and to designate and retain their own names for communities, places and
22 persons.

23 14.1. Indigenous peoples have the *right to establish and control their educational*
24 *systems and institutions providing education in their own languages*, in a manner ap-
25 propriate to their cultural methods of teaching and learning.

26
27 14.2. Indigenous individuals, particularly children, have the right to all levels and forms
28 of *education of the State* without discrimination.

29 14.3. States shall, in conjunction with indigenous peoples, take effective measures, in
30 order for indigenous individuals, particularly children, including those living outside
31 their communities, to have access, *when possible*, to an education in their own culture
32 and provided in their own language (emphases added).

33
34 The first two articles imply that the child has the right to learn the mother
35 tongue. Since most forms and levels of the “education of the State” (14.2) use
36 the “State” languages as a medium, the child cannot have access to this educa-
37 tion without knowing the State language. These quotes together might imply
38 that high levels of at least bilingualism must be a goal in the education of an
39 Indigenous child. But since state education through the medium of the domi-
40 nant state language is “free” (even if there are school fees even in elementary
41 education in many countries where Indigenous peoples live), most Indigenous
42 children are forced to “choose” the “state education”. Their parents are “free”

1 to establish and control their own educational systems, with their own lan-
 2 guages as teaching languages — but at their own cost. How many Indigenous
 3 and tribal peoples can afford this? There is nothing about the State having to
 4 allocate public resources to Indigenous-language-medium education.⁴

5 The “when possible” drawback in Article 14.3 also fits all too well with
 6 similar modifications and conditions in the Council of Europe’s *European*
 7 *Charter for Regional or Minority Languages* (the “Minority Languages Char-
 8 ter”)⁵ and *Framework Convention for the Protection of National Minorities*
 9 (the “Framework Convention”);⁶ both came into force in 1998. The Minority
 10 Languages Charter’s education Article, 8, includes a range of modifications,
 11 including “as far as possible”, “relevant”, “appropriate”, “where necessary”,
 12 “pupils who so wish in a number considered sufficient”, “if the number of
 13 users of a regional or minority language justifies it”, as well as a number of
 14 alternatives, as in “to allow, encourage *or* provide teaching in *or* of the regional
 15 or minority language at all the appropriate stages of education” (emphases
 16 added).

17 The Article in the Framework Convention, covering medium of education is
 18 so heavily qualified that the minority is completely at the mercy of the state:
 19

20 In areas inhabited by persons belonging to national minorities traditionally or in *sub-*
 21 *stantial* numbers, *if there is sufficient demand*, the parties shall *endeavour* to ensure,
 22 *as far as possible* and *within the framework of their education systems*, that persons
 23 belonging to those minorities have *adequate* opportunities for being taught in the
 24 minority language *or* for receiving instruction in this language (emphases added for
 25 modifications).
 26

27 Thus, JF’s optimistic assessments, both globally and for Europe in relation
 28 to the legal situation of Indigenous/tribal peoples and minorities/minoritized
 29 groups (hereafter ITMs) are, I am afraid, a more sociological “ought” inter-
 30 pretation than a legal “is”. This is also true in relation to the position of the Roma.
 31 In addition, JF’s assessment that the numbers of the Roma are “difficult to
 32 ascertain due to their lifestyle of making themselves invisible to all authori-
 33 ties” neglects the most important reason for the lack of demographic data
 34 about them, namely racism. JF also, erroneously, seems to think that “Finnish
 35 speakers in Sweden” have reached “the acme [the point at which something is
 36 best, perfect, or most successful] of language rights for minority peoples”.
 37 Even if Sweden has declared Finnish a national minority language in terms of
 38 the “Minority Languages Charter” and has recently broadened the areas where
 39 Finnish speakers have some rights, they have, for instance, no right to school
 40 education through the medium of Finnish in the Charter’s Article 8; the only
 41 ones in Sweden who have rights to Finnish-medium services are children
 42 under school age and old people. Maybe JF means Swedish speakers in Fin-

1 land? We (Swedish speakers in Finland) have, arguably, the best legal protec-
2 tion in the world for our language and culture (in addition to French speakers
3 in Québec and English speakers in South Africa).

4 5 6 **4. The case of Kurds in North Kurdistan**

7
8 JF's discussion about ethnic or class struggle in relation to demands on cultural
9 autonomy and modernity is extremely interesting, complex and full of details;
10 a proper reaction could be book-length. I will only touch upon a couple of issues,
11 using the situation of the Kurds in North Kurdistan (the Turkish part of
12 Kurdistan) as an example. First, one of the main arguments of states to reject
13 "the rights of minorities to self-rule or self-determination" is, according to JF,
14 "the presumably greater sanctity of 'territorial integrity' of already recognized
15 states", where "the principles of territorial unity and integrity have been ap-
16 plied by the States only to themselves. Presumably, the reason for doing so is
17 to bring about the separation of indigenous territoriality from ethnicity".

18 The Kurdish political court case in Turkey, which started in mid-October
19 2010, is a case in point. Margaret Owen, a human rights lawyer, writes:
20 "Charged with 'violating the unity of the state' and 'abetting terrorism' are 151
21 Kurdish politicians, lawyers, mayors and leaders of Kurdish civil society. Of
22 these, 103 have already been in detention for the past 18 months, but details of
23 the charges were not disclosed until 12 weeks ago" (Owen 2010). Owen fol-
24 lowed the first week of the trial, a trial that as she said, "would shame any de-
25 mocracy". Thousands of Kurds, including children have been and are in prison;
26 thousands have been beaten up, tortured and killed, for "crimes" that would not
27 be crimes in most other countries (China in relation to both Tibetans and Uy-
28 ghurs is an exception, with equally harsh treatment — but sometimes children
29 are spared). Article 3 of the Turkish Constitution states: "The Turkish state,
30 with its territory and nation, is an indivisible entity. Its language is Turkish."
31 Article 4 states that the provision of Article 3 may not be amended, nor may
32 their amendment be proposed. Kurdish-medium schools are not allowed.
33 Kurdish children do not have the right to study their mother tongue as a subject
34 in schools and demands for this can carry prison sentences. In theory, courses
35 in the Kurdish language can be taught to teenagers and adults, but in practice
36 the obstacles and conditions have been so many and so bureaucratically and
37 legally demanding that there are next to no courses. Letters that do not exist in
38 the Turkish language are not allowed in names; this makes many Kurdish
39 names illegal.⁷ Villages in North Kurdistan have started to set up bilingual road
40 signs with the names of their village in both Turkish and Kurdish. In November
41 2010 The Council of State declared that all 91 bilingual road signs must
42 be removed because "the road signs with the Kurdish names would cause

1 problems for postal and transportation services” (MESOP 2010). The
 2 Diyarbakır Governor’s office in a statement said: “Turkey is an indivisible
 3 country and nation, its language is Turkish.” It also said that addresses in other
 4 languages would lead to chaos (MESOP, 2010).

5 JF assumes that the state intends, through this kind of measures, to “bring
 6 about the separation of indigenous territoriality from ethnicity”. In the case of
 7 the Kurds, it seems that exactly the opposite is happening; the link between
 8 language, ethnicity and land/territory is strengthened. This also means that the
 9 Turkish state does not follow any kind of *rational-choice* policy. In fact, the
 10 term “choice” itself “is a misnomer. The whole logic of choice is predicated on
 11 the fact that human beings are rational seekers of self-interest and base their
 12 decisions on rational calculation and free will” (Kabel 2010, private email).
 13 People (and groups, including states) are supposed to weigh different alterna-
 14 tive strategies and choose the one that maximizes their benefits and profit. Is
 15 Turkey doing this? In the case of the Kurds, who have been betrayed time after
 16 time by western states, mainly Britain, France and the United States, the NATO
 17 ally, Turkey, would not be able to continue the gross human rights violations
 18 without their continued support. Autonomy or independence for the Kurds
 19 would deprive Turkey of control of water, oil, minerals, etc. in North Kurdistan
 20 — and UK and USA of oil pipes and a vital weapons buyer (see Skutnabb-
 21 Kangas and Fernandes [2008]; see also Mark Curtis’s excellent analyses of
 22 Britain’s global role [1995, 2003, 2010]). So, maybe Turkey is acting rationally
 23 — but both Turkey (maybe no EU membership?) and, especially, the Kurds,
 24 are paying a very high price.

25 26 27 **5. Language, ethnic identity and choice**

28
29 I fully agree with JF’s statement: “The spiritual link to tradition, the self con-
 30 cept and the identity of the populations themselves and their psychological
 31 links to ancestral and historical lands, lakes and mountains have very generally
 32 been undervalued by leading Western circles who have essentially become
 33 products of the landless culture of territorially detached globalism”. There are
 34 too many intellectual games among post-modernist rootless hybrid analyzers
 35 of ethnicity.

36 Back to ethnicity, language and rational choice. One type of “proof” of the
 37 absence of a link between language and identity presented by those sociolin-
 38 guists who criticize what they call “essentialism” (and in their view JF would
 39 represent that, and so would I) builds on rational-choice theory: if the link be-
 40 tween identity and language were strong, the benefits of maintaining a mother
 41 tongue would weigh more than the benefits of shifting to a dominant language
 42 and minority parents would choose to speak their own language to their chil-

1 dren and choose it as the main school language. The “exponentially increasing
2 phenomenon of language shift” can only be explained by “the absence of a link
3 between identity and particular languages”, Stephen May writes (2005: 328–
4 329). Ahmed Kabel (see his 2010 article) calls rational-choice theory “sacred
5 liberal dogma”. He continues:

6
7 The fact of the matter is that parents “make choices” with regard to languages under
8 enormous structural constraints. Some of these constraints may be too flagrantly pal-
9 pable to simply ignore: violence, dispossession, threat to life . . . while others may be
10 beyond the conscious awareness of the actors themselves. Also, given the overwhelm-
11 ing amount of indoctrination and propaganda as well the systemic violence that they are
12 subjected to, parents can hardly be said to be meaningfully “choosing” (Kabel 2010,
13 private email).

14
15 The structural constraints in Turkish Kurdistan prevent any choice. What the
16 Kurds want in relation to language and culture is just the same basic rights that
17 any dominant groups have — cultural autonomy, including the right to learn
18 their language(s), and use it/them freely in society, including schools. When
19 comparing the educational levels of girls from the poorest households in
20 Turkey, the *EFA (Education for All) Global Monitoring Report 2010* states
21 (UNESCO 2010: 9): “In Turkey, 43% of Kurdish-speaking girls from the
22 poorest households have fewer than two years of education, while the national
23 average is 6%.” These figures reflect the submersion education through the
24 medium of Turkish to which Kurdish children are subjected. The right to
25 mother-tongue based multilingual education is not any “special” right. In addi-
26 tion, Kurds, of course, want some kind of political self-determination which
27 does not necessarily include independence. Without more political and eco-
28 nomic self-determination cultural autonomy is not possible for them; likewise,
29 investments in infrastructure, including health and education⁸ are not forth-
30 coming. Thus (ethnicity-based) cultural autonomy, with expressive rights (see
31 below) — which under more equal and democratic conditions might be
32 enough, simply requires more instrumental political and economic rights as a
33 precondition.

34 On July 14, 2011 the Democratic Society Congress (DTK), a platform that
35 brings together Kurdish non-government organizations, declared “democratic
36 autonomy” within Turkey’s territorial integrity. DTK’s chairwoman, Aysel
37 Tuğluk, MP, stated that the Kurdish problem could only be solved if Kurds are
38 recognized as a distinct group but with equal status (i.e. cultural autonomy
39 with structural incorporation, see below) (*Today’s Zaman*, 2011). On August 2,
40 2011 Tuğluk was sentenced to two years of jail for “disseminating political
41 propaganda” for the banned Kurdistan Workers’ Party, PKK (*The Kurdistan*
42 *Tribune*, 2011).

6. Language rights

This leads us to the question of class and/or ethnicity, and which emphases various actors choose. Two kinds of interest in language rights can be distinguished, according to Ruth Rubio-Marín (Professor of Constitutional Law in Seville, Spain). One is “the expressive interest in language as a marker of identity”, the other an “instrumental interest in language as a means of communication” (Rubio-Marín 2003: 56). The *expressive* (or non-instrumental) language claims “aim at ensuring a person’s capacity to enjoy a secure linguistic environment in her/his mother tongue and a linguistic group’s fair chance of cultural self-reproduction” (Rubio-Marín 2003: 56).

It is only these expressive language rights that Rubio-Marín calls “language rights in a strict sense” (2003: 56), i.e. these could be seen as linguistic *human* rights (LHRs). The formulation above beautifully integrates the individual rights of ITMs with their collective rights. It is mainly these expressive rights, or lack of them, that are exemplified in Fishman (1997). Educational language rights, on the other hand, seem superficially to be more about instrumental rights. These *instrumental* language claims “aim at ensuring that language is not an obstacle to the effective enjoyment of rights with a linguistic dimension, to the meaningful participation in public institutions and democratic process, and to the enjoyment of social and economic opportunities that require linguistic skills” (Rubio-Marín 2003: 56).

But the educational linguistic rights discussed in connection with UNDRIP and ILO 169 above show clearly that good ITM education has both expressive and instrumental goals. Unfortunately these insights are adversely affected when some instrumentalists claim that those interested in the expressive aspects exclude the more instrumental communication-oriented aspects (for instance unequal class- or gender-based access to formal language or to international languages). The debates in 2003 numbers of the *Journal of Language, Identity and Education* are an example of this old division based on outmoded ideas being reinvented again. The same debates have been fought already in the 1960s and 1970s, both over integration of minorities (are they more interested in their languages, *or* in jobs) and over indigenous claims (are they more interested in identity, language and traditions, *or* in autonomy/land rights). Most ITMs are mostly interested in *both* types of rights, expressive and instrumental, and often one is a prerequisite for the other, with both being alternately causal *and* dependent variables. The Kurdish case is a good example of this. Many of us work with both aspects, and see them as complementary, not mutually exclusive.

It is important to relate the societal goals of cultural autonomy and self-determination to how the powerful dominant groups (including the state) and the dominated groups see the future of the dominated groups (here Indigenous,

1 tribal, minority or minoritized groups/peoples, ITMs). Schermerhorn's (1970:
2 80) useful typology of the collective goals of minorities and the extent to which
3 a majority (or dominant group) in a country agrees or disagrees with them is
4 still useful. In describing these goals, he distinguishes between two aspects of
5 assimilation — the *economic-structural* (“economic and occupational life,
6 marriage and the family, education, government, and recreation”, the alterna-
7 tives being structural incorporation or autonomy) and the *cultural* (assimila-
8 tion or pluralism). The dominant and subordinated groups can agree or dis-
9 agree, partially or totally, with the collective goals for the subordinated group.
10 If both groups want the same for the subordinated group in terms of both struc-
11 ture and culture, for instance structural incorporation (SI+) and cultural as-
12 similation (CA+), meaning INCORPORATION at the structural level and
13 ASSIMILATION at the cultural level, there is total agreement. If on the other
14 hand the dominant group wants these two goals (SI+, CA+) for the subordi-
15 nated group, while the group itself does *not* want structural incorporation but
16 wants structural AUTONOMY (SI–), and does *not* want cultural assimilation
17 but cultural PLURALISM (CA–), there is total disagreement. Partial agree-
18 ment and disagreement are also possible and common.

19 US melting pot ideology expects all citizens to adopt the American way of
20 life and ideals, in order to become “good Americans”. On the other hand, the
21 democratic ideal demands that everyone should be given equal educational and
22 economic opportunities. The official ideology of the majority thus represents
23 cultural assimilation but structural incorporation. This mythical American
24 Dream has always been about granting everybody a chance of structural incor-
25 poration into an economically and politically just democratic society. But the
26 price to be paid has also, despite some early tolerance of official multilingual-
27 ism, been extremely clear — total cultural assimilation. Theodore Roosevelt
28 (the USA president 1901–1909) wrote:

29
30 We must have but one flag. We must also have but one language. . . . We cannot tolerate
31 any attempt to oppose or supplant the language and culture that has come down to us
32 from the builders of this Republic. . . . We call upon all loyal and unadulterated Ameri-
33 cans to man the trenches against the enemy within our gates. (Roosevelt 1917; empha-
34 sis added)

35
36 Roosevelt also wrote in 1919, in a letter to the next president:

37
38 In the first place, we should insist that if the immigrant who comes here in good faith
39 becomes an American and assimilates himself to us, he shall be treated on an exact
40 equality with everyone else, for it is an outrage to discriminate against any such man
41 because of creed, or birthplace, or origin. But this is predicated upon the person's be-
42 coming in every facet an American, and nothing but an American. . . . There can be no

1 divided allegiance here. *Any man who says he is an American, but something else also,*
 2 *isn't an American at all.* We have room for but one flag, the American flag. . . . We have
 3 room for but one language here, and that is the English language . . . and we have room
 4 for but one sole loyalty and that is a loyalty to the American people". (Quoted from
 5 Skutnabb-Kangas and Fernandes [2008: 55–56]; emphases added).

6
 7 Turkey has followed the same policy — all roads are open to Kurds who are
 8 100% assimilated culturally. Most ITMs, though, do *not* want cultural assimila-
 9 tion. On the other hand, most do want access to goods and services and the
 10 institutional benefits of the “mainstream” society. This would be a case of
 11 agreement on structural incorporation, but disagreement on the need for cul-
 12 tural assimilation. A consensus where the dominant group agrees to both
 13 structural incorporation *and* cultural pluralism (which could include cultural
 14 autonomy of some kind), would be very unusual in today’s world. An example
 15 would be Swedish-speakers in Finland, with one of the best minority protec-
 16 tions in the world and full agreement, with both the (Finnish-speaking) major-
 17 ity and the minority (Swedish-speakers) agreeing on the goals — full incorpo-
 18 ration politically, economically, and socially and on the labor market, but no
 19 cultural and linguistic assimilation.

21 7. Linguistic assimilation and social injustice

22
 23 All statistics from the USA tell us that Indigenous peoples, African Americans
 24 and Spanish-speaking (immigrant) minority groups (e.g. García 2009) suffer
 25 from the results of discrimination socially and economically (see Skutnabb-
 26 Kangas and Dunbar [2010] on these results). Indicators of the results of social
 27 injustice, including low levels of formal education among these groups, show
 28 that the promises of structural incorporation have not materialized for many
 29 groups. At the same time, the linguistic and cultural assimilation demands are
 30 still as harsh as in Roosevelt’s formulations. Most Indigenous peoples in North
 31 America have lost their languages (see, e.g. Bear Nicholas 2009, McCarty
 32 2009, Reyhner et al. 1999) and recent immigrants are more or less monolingual
 33 in English by the third generation. Many groups have paid the price (i.e. tried
 34 to assimilate) but have not, at the group level, got what was promised, even if
 35 many individuals and even some groups, especially from South Asia, have
 36 “succeeded” economically. Debate about whether the economic success that
 37 some groups may have achieved, at the cost of being forced to assimilate, has
 38 been worth it, and whether there are alternatives, have not been widespread in
 39 the USA or Canada, or, for that matter, Africa, and has not led to large-scale
 40 minority organizing around linguistic and cultural demands. This may still
 41 happen when people realize what the price that they have paid or are in the
 42 process of paying might mean.

1 Some groups/peoples in other countries have mobilized differently, starting
2 with linguistic and cultural demands. It is possible that some of them have
3 achieved or are in the process of achieving more rights *also* in terms of struc-
4 tural incorporation than those who initially strove towards incorporation only,
5 at the cost of language and culture (see. e.g. Aikio-Puoskari [2009] on the
6 Saami — see also the comparison of the relative success of strategies used by,
7 respectively, the Deaf and the Saami in Skutnabb-Kangas and Aikio-Puoskari
8 [2003]).
9

10 **8. Indigeneous/tribal peoples in India and Nepal**

11
12
13 In many — but by no means all — Asian countries cultural and linguistic plu-
14 ralism have been much more widely accepted and, in some of them (such as
15 India and Nepal)⁹ codified in constitutions and other legal texts. Here we can
16 also see that Indigenes/tribal peoples and even many national linguistic mi-
17 norities are excluded from social justice in the sense of structural incorpora-
18 tion. The structural inequalities are often discussed in addition to linguistic,
19 ethnic and cultural characteristics or even only in terms of class/caste hier-
20 archies (which are often language-based or coincide with ethnicity- and
21 language-related characteristics). It seems that many tribals in India and Nepal,
22 where the formative foundations of social identity are their language, culture
23 and ethnicity, together with the land (often seen holistically as inseparable), are
24 now at the same time striving for both structural incorporation and cultural and
25 linguistic rights, especially in education, using innovative strategies (e.g.
26 Dalits).

27 Looking back at the history of small and large tribal protests and movements
28 in India, one finds that more often than not, the tribals began their protest es-
29 sentially for land. They did not want to lose their language, but language was
30 definitely not an issue, since they did not collectively perceive it as a resource,
31 or a marker of identity or, at least, did not consider it at risk. Their collective
32 protests were sporadically organized in time and space, and in small groups.
33 Only when these led to big movements, as in the case of Bodos and Santhalis,
34 were these three bases of identity conceptually distinguished by the leaders.
35 But for the common people they were one and the same. Because of the multi-
36 lingual ethos and multiglossia, non-use of tribal languages in formal/official
37 spaces like school was not construed by the speakers of those language as a
38 process that might lead to loss of their own language, and therefore, their cul-
39 ture and their ethnicity, except where collective processes were strong. There-
40 fore, until a few years ago, the demand for mother-tongue-based multilingual
41 education, MLE, was still weak among tribal parents. In a few states like
42 Andhra Pradesh and Orissa, MLE was implemented in a few pilot schools

1 because of decisions taken at the state bureaucratic level and not because the
2 parents of the tribal children demanded it. However, one can say that many
3 tribal parents have now started noticing the benefits of MLE for their children
4 in Orissa and Andhra and have started lending emotional and moral support to
5 these initiatives (see <http://www.nmrc-jnu.org/> for comprehensive descrip-
6 tions). They have also started seeing language as a resource, a cultural capital.
7 But still there are very few demands for any kind of cultural autonomy
8 (Skutnabb-Kangas et al. 2009).

9 Thus in many contexts worldwide, ITMs live in societies which are orga-
10 nized so as to exclude them both from structural incorporation that might lead
11 to more just societies socially, economically and politically, and from the right
12 not to be discriminated against on the basis of their languages and cultures (a
13 negative right) and to maintain and develop these (a positive right), in addition
14 to having access to additional languages and cultures, including the dominant
15 ones. If we take this situation as reflecting the intentions of the dominant
16 groups, regardless of the extent to which the intention is overtly expressed (or
17 even when the opposite is expressed in declarations and laws), what requires
18 analysis is to what extent ITMs agree with these goals. One might safely
19 assume that none of them agree with the goal of *not* having the right and
20 opportunity to achieve full structural incorporation, while most of them take
21 their languages and cultures as self-evident, and many do not see their loss
22 as a possibility — yet. We are now starting to get results showing that well-
23 conducted MLE can reach *both* goals (structural incorporation and linguistic
24 and cultural pluralism) (see results on the website of the Indian National
25 Multilingual Education Resource Consortium, <http://www.nmrc-jnu.org/>; see
26 also Mohanty and Skutnabb-Kangas 2010).

27 28 29 **9. Power, structural incorporation and linguistic assimilation** 30

31 Important questions then are: To what extent do those who “want” linguistic
32 and cultural assimilation think that this is a necessary price to pay for structural
33 incorporation? Do they believe in the myth that they have to choose between
34 the two goals? Are they made to believe that it is a zero-sum game? To what
35 extent do they know what the long-term consequences of their choices are, and
36 is there in reality any choice in these power games?

37 JF notes, correctly, that the notion of power is crucial, and currently still
38 lacking for a proper understanding of most sociolinguistic phenomena, a cen-
39 tral sociological and political science question where theories abound. He then
40 discusses social power as “the control of scarce resources”, asserting that so-
41 cial power is “directly proportional to the degree of control as well as to the
42 degree of scarcity” and ends with the claim that “both of these considerations

1 are at heart quantitative (and therefore, in principle, measurable and express-
2 ible as matters of degree), therefore making it possible to quantify the degree
3 of power that any party to a sociolinguistic contest brings to attempts to arbitrate that contest”.

5 Some basic questions about what power is include whether it is something
6 that “is” and that individuals or groups can “have” or not. Is power (only?) created
7 in discourse relations (for different but possibly complementary views see, e.g., Bourdieu [1977, 1992]; Feldman [1991]; Foucault [1980]). Many
8 theorists of power would probably question the conceptualization of power as
9 a measurable object. Power is something that is performed; it exists, manifests
10 itself, only in the situation where it is performed. But even within theories
11 where some aspects of power exist regardless of the situation (comprising of,
12 for instance, Bourdieu’s various relevant habitus and social and linguistic capital
13 considerations where at least linguistic capital as an instrument of power
14 might be to some extent measurable), JF’s claim about quantification might not
15 hold. I have often used the Norwegian peace researcher Johan Galtung’s (especially [1980], further developed in [1988]) three-partite division of power (e.g. Skutnabb-Kangas 1988, 2000, e.g. Chapter 6). Galtung differentiates between
16 three types of power: *innate power*, *resource power* and *structural power*.
17 Even if Galtung’s model of power may at first sound as if power was something that *is*, rather than something to be negotiated, he sees power as a relational concept, as does JF (and I).

23 *Innate power* — “*being-power*” refers to that which individuals have initially inherited from their parents (nature) but have developed through nurture
24 — intelligence, muscles, health, charisma, etc. (some of Bourdieu’s habitus would correspond to this). *Resource power* is “*having-power*”. Resources can
25 be *material* (capital, weapons, books, houses, cars) or *non-material* (languages, cultures, traditions, experience, education, knowledge, time). *Structural power*
26 one has by virtue of one’s *position*. The three types of power (or parts of them) can be convertible to each other (e.g. the phenomenon of Sarah Palin in USA
27 politics: she has converted her charisma and capital into a shaky position of structural power, which could have been dangerous, had she had more of other
28 aspects of innate and resource power — intelligence of a certain type, and knowledge). The power elites’ control of power is based on attempting to monopolize the right to validate the convertability of the types of innate, resource
29 and structural power that they themselves can muster, and invalidate the resources of others so that these cannot be converted to other types of power.
30 This makes power a relational concept in this type of theorizing. In this optic, ITM resources (material and, especially, immaterial — their languages, cultures, etc) are invalidated and stigmatized and therefore constructed as non-
31 convertible to other already validate resources or to positions of structural power. But even within this type of conceptualizing, only some types of power,
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1 mainly portending to some material resource power — e.g. access to money
 2 — are measurable. And even here, the value assessments of material resources
 3 (e.g. paintings, houses in certain locations, etc.) depend on class, ethnicity,
 4 gender, religion, and other characteristics of the assessors. Thus, regardless
 5 of the types of conceptualization of power, the measurableness is highly
 6 questionable, even for the types of micro-sociolinguistic encounters that JF
 7 describes.

10. Conclusion

12 More research into the essence of power (if indeed there is any essence) is
 13 needed. Ending on a slightly pessimistic note, then, my claim is that the work
 14 of many sociolinguists/applied linguists, even where it *could* address them, is
 15 irrelevant from the point of view of the world's major problems, including
 16 power relations between the haves and have-nots, where many ITMs are
 17 doomed to stay never-to-haves, with neither cultural nor political-economic
 18 autonomy. In Ahmed Kabel's view:

19
 20 . . . most research in applied linguistics is out of synch with the real issues as perceived
 21 by social actors. This ivory tower syndrome is rife in even some of the self-appointed
 22 embarrassingly depoliticized "critical" strand of the discipline. Even worse, some
 23 recent scholarship has been after embarrassingly soft targets (flows, hip-hop . . .). The
 24 concepts, paradigms and theories that we employ are either completely irrelevant or
 25 dangerous. What is needed is a more activist stance informed by socially and politically
 26 accountable forms of knowledge and research (Kabel 2010, private email).

27 This kind of ivory tower work is in no way dangerous for those global and
 28 local corporate forces that are driving the negative, wasteful, consumerist and
 29 destructive globalization. JF's work, including the article that I am comment-
 30 ing on here, is very much in touch with real issues.

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 32 *Åbo Akademi University Vasa, Finland*

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 34 Correspondence address: SkutnabbKangas@gmail.com

Notes

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1. *ILO Convention No. 169 on Indigenous and Tribal Peoples* ("ILO Convention No. 169", see <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C169>).
 2. One hundred and forty-three States voted in favor, four opposed the Declaration (Australia, Canada, New Zealand and the United States), and eleven States abstained. See <http://www>.

- 1 un.org/News/Press/docs/2007/ga10612.doc.htm. It should also be noted that on 3 April 2009,
2 the Government of Australia announced that it now supported the UNDRIP: http://www.hreoc.gov.au/about/media/media_releases/2009/21_09.html. New Zealand made a similar announcement
3 20 April 2010, <http://www.rightsandresources.org/blog.php?id=520>. “In March
4 2010, the Government of Canada announced it would take steps to endorse the UN Declaration
5 and, in April 2010, the United States indicated that it will also review its position regarding
6 the Declaration”, <http://www.un.org/esa/socdev/unpfi/en/declaration.html>.
- 7 3. As of August 2011, they include Argentina, Bolivia, Brazil, Central African Republic, Chile,
8 Colombia, Costa Rica, Denmark, Dominica, Ecuador, Fiji, Guatemala, Honduras, Mexico,
9 Nepal, Netherlands, Nicaragua, Norway, Paraguay, Peru, Spain and Venezuela. See: <http://www.ilo.org/ilolex/cgi-lex/ratifce.pl?C169>.
- 10 4. Skutnabb-Kangas and Dunbar (2010: 16), discusses the possibility of courts being able to
11 draw on at least one recent court case where the principle of no right for parents to choose the
12 medium of instruction was reinterpreted. The principle of 45 years stems from the classical
13 “Belgian linguistic case” (<http://cmiskp.echr.coe.int/tpk197/viewhbk.asp?action=open&table=F69A27FD8FB86142BF01C1166DEA398649&key=13939&sessionId=28090571&skin=hudoc-en&attachment=true>). In the 1968 *Belgian Linguistic Case*, the European Court
14 of Human Rights found that Belgium had not violated the right to education contained in Art.
15 2 of the First Protocol to the *European Covenant on Human Rights* when it denied French-
16 speaking parents living in a Flemish-speaking part of Belgium the ability to have their children
17 educated through the medium of French; the court ruled that this right to education did
18 not include a right to be taught in the language of parents’ choice.
- 19 5. <http://conventions.coe.int/Treaty/Commun/ListeTraites.asp?CM=1&CL=ENG&NT=&NU=148>.
- 20 6. <http://conventions.coe.int/Treaty/Commun/QueVoulezVous.asp?NT=157&CM=1&DF=2/17/2007&CL=ENG>; for news about it, see <http://conventions.coe.int/Treaty/EN/v3News.asp>
- 21 7. See Skutnabb-Kangas and Fernandes (2008) for some of the Turkish policies, including Lockheed
22 Martin weapon contracts, oil pipes through Turkey, etc.
- 23 8. Koivunen (2002) shows that the health situation in Kurdistan is as poor as in some of the worst
24 African countries.
- 25 9. See Agnihotri 2009; Awasthi 2004; Hough et al. 2009; Jhingran 2009; Nurmela et al. 2010; Panda
26 and Mohanty 2009; Yonjan-Tamang et al. 2009.

References

- 27
28
29
30
31 Agnihotri, Rama Kant. 2009. Multilinguality and “a language”: reflections on the 2005 National
32 Curricular Framework, India. In Ajit Mohanty, Minati Panda, Robert Phillipson & Tove
33 Skutnabb-Kangas (eds.), *Multilingual education for social justice: globalising the local*, 268–
34 277. New Delhi: Orient BlackSwan.
- 35 Aikio-Puoskari, Ulla. 2009. The Ethnic revival, language and education of the Sámi, an Indige-
36 nous People, in three Nordic countries (Finland, Norway and Sweden). In Tove Skutnabb-
37 Kangas, Robert Phillipson, Ajit Mohanty & Minati Panda (eds.), *Social justice through multilin-
38 gual education*, 238–262. Bristol: Multilingual Matters.
- 39 Awasthi, Lava Deo. 2004. *Exploring monolingual school practices in multilingual Nepal*. Copen-
40 hagen: Danmarks Pædagogiske Universitet / Danish University of Education PhD thesis.
- 41 Bear Nicholas, Andrea. 2009. Reversing language shift through a native language immersion
42 teacher training program in Canada. In Tove Skutnabb-Kangas, Robert Phillipson, Ajit Mohanty
& Minati Panda (eds.), *Social justice through multilingual education*, 220–237. Bristol: Multi-
lingual Matters.

- 1 Bourdieu, Pierre. 1977. The economics of linguistic exchange. *Social Science Information* 16(6).
2 645–668.
- 3 Bourdieu, Pierre. 1992. *Language & symbolic power*. Edited and Introduced by John B. Thomp-
4 son. Cambridge: Polity Press.
- 5 Cobo, José Martínez. 1987. *Study of the problem of discrimination against indigenous popula-*
6 *tions*. Final report submitted by the Special Rapporteur, Mr. José Martínez Cobo. New York:
7 UNPFII (United Nations Permanent Forum on Indigenous Issues).
- 8 Curtis, Mark. 1995. *The ambiguities of power: British foreign policy since 1945*. London & New
9 Jersey: Zed Books.
- 10 Curtis, Mark. 2003. *Web of deceit. Britain's real role in the world. With a foreword by John Pilger*.
11 London: Vintage.
- 12 Curtis, Mark. 2010. *Secret affairs. Britain's collusion with radical Islam*. London: Profile Books.
- 13 Feldman, Allen. 1991. *Formations of violence. The Narrative of the body and political terror in*
14 *Northern Ireland*. Chicago & London: The University of Chicago Press.
- 15 Fishman, Joshua A. 1997. *In praise of the beloved language. A comparative view of positive*
16 *ethnolinguistic consciousness*. Berlin & New York: Mouton de Gruyter.
- 17 Foucault, Michel. 1980. *Power/knowledge: selected interviews and other writings, 1972–1977*,
18 edited by Colin Gordon. New York: Pantheon Books.
- 19 Galtung, Johan. 1980. *The true worlds. A transnational perspective*. New York: The Free Press.
- 20 Galtung, Johan. 1988. *Methodology and development. Essays in methodology*. Vol. III. Copenha-
21 gen: Christian Ejlertsen.
- 22 García, Ofelia. 2009. *Bilingual education in the 21st Century*. Malden, MA: Wiley-Blackwell.
- 23 Hough, David, Ram Bahadur Thapa Magar & Amrit Yonjan-Tamang. 2009. Privileging indige-
24 nous knowledges: empowering MLE in Nepal. In Tove Skutnabb-Kangas, Robert Phillipson,
25 Ajit Mohanty & Minati Panda (eds.), *Social justice through multilingual education*, 159–176.
26 Bristol: Multilingual Matters.
- 27 Jhingran, Dhir. 2009. Hundreds of home languages in the country and many in most classrooms:
28 coping with diversity in primary education in India. In Tove Skutnabb-Kangas, Robert Phillip-
29 son, Ajit Mohanty & Minati Panda (eds.), *Social justice through multilingual education*, 263–
30 282. Bristol: Multilingual Matters.
- 31 Kabel, Ahmed. 2010. There is no such thing as “keeping out of politics”: medium of instruction
32 and mother tongue education in Morocco. In Kathleen Heugh & Tove Skutnabb-Kangas (eds.),
33 *Multilingual education works. From the periphery to the centre*, 261–286. Hyderabad: Orient
34 BlackSwan.
- 35 Koivunen, Kristiina. 2002. *The invisible war in North Kurdistan*. Helsinki: Department of Social
36 Policy, University of Helsinki Doctoral dissertation. <http://ethesis.helsinki.fi>, go to Vaitöskirjat,
37 Koivunen (accessed ■■■).
- 38 *The Kurdistan Tribune*. 2011. Turkish court sentences Kurdish deputy Aysel Tuğluk to two years in
39 jail. <http://kurdistantribune.com/2011/turkish-court-sentences-aysel-tugluk-two-years-jail/> (ac-
40 cessed 12 August 2011).
- 41 May, Stephen. 2005. Language rights: moving the debate forward. *Journal of Sociolinguistics*
42 9(3). 319–347.
- 43 McCarty, Teresa. 2009. Empowering indigenous languages — What can be learned from Native
44 American experiences? In Tove Skutnabb-Kangas, Robert Phillipson, Ajit Mohanty & Minati
45 Panda (eds.), *Social Justice through Multilingual Education*, 125–139. Bristol: Multilingual
46 Matters.
- 47 MESOP. 2010. Commentary 11 November 2010. <http://www.mesop.de/> (accessed 8 August 2011).
- 48 Mohanty, Ajit & Tove Skutnabb-Kangas. 2010. MLE as an economic equalizer in India and Nepal:
49 mother tongue based multilingual education fights poverty through capability development and
50 identity support. Plenary paper at the conference “Socio Economic Participation of Minorities

- 1 in Relation to their Right to (Respect for) Identity”, Erasmus University Rotterdam, Erasmus
2 School of Law, the Netherlands, 26–28 October.
- 3 Nurmela, Iina, Lava Deo Awasthi & Tove Skutnabb-Kangas. 2010. Enhancing quality education
4 for all in Nepal through indigenised MLE: the challenge to teach in over a hundred languages.
5 In Kathleen Heugh & Tove Skutnabb-Kangas (eds.), *Multilingual education works. From the*
6 *periphery to the centre*, 176–203. Hyderabad: Orient BlackSwan.
- 7 Owen, Margaret. 2010. Kurdish show trial shames Turkey. November 10. [http://www.guardian.
8 co.uk/commentisfree/libertycentral/2010/nov/10/turkey-show-trial-of-kurds](http://www.guardian.co.uk/commentisfree/libertycentral/2010/nov/10/turkey-show-trial-of-kurds) (accessed 9 Au-
9 gust 2011).
- 10 Panda, Minati & Ajit Mohanty. 2009. Language matters, so does culture: beyond the rhetoric of
11 culture in multilingual education. In Tove Skutnabb-Kangas, Robert Phillipson, Ajit Mohanty &
12 Minati Panda (eds.), *Social justice through multilingual education*, 301–319. Bristol: Multilin-
13 gual Matters.
- 14 Reyhner, Jon, Gina Cantoni, Robert N. St. Clair & Evangeline Parsons Yazzie (eds.). 1999. *Revi-
15 talizing indigenous languages*. Flagstaff: Northern Arizona University Center for Excellence in
16 Education.
- 17 Roosevelt, Franklin. 1917. Roosevelt demands race fusion here. *New York Times*, 10 September.
- 18 Rubio-Marin, Ruth. 2003. Language rights: exploring the competing rationales. In Will Kymlicka
19 & Alan Patten (eds.), *Language rights and political theory*, 52–79. Oxford: Oxford University
20 Press.
- 21 Schermerhorn, R. A. 1970. *Comparative ethnic relations. A framework for theory and research*.
22 New York: Random House.
- 23 Skutnabb-Kangas, Tove. 1988. Resource power and autonomy through discourse in conflict —
24 a Finnish migrant school strike in Sweden. In Tove Skutnabb-Kangas & Jim Cummins
25 (eds.), *Minority education: from shame to struggle*, 251–277. Clevedon, Avon: Multilingual
26 Matters.
- 27 Skutnabb-Kangas, Tove. 2000. *Linguistic genocide in education — or worldwide diversity and
28 human rights?* Mahwah, NJ: Lawrence Erlbaum Associates.
- 29 Skutnabb-Kangas, Tove & Ulla Aikio-Puoskari. 2003. Exclusion or inclusion — linguistic human
30 rights for a linguistic minority, the Deaf Sign language users, and an indigenous people, the
31 Saami. In Philip Lee (ed.), *Many voices, one vision: the right to communicate in practice*, 59–
32 88. Penang, Malaysia: Southbound & London: WACC.
- 33 Skutnabb-Kangas Tove & Robert Dunbar. 2010. *Indigenous children’s education as linguistic
34 genocide and a crime against humanity? A global view* (Journal of Indigenous Peoples’ Rights
35 1). Guovdageaidnu/Kautokeino: Gáldu Čála, Resource Centre for the Rights of Indigenous
36 Peoples. <http://www.e-pages.dk/grusweb/55/> (accessed 8 August 2011).
- 37 Skutnabb-Kangas, Tove & Desmond Fernandes. 2008. Kurds in Turkey and in (Iraqi) Kurdistan: a
38 comparison of Kurdish educational language policy in two situations of occupation. *Genocide
39 Studies and Prevention* 3(1). 43–73.
- 40 Skutnabb-Kangas, Tove & Teresa McCarty. 2008. Clarification, ideological/epistemological un-
41 derpinnings and implications of some concepts in bilingual education. In Jim Cummins &
42 Nancy H. Hornberger (eds.), *Encyclopedia of Language and Education, Vol. 5, Bilingual educa-
tion*, 2nd edn., 3–17. New York: Springer.
- Skutnabb-Kangas, Tove, Robert Phillipson, Minati Panda & Ajit Mohanty. 2009. MLE concepts,
goals, needs and expense: English for all or achieving justice? In Ajit Mohanty, Minati Panda,
Robert Phillipson & Tove Skutnabb-Kangas (eds.), *Multilingual education for social justice:
globalising the local*, 313–334. New Delhi: Orient Blackswan.
- Today’s Zaman. 2010. Kurdish group declares democratic autonomy within Turkey’s borders.
[http://www.todayzaman.com/news-250503-kurds-declare-democratic-autonomy-within-
turkeys-territorial-integrity.html](http://www.todayzaman.com/news-250503-kurds-declare-democratic-autonomy-within-turkeys-territorial-integrity.html) (accessed 10 August 2011).

1 UNESCO. 2010. *EFA Global monitoring report 2010. Reaching the marginalized*. Oxford:
2 Oxford University Press / Paris: UNESCO. [http://www.unesco.org/en/efareport/reports/2010](http://www.unesco.org/en/efareport/reports/2010-marginalization/)
3 [-marginalization/](http://www.unesco.org/en/efareport/reports/2010-marginalization/) (accessed 8 August 2011).

4 Yonjan-Tamang, Amrit, David Hough & Iina Nurmela. 2009. The Nepal multilingual education
5 program: year one of planning and implementation. In Ajit Mohanty, Minati Panda, Robert Phil-
6 lipson & Tove Skutnabb-Kangas (eds.), *Multilingual education for social justice: globalising*
7 *the local*, 241–249. New Delhi: Orient Longman.

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