

Linguistic diversity, human rights and the 'free' market

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Globalization carries with it a danger of uniformity [...] Peace means diversity [...] it means multi-ethnic and multilingual societies. (from UNESCO's **The Human right to peace. Declaration by the Director-General**, 1997, p. 9)

1. The state of the world's languages

Today we have at least around 7,000 (maybe up to 10,000) **oral** languagesⁱ and thousands of **sign** languagesⁱⁱ. The **big killer languages**, the top 10 oral languages in the world (in terms of number of mother tongue speakers), all with more than 100 million speakers, are Chinese, English, Hindi/Urdu, Spanish, Arabic, Portuguese, Russian, Bengali, Japanese and German. They comprise only 0,1 - 0,15% of the world's oral languages but account for close to 50% of the world's oral population.

A very small group of the world's oral languages, numbering less than 300, are spoken by communities of 1 million speakers and above. In addition to the big killer languages they comprise of the **middle-sized languages**, which to many of us may seem small, like Hungarian, Slovak, Croatian, Finnish, Swedish, Danish, Czech, Estonian, Esperanto. Only French and Italian among them have over 50 million speakers. Demographically these less than 300 languages account for a total of over 5 billion speakers or close to 95% of the world's oral population.

On the other hand, somewhat over half of the world's (oral) languages and most of the sign languages are spoken by communities of 10,000 speakers or less, and most of them are spoken in one country only (84% of all the world's oral languages are endemic to the country). These are the **small and threatened languages**. But half of these, in turn, meaning around a quarter of the world's oral languages, are spoken by communities of 1,000 speakers or less, according to Dave Harmon (1995). Demographically, their speakers total only about 8 million people, less than 0.2% of an estimated world population of 5.3 billion. Over 25% of the world's languages account for only 0.2% of speakers. These **really small and endangered languages** are the most vulnerable oral languages of the world (and all sign languages are threatened).

Michael Krauss from Alaska is one of the linguists who has worked hard to make the world aware of the threat to languages (e.g. Krauss 1992). He estimates (1995) the number of oral languages that are assured of still being around in 2100 to only around 600, much less than 10 percent of the present oral languages. Again, this count does not consider sign languagesⁱⁱⁱ. Already today, Krauss claims, between 20 and 50 percent of the world's oral languages are no longer being learned by children, meaning they are 'beyond endangerment, they are living dead and will disappear in the next century'. According to this prognosis, then, not only are most of the languages with less than 10,000 speakers, over half of today's languages, going to disappear, but also most of the ones which have between 10,000 and 1 million speakers. All this just in the next hundred years.

Languages are today being killed and linguistic diversity is disappearing at a much faster pace than ever before in human history.

Now we could just say: so what? Is it not a natural development? Will it not be easier when all of us speak the same language, or only a few big languages?

No.

Linguistic and cultural diversity are as necessary for the existence of our planet as biodiversity. They are correlated: where one type is high, the other one is too. Mark Pagel points out that in North America

languages, like all biological species, get thicker on the ground as you approach the equator (Pagel, as reported by Nicholas Ostler in **Iatiku: Newsletter of of the Foundation for Endangered Languages** 1, 1995, p. 6).

Luisa Maffi, President of Terralingua^{iv}, also says (1996) that there are

'remarkable overlaps between global mappings of the world's areas of biological megadiversity and areas of high linguistic diversity', and likewise a 'correlation between low-diversity cultural systems and low biodiversity' (Maffi 1996)^v.

But the relationship between linguistic and cultural diversity on the one hand and biodiversity on the other hand is not only correlational. There seems to be mounting evidence that it might be causal. According to Maffi, ethnobiologists, human-ecologists and others have proposed

'theories of "human-environment coevolution"', including the assumption that 'cultural diversity might enhance biodiversity or vice versa.' (ibid.).

In this perspective, the first conference investigating this relationship, called 'Endangered Languages, Endangered Knowledge, Endangered Environments' (at the University of California, Berkeley, October 1996, organised by Maffi) stressed

the need to address the foreseeable consequences of massive disruption of such long-standing interactions (ibid.).

The processes of language loss also

affect the maintenance of traditional environmental knowledge - from loss of biosystematic lexicon to loss of traditional stories (ibid.).

The United Nations Environmental Program (UNEP), one of the organisations behind the 1992 Rio Biodiversity conference, produced a massive book on global biodiversity assessment that summarizes current knowledge about biodiversity (Groombridge 1992). Now UNEP also acknowledges the connection between biological resources and human resources. It is in the process of producing a companion volume to the biodiversity book, on **Cultural and Spiritual Values of Biodiversity** (Posey & Dutfield, (eds.), in press). The chapter on Language Diversity (Maffi & Skutnabb-Kangas, in press) argues that

the preservation of the world's linguistic diversity must be incorporated as an essential goal in any bioculturally-oriented diversity conservation program (from Executive Summary).

It is interesting that the loss of biodiversity has had massive attention all over the world - many people are worried about it. But few people talk of loss of linguistic diversity. Still, linguistic diversity is today disappearing much much faster than biological diversity, in the sense that the percentage of languages that will perish/be killed in the next century is larger than the percentage of all biological species that will be killed during the same time.

'Preservation of the linguistic and cultural heritage of humankind' (one of Unesco's declared goals) has been seen by many researchers and politicians as a nostalgic primordialist dream (creating employment for the world's linguists). The perpetuation of linguistic diversity is, however, a necessity for the survival of the planet, in a similar way to biodiversity (Maffi & Skutnabb-Kangas, in press).

But what does this have to do with linguistic human rights?

2. Linguistic genocide and the market value of languages

For the maintenance of linguistic and cultural diversity on our planet and the development of languages, educational language rights are not merely vital but the most important linguistic human rights. If children are not granted the opportunity to learn their parents' idiom^{vi} fully and properly so that they become (at least) as proficient as the parents, the language is not going to survive. Normally parents transmit their languages to their children. They do it partly by using the language themselves with the children and partly, and increasingly importantly, by choosing their own language as the medium of education for their children or otherwise ensuring that their children get full competence in their language in school. When more and more children gain access to formal education, much of the more formal language learning which earlier happened in the community must happen in schools. Where the school does not support the intergenerational transmission of the parents' language to children, it **may** be a conscious,

voluntary choice by one or both parents, where they **are** aware of the long-term consequences of the non-transmittance for the children themselves, for the relationship between parents and children and sometimes even for the future of the language. But in most cases I would claim that there may not have been any conscious choice, with alternatives. Then it may be a question of linguistic genocide.

When the United Nations did preparatory work for what later became the International Convention for the Prevention and Punishment of the Crime of Genocide (E 793, 1948), linguistic and cultural genocide were discussed alongside physical genocide, and were seen as serious crimes against humanity (see Capotorti 1979). When the Convention was accepted, Article 3 covering linguistic and cultural genocide was voted down and it was thus not included in the final Convention of 1948.

What remains, however, is a definition of linguistic genocide, which most states then in the UN were prepared to accept. Linguistic genocide is defined (in Art. 3, 1) as

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.

Linguistic genocide as defined by the UN is practised throughout the world. The use of an indigenous or minority language can be prohibited overtly and directly, through laws, imprisonment, torture, killings and threats (as in Turkey today vis-a-vis the Kurds, according to human rights organisations; e.g. Human Rights in Kurdistan 1989; Helsinki Watch Update 1990; see also Skutnabb-Kangas & Bucak 1994 and Hassanpour, this volume).

The use of a small language can also be prohibited covertly, more indirectly, via ideological and structural means. Especially in the West, but increasingly everywhere where literacy and formal education play an important role in children's socialisation, the educational systems are the direct agents of this killing. Every time there are indigenous or minority children in day-care centres and schools with no bilingual teachers authorized to use the languages of the children as the regular teaching and child care media, this is tantamount to prohibiting the use of minority languages 'in daily intercourse or in schools'. This is the situation for most immigrant and refugee minority children in all Western European countries and in the US, Canada and Australia, as well for most indigenous first nations, both earlier and, for many, still today (see e.g. Fettes, in press; Hamel 1994; Jordan 1988).

But behind education and other types of direct agents we have those structural agents which are decisive for what alternatives exist in the educational system and in other market places where languages are allocated certain values, both economic values and partially not not completely through this, market values (see Grin, this volume, on the implications of the difference). They are validated or invalidated. Their standing on the market for linguistic capital is assessed. This is where languages compete with each other, and this is where the linguistic hierarchisation of languages^{vii} takes place. Linguicism is defined as

ideologies, structures and practices which are used to legitimate, effectuate and reproduce an unequal division of power and resources (material and immaterial) between groups which are defined on the basis of language (Skutnabb-Kangas 1988, p. 13)^{viii}.

When linguistic diversity disappears through linguistic genocide (meaning languages are killed; they do NOT disappear through any kind of natural death, but are murdered), the speakers are assimilated into the realms of other languages. The top ten languages in terms of numbers are the real killer languages, and English foremost among them (see Phillipson 1992; Graddol 1997). These are the languages whose speakers have allocated to themselves and to their languages more power and (material) resources than their numbers would justify, at the cost of speakers of other languages.

Using the metaphor of the languages themselves as killer languages may be vivid. However, it is the market forces behind the languages, behind the relative validation or invalidation, that are important to analyse. Francois Grin gives an exposé of this market in his paper (in this volume). I will only add a few sociological notes on alternative responses to changes under and after modernism. What I loosely call 'the "free" market response' is centralisation, homogenisation, monocultural efficiency, and the consequences for linguistic diversity are disastrous. Another response could be through diversity, including implementing linguistic human rights.

3. 'Free' markets: trying to re-create the illusion of pre-modern certainties, in a post-modern world of insecurities, with fundamentalist modernist means

Dow Templeton Associates, part of one of the world's most powerful transnational complexes, puts their forecast for the next millennium very simply, under the subtitle 'Global village'(Dow 2000. Third Quarter, 1997, p. 1):

Individual value systems, cultures and traditions will be maintained, but English will become the universal language and capitalism will become the dominant social system.

It is interesting that transnational Dow expresses the parallel between a universal/dominant language and a universal/dominant economic system so clearly and so simply, not to say simplistically - nevertheless it is something for politically naive linguists to take note of.

An active agent in killing languages faster than ever is the development that has accelerated since the disintegration of the Soviet Union, namely the triumphalist proclamation of the 'free' market system as The Global System For Ever. Of course it is everything but free (see e.g. Escobar 1995 - see also Grin (this volume) for a neo-liberal standard definition). This proclamation has in fact constructed the 'free market' system as a **political** system rather than an economic system only.

There does not seem to be enough reason for this triumphalism. In its image-building claims it draws on individualist post-modern (or at least late modernism-related) ideologies of mobility, change and unlimited choice - but the exact opposite seems to figure prominently in the lack of choice that it offers. In its prognoses, here symbolised by the Dow Templeton quote, it seems to belong to the early phases of modernism. Sociologist Göran Therborn defines the phases in the development from pre-modernity to modernity^{ix} and further to post-modernity, on a viewpoint axis where **PRE-MODERNITY** is 'looking back, over its shoulder, to the past, to [its] ... experience and ... example of wisdom, beauty, glory'. **MODERNITY** 'looks at the future, hopes for it, plans for it, constructs, builds it.'

Dow's prognosis above is a typical project for modernity, planning for future.

But according to Therborn and others, that is no longer where we are. **POST-MODERNITY** 'has lost or thrown away any sense of time direction. The past as well as the future and the present have become 'virtual realities', or simultaneously combinable elements.' (Therborn 1995, 4-5). Therborn's analysis tallies with that of another guru of postmodernism, Zygmunt Bauman, whose catch phrase 'all that is solid melts in the air' captures (or, ironically, consolidates) the essence of post-modernism. Bauman claims (1997) that safety and security of life has disappeared with modernism. Instead, we have uncertainty, existential anxiety, Unsicherheit, and it is here to stay. We are/have to be or become reconciled to it. But it is not a fear of natural catastrophes but fear of results of human action; it is manufactured uncertainty. There is a lack of existential grounding: jobs disappear; traditional skills (or any skills on a long time basis) have no longer a (lasting) market value; human partnerships, including the most intimate ones, are fragile. All are on the move, even if we never leave the place where we were born or where we stay: the ground is moving from under us, despite us. This may be good for some adventurous spirits, but for most of us it means anxiety. All of us have in us both enjoyment of adventure (as the post-modernist ideal has it) but also fear of not being in control. Uncertainty creates, according to Bauman, fundamentalist, neo-tribal sentiments: let's make the world a bit simpler, more constrained.

The Dow prognosis above seems to me to be a perfect example of a result of this uncertainty: let's make the world simple, let's have one world language and one world economic system. And we who belong to the neo-tribe of capitalist English-speaking elites will gain and maintain control, and be able to recognise the McDonaldised world: Outside, on the streets, the safe and homogenised and environmentally disastrous McDonalds and Pizza-Huts xx reference!! xx are the same everywhere. Inside, the hotels belong to the same chain, with the same CNN - you could be anywhere in the world.

This is a powerful but at the same time desperate solution: trying to re-create the illusion of pre-modern certainties, with modernist means, in a post-modern world - and ruining the planet as a side-effect.

The development model with capitalism and English as both the means and the goals has been exported worldwide, neocolonising the 'South' countries^x. It is now being aggressively exported to eastern and central Europe (even if western investments have lagged somewhat behind Western ideology). It has also operated in a similar fashion domestically in the North's own marginalised, 'underdeveloped' areas. A description of the process in the Arctic areas of the rich Nordic countries (Jussila & Segerstahl 1988, p. 17) could just as well relate to Africa - and, maybe, to central and eastern Europe?

Economic growth and its implications are present in the modernization process ... in the marginalised areas. All productive activities have been gradually geared towards markets after the emergence of money economy in these areas. The use of local resources is today a means for acquiring both financial and social prestige, which in turn sets

aside ideas of a sustainable use of resources, although the knowledge of sustainability would exist.

It is also imperative to compare the 'educational aid to development' and its results in former colonies in the underdeveloped countries (countries that we in the West have consciously underdeveloped and continue to underdevelop - cf. Rodney 1983), with what is happening in central and eastern Europe. Are there parallels? In much of Africa and Asia, the dominant role of English in secondary and higher education, on the route to upward social mobility, remains unchanged, with substantial 'aid' from British and American donors consolidating the position of English. As a result, there is a growing mismatch between actual language use in the society, societal goals and educational means, with the result that education is largely failing to deliver the goods (Alexander 1995a, 1995b, Heugh 1995a, 1995b, Luckett 1995, Rubagumya 1990). The picture is broadly similar in most former colonies (World Bank 1988, Haddad et al 1990). Symptoms of crisis and financial straits make injections of cash from the World Bank more attractive, and the Bank and the IMF (International Monetary Fund) seem to have African countries in their pockets^{xi}.

There are grave grounds for doubting the appropriacy of such development assistance. Why should the western world, in which mass education is fraught with unresolved problems, be able to resolve acute problems elsewhere? (See Kozol 1991 on schools in diverse areas of the USA. In Britain the pattern is equally patchy: 'Half the primary schools and two-fifths of secondary schools are failing to teach children to a satisfactory standard, the Office for Standards in Education said in its annual report on the condition of schooling in England', *Guardian Weekly*, 11 February 1996). How can decentralized education correspond to local needs when the 'distance educators' who pull the financial and ideological strings know neither local cultures nor local languages? How is it that mostly monolingual English-speakers are running around the world as experts on how multilingual people in other parts of the world can become still more multilingual (by learning English), when Britain and the United States are notoriously failing to teach their majorities even the first elements of another language? I am reminded of the story of Dan Quayle who visited Latin America as the US Vice-President and apologized for not knowing Latin - or the American headmaster who said to a minority student that if English was good enough for Jesus it was good enough for him ... These are fundamental ethical questions. Accountability must relate not merely to budgets but to a wide range of cultural and ecological concerns.

Historically, both **development** and **human rights** are central to UN activities, and figure in innumerable declarations, beginning with the Charter of the United Nations (Article 55 commits its members to the promotion of higher standards of living, solutions to international economic, social, health and related problems and international cultural and educational cooperation, and universal respect for human rights and fundamental freedoms. The same article also outlaws discrimination on the basis of language). There is though an inherent contradiction between the commitment to development (as promoted by the UN's agencies, and multilateral and bilateral donors) and to human rights, since much of the evidence is that development programmes, e.g. the structural adjustment policies of the World Bank and the IMF have 'been found to harm rather than promote human rights' (Tomaševski 1993, p. 45). It is an additional paradox that much mainstream 'aid' in the late 1980s was made conditional on human rights observance, particularly political rights, at a time when such 'aid' was jeopardizing human rights. Criticism of the neglect of human rights in development aid has often been expressed by NGOs which, for instance, have documented that the interests of indigenous groups have been sacrificed on the altar of 'economic progress' (ibid., p. 51; see also Stavenhagen 1990, 1995).

Summing up, market economy, and the creation of larger and more centralized economic, administrative and political units has, despite a rhetoric of democracy and local participation, been the order of the day, in the 'first' and 'third' worlds. It also seems to be re-emerging in the former 'second' world. The socio-economic, techno-military and political, structural changes inevitably connected with the 'modernization' process cause stress on both **nature** and on **people**, their socio-economic conditions of life, and their languages and cultures (Figure 1). These processes have resulted in an accelerated **environmental degradation** (= nature under stress), and **growing gaps** between the Haves and the Have-nots (or Never-to-haves as many of our Indian colleagues say) and in **linguistic and cultural genocide** (= people under stress). Education systems, as currently run, contribute to committing this linguistic and cultural genocide.

Figure 1. Alternative responses to socio-economic, techno-military and political structural changes

Alternative responses to changes

BACKGROUND REASONS

Socio-economic, techno-military and political structural changes

RESULTS in

Environmental degradation	Linguistic and cultural genocide	Growing gaps between haves and have-nots
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CREATES STRESS UPON

NATURE	P E O P	L E
	Languages and cultures	Socio-economic conditions of life

THESE RESPOND, ALTERNATIVELY,

THROUGH MARKETS & MONOCULTURAL EFFICIENCY: Economic efficiency first priority; larger and more centralized economic and political units; OR	THROUGH DIVERSITY: Sustainability through diversity first priority: flexible, resilient and democratic economic and political units
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WHICH RESULTS, ALTERNATIVELY, in

biodiver-sity	linguistic and cultural diversity	living conditions	biodiver-sity	linguistic and cultural diversity	living condi-tions
disappears	disap-pears; homogeni-zation	deterio-rate; polariza-tion	mainte-nance	mainte-nance, de-velopment	sustain-able; democra-tization

(This figure is partially inspired by the flow chart in Jussila & Segerståhl 1988, p. 18).

An important priority for research would be to define policies for preservation and development of environmental, linguistic and cultural, economic and political diversity^{xii}. This would also include studying the role of human rights in the different responses.

4. Human rights and the 'free' market

What is the response of the human rights system to giving market forces free range? Human rights, especially economic and social rights, are, according to human rights lawyer Katarina Tomaševski (1996, p. 104), to act as **correctives to the free market**.

The first international human rights treaty abolished slavery. Prohibiting slavery implied that **people** were not supposed to be treated as market commodities. ILO (The International Labour Organisation) has added that **labour** should not be treated as commodity. But price-tags are to be removed from other areas too. Tomaševski claims (ibid., p. 104) that

The purpose of international human rights law is ... to overrule the law of supply and demand and remove price-tags from people and from necessities for their survival.

These necessities for survival include not only basic food and housing (which would come under economic and social rights), but also basics for the sustenance of a dignified life, including basic civil, political **and cultural** rights. In Johan Galtung's terms, it is not only material, somatic needs that are necessities for survival, but also non-material, mental needs (see Table 1):

Table 1. Types of basic needs and basic problems

TYPES OF BASIC NEEDS

vs

Impediments to their satisfaction

	<i>DIRECT</i> <i>(intended)</i>	<i>STRUCTURAL</i> <i>(built-in)</i>
<i>Material needs</i> <i>(SOMATIC)</i>	SECURITY vs <u>violence</u>	WELL-BEING vs <u>misery</u>
<i>Non-material needs</i> <i>(MENTAL)</i>	FREEDOM vs <u>repression</u>	IDENTITY vs <u>alienation</u>

(based on Galtung 1988, p. 147)

Education is part of 'well-being' and 'identity', and a prerequisite for 'security' and 'freedom'. Education, including basic educational linguistic rights, is one of the necessities from which price-tags should be removed.

This means that it is the duty of each government to create conditions under which people are able to provide these necessities for themselves. Many people cannot do this, some of the reasons being that the right to work is not a fundamental inalienable individual human right. Neither is the right to fair trade at a collective level. If people cannot provide the necessities themselves, it is the duty of governments, according to human rights principles, to provide the necessities for those unable to do so themselves. If individual governments are unable to do so, it is the duty of the international community.

If this really happened, we would not need to worry about the fate of the world's languages. But it does not. Most states are either unwilling or unable to deliver - or both^{xiii}. The unwillingness will be shown below, in scrutinizing the protection of educational language rights in some human rights instruments - which are, after all, signed and ratified by states. The capacity of states to deliver is partially eroded by the restrictions on sovereignty in the age of post-modernist globalisation which has replaced the **universalism** of the modernisation period (Bauman 1997). **Universalisation**, seen by some idealists as positive (civilisation was spread to more and more countries, differences were going to be levelled out), in fact had to do with westernisation and homogenisation. In Bauman's analysis (1997), the difference between the two is that **universalisation** was seen as something with active agents (we made it happen) whereas **globalisation** is (constructed as) something that happens to us, a natural process that moves by itself. The only possible actions by states are negative: to remove hurdles, obstacles, from its way: to drop constraints to 'free' market, to make capital flexible, to make workers replaceable, movable and controllable, i.e. **not** take any positive action but only remove constraints to capitalism. Bauman uses the claims by Tietmeyer, the German finance magnate, as an example: according to Tietmeyer the key task for states in the world today is to secure the confidence and trust of investors. The state must remove any obstacles to this confidence. Tietmeyer's claims are accepted at face value; he does not need arguments to support his claims. In his world, the investors are the only volatile element/force. In Bauman's analysis, on the other hand, behind this lies the collapse of institutions of political control of trade and capital.

The earlier tests of the sovereignty of a state had to do with to what extent the state had political control over the economy, the military, the culture; was self-sufficient and sovereign and could provide for its citizens (see also Hassanpour, this volume). The post-modernist state has no control over the traditional markers of sovereignty; sovereignty has disappeared or is shaky beyond repair. **Glocalisation** has replaced globalisation. There is a globalisation of finance & capital; they are extraterritorial. Everybody can buy the same tanks, i.e. military control has disappeared. And American culture is everywhere (see Phillipson, this volume). Preservation of local law and order (the only area where states are 'sovereign') represents localisation. States use their power to control those who might want to prevent the removal of the obstacles to globalisation^{xiv}. Tietmeyer's investors are in Bauman's view interested in **weak but sovereign states**: states have to be weak in order not to be able to prevent the globalisation which multi- and transnationals need; on the other hand they have to be capable of securing the safety of international businessmen on the streets everywhere and to control workers, i.e. to have control over the state apparatuses for violence for internal purposes. Most wars today are intra-state wars, not wars between states. The often quoted fact of the top 358 multimillionaires (who have as much liquid cash as the poorest 45% of the population of the world together) is just one example of increasing inequality, one of the consequences of structural changes in globalisation (one of the 'stress on people' factors in Figure 1). But instead of analysing the structural

poverty, resulting from, among other factors, the structural unemployment inherent in the 'free markets', as a result of globalisation, the poor are constructed as being poor because of inherent deficiencies (among these lack of competence in dominant languages). If the **Asian Tigers** could do it, everybody can - if they don't it is their own fault. The images of the poor have also undergone change historically (see Gronemeyer's excellent analysis of this, 1992). They were poor temporarily, it was not their fault, and they helped the rich camels to get through the needle's eye. They were there to be spiritually salvaged. They suffered of temporal unemployment or illness, and were just in need of short-term help to become useful and self-sufficient again.

Now the poor are seen as structurally poor and unemployed, hence bad consumers, and under the 'free' market that is a crime. Criminalisation of poverty leads to the poor being legitimately controlled by the state (in the welfare state by social workers, and increasingly the police) and not 'helped'. Not ethnic cleansing but economic cleansing, townships, bantustans for the poor of the world. Thus the local state removes the obstacles for the globalising free market. Signing the half-secretly negotiated MAI (Multilateral Agreement on Investment) further accelerates this development.

This is the answer of market forces to the post-modern problems of their own making. A human rights oriented answer could be different. According to our earlier analysis, one of the important tasks for states would be to guarantee the satisfaction of basic human needs for everybody. This could be done if human rights and economic rights came together, controlled by a democratic political process.

But in global **human rights policies** there is a conspicuous silence about economic and social (or welfare) rights, coupled with very vocal anti-welfare approaches. In global and European **economic policies**, human rights are hardly mentioned, except when legitimating economic benefits for the industrialised countries by referring to alleged (and often real) human rights violations in underdeveloped countries. Also, in renegotiating **political, military and economic alliances**, Western countries skilfully play the card of alleged human rights violations^{xv}.

Tomaševski sums it all up (1996, p. 100):

the ideology of the free market has exempted economy from public control (sometimes even influence) and thus eliminated the basis for human rights, when these are understood as an exercise of political rights to achieve economic, social and cultural rights.

Globalising access to information has enabled counterhegemonic forces to ensure that there is growing sensitivity to human rights. At the same time there is also a growing inability to secure them by progressive forces in civil society. The gap between rhetoric and implementation is growing, with all the growing inequalities.

The message from both sociologists like Zygmunt Bauman and human rights lawyers like Katarina Tomaševski is that unless there is a redistribution of **resources** for implementing human rights, nothing is going to happen. It is no use spreading human rights or knowledge of human rights unless the resources for implementation follow, and that can only happen through a radical redistribution of the world's material resources.

This cannot be done under the 'free' market system. One of the richest men in the world, George Soros, who has made a fortune in the financial markets, thinks that "the untrammelled intensification of laissez-faire capitalism and the spread of market values into all areas of life is endangering our open and democratic society. The main enemy of the open society ... is no longer the communist but the capitalist threat" (1997, p. 45). The wrongs are going to continue.

5. Why linguistic human rights in education?

Human rights ('correctives to the free market') are supposed to be about rectifying human wrongs. Language rights are needed to remedy language wrongs. Linguistic human rights are an essential dimension of human rights. There are strong reasons why states should in fact support linguistic and cultural diversity and linguistic rights, for **egoistic** reasons (in the interest of their own elites), not only for human rights reasons. Linguistic and cultural identity are at the core of the cultures of most ethnic groups (Smolicz 1979). Threats towards these identities can have a very strong potential to mobilize groups. Still, as Asbjørn Eide (1995, pp. 29-30) of the UN Human Rights Commission, points out, cultural rights have lacked importance and received little attention both in human rights theory and in practice, despite the fact that today 'ethnic conflict' and 'ethnic tension' are, according to Eide, seen as the most important potential causes of unrest, conflict and violence in the world. Just as the absence of economic and social rights in the period between the 'world' wars promoted the emergence of totalitarian regimes, absence or denial of linguistic and cultural rights are today effective ways of **promoting** conflict and violence, which, despite multiple

causes, all too easily can take ethnically and linguistically defined or articulated forms. This has been acknowledged by many researchers from several fields. For instance Jurek Smolicz, Australia, formulates it as follows:

... 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 (Smolicz 1986, p. 96).

It has also been acknowledged by politicians, for instance in creating in the OSCE (Organisation for Security and Cooperation in Europe) the position of a High Commissioner on National Minorities 'as an instrument of conflict prevention in situations of ethnic tension' (Rothenberger 1997, p. 3). The High Commissioner, Max van der Stoep (1997, p. 153) stated when launching the Hague Recommendations Regarding the Education Rights of National Minorities (see below) that

...in the course of my work, it had become more and more obvious to me that education is an extremely important element for the preservation and the deepening of the identity of persons belonging to a national minority. It is of course also clear that education in the language of the minority is of vital importance for such a minority.

Granting linguistic and cultural human rights would be a step towards **avoiding** 'ethnic' conflict, avoiding disintegration of (some) states and avoiding chaos and anarchy, where the rights of even the elites will be severely curtailed because of increasingly civil war-like conditions, especially in inner cities. Many western states use today larger sums to control this anarchy (with the help of the state machinery of violence) than their education allocations. But the link between language rights and other human rights, including economic and social rights on the one hand and civil and political rights on the other hand, is seldom acknowledged.

Whether humanity has a moral obligation to prevent linguisticide, or whether this would be interference in an inevitable process in which only the fittest survive, has been debated at several levels, some partly inspired by primordial romanticism (as in many revitalisation movements), some by instrumentalist 'modernism' (as in old and modern colonial situations, including the possible neocolonisation of central and eastern Europe by the United States and Western Europe). An attachment to one's language or mother tongue as a central cultural core value seems, like ethnicity, to combine: draw on primordial, ascribed sources but to be shaped and actualised by (achieved) economic-political concerns (Fishman 1989, Smolicz 1979).

In addition, linguistic human rights are a necessary (but not sufficient) prerequisite for the maintenance of linguistic diversity on the planet as discussed earlier. Educational language rights are at the core of both efforts. Schooling, in addition to migration, was explored as one of the important causal factors in language loss at the Berkeley conference on endangered languages (see above). In a couple of generations schooling has succeeded in killing languages which without formal education had survived for millennia. Formal schooling may soon reach the entire world population.

My estimation is that languages which are not used as main media of instruction will cease to be passed on to children at the latest when we reach the fourth generation of groups where everybody goes to school - and many languages may be killed much earlier. The language which is used as the main medium in minority education is decisive for the future of languages on the planet (and too many of those who decide about minority education worldwide are (monolingual native) speakers of the killer languages).

Next we will discuss to what extent present linguistic human rights, especially in education, are sufficient to protect and maintain linguistic diversity. This short summary shows a gloomy picture.

6. Is language as important as other human characteristics in human rights law?

In many international, regional and multilateral human rights instruments language is mentioned in the preamble and general clauses (e.g. both Art. 2, Universal Declaration of Human Rights, and Art. 2.1, International Covenant on Civil and Political Rights (ICCPR, 1966, in force since 1976), as one of the characteristics on the basis of which discrimination is forbidden, together with

race, colour, sex, religion, political or other opinion, national or social origin, property, birth or other status...

The four original basic characteristics cited in Art.13 of the United Nations Charter are **race, sex, language, or**

religion, with signatories committing themselves to promote

... universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

This suggests that language has been seen as one of the most important characteristics of humans in terms of human rights issues in the key documents that have pioneered the post-1945 UN effort.

Even so, the most important linguistic human rights are still absent from human rights instruments. Despite fine declarations of the intent to promote diversity, including linguistic diversity, binding international law on human rights still denies linguistic human rights, especially in education. This is not only in contrast to the spirit of the human rights instruments in general and in their preambles, but is also in contrast to how several other human attributes fare in human rights law. A special, negative treatment is given to language: language gets much poorer treatment in human rights instruments than other important human attributes, like gender, 'race' or religion.

7. Opt-outs, modifications and alternatives in educational clauses

But after the lofty non-duty-inducing phrases in the preambles of the human rights instruments, moving to the real business, namely the binding clauses, and especially to the educational clauses, there is a change of position. All or most of the **non-linguistic** human characteristics (race, sex, religion, etc) are still there and get positive rights accorded to them: the clauses or articles about them create obligations and contain demanding formulations, where the states are firm dutyholders and are obliged to ('shall') act in order to ensure the specified rights (i.e. positive rather than negative rights). Here modifications, opt-out clauses and sliding-scale alternatives are rare.

In binding educational clauses, however, one of two things can often be noted. Either language disappears completely, as, for instance, in the **Universal Declaration of Human Rights** (1948) where the paragraph on education (26) does not refer to language at all.

Similarly, the **International Covenant on Economic, Social and Cultural Rights** (adopted in 1966 and in force since 1976), having mentioned language on a par with race, colour, sex, religion, etc. in its general Article (2.2), omits reference to language or linguistic groups in its educational Article (13.1) even if it **does** explicitly refer to 'racial, ethnic or religious groups':

... education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups...

Alternatively, **if** language-related rights are specified, the Article dealing with these rights, in contrast to the demanding formulations and the few opt-outs and alternatives in the articles dealing with other characteristics, is typically so weak and unsatisfactory that it is virtually meaningless. For example, in the **UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities**, adopted by the General Assembly in December 1992, most of the Articles use the obligating formulation 'shall' and have few let-out modifications or alternatives - except where linguistic rights in education are concerned. Compare, for example, the unconditional formulation in Article 1 with the education Article 4.3:

1.1. States *shall protect* the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories, and *shall encourage* conditions for the *promotion* of that identity.

1.2. States *shall* adopt **appropriate** legislative *and other* measures *to achieve those ends*.

4.3. States **should** take **appropriate** measures so that, **wherever possible**, persons belonging to minorities have **adequate** opportunities to learn their mother tongue **or** to have instruction in their mother tongue. (emphases added, '*obligating*' in italics, '**opt-outs**' in bold).

Clearly the formulation in Art. 4.3 raises many questions. What constitutes 'appropriate measures', or 'adequate opportunities', and who is to decide what is 'possible'? Does 'instruction in their mother tongue' mean through the medium of the mother tongue or does it only mean instruction in the mother tongue as a subject?

Similarly, in the **European Charter for Regional or Minority Languages** (22 June 1992), a state can choose which paragraphs or subparagraphs it wants to apply. Again, the formulations include a range of modifications including 'as far as possible', 'relevant', 'appropriate', 'where necessary', 'pupils who so wish in a number considered

sufficient', 'if the number of users of a regional or minority language justifies it', as well as a number of alternatives, as in 'to allow, encourage **or** provide teaching in **or** of the regional or minority language at all the appropriate stages of education' (emphasis added).

While the Charter demonstrates the unquestionably real problems of writing binding formulations which are sensitive to local conditions, just as in the UN Declaration above, its opt-outs and alternatives permit a reluctant state to meet the requirements in a minimalist way, which it can legitimate by claiming that a provision was not 'possible' or 'appropriate', or that numbers were not 'sufficient' or did not 'justify' a provision, or that it 'allowed' the minority to organise teaching of their language as a subject, at their own cost.

A new Council of Europe **Framework Convention for the Protection of National Minorities** was adopted by the Committee of Ministers of the Council of Europe on 10 November 1994. We again find that the Article covering medium of education is much more heavily qualified than any other. Thus the situation is not improving despite new instruments in which language rights are mentioned, or even treated in detail.

8. Draft Universal Declaration of Linguistic Rights

8.1. Introduction

This section analyses some aspects of the draft **Universal Declaration of Linguistic Rights**, handed over to UNESCO in June 1996, in particular educational language rights. The Declaration is the first attempt at formulating a universal document about language rights exclusively, and it relates to all the groups mentioned above - although not sign language users. It is a vast document which has already gone through 12 drafts^{xvi}. Its 52 Articles are wide-ranging and specify many linguistic rights.

The Declaration grants rights to three different entities: **individuals** (= 'everyone'), **language groups**, and **language communities**. When the beneficiary is 'everyone' unconditionally, the rights are **individual** ('inalienable personal rights', Art. 3.1). When the beneficiary is the language group or community, the rights are **collective**. And when the beneficiary is **a member of** a linguistic group or community, the rights are in most cases individual but conditional. Even in this Declaration, it is clear already in Article 3.1 that educational language rights, in contrast to cultural rights, are not seen as inalienable:

This Declaration considers the following to be inalienable personal rights which may be exercised in any situation:

- the right to the use of one's language both in private and in public;...
- the right to maintain and develop one's own culture;...

These individual rights (including the rest of Art. 3.1) are the only ones which apply to all without any conditions. Collective rights in the Declaration apply to a (historical) language community (which includes both traditional national minorities^{xvii} and also all numerically small peoples, such as indigenous peoples, in addition to dominant linguistic majorities) or to a language group, which is

any group of persons sharing the same language which is established in the territorial space of another language community but which does not possess historical antecedents equivalent to those of that community. Examples of such groups are immigrants, refugees, deported persons and members of diasporas (Art. 1.5).

8.2. Rights of language communities and language groups

Communities have more rights in the Declaration than the other two categories. For communities, Article 8.2 says that

All language communities are entitled to have at their disposal whatever means are necessary to ensure the transmission and continuity of their language.

This could be interpreted to mean that all language communities are entitled to receive from the state the funds needed to organise mother tongue medium education from kindergarten to university. But when we read Article 8.2 alongside the other Articles in the same section, we see that it belongs to the category of pious preamble which

everybody can applaud but which carries no legal obligations. No dutyholders are specified for granting the 'means' mentioned in Article 8.2 above or the 'equal rights' or 'necessary steps' mentioned in Articles 10.1 and 10.3 below:

All language communities have equal rights (Art. 10.1).

All necessary steps must be taken in order to implement this principle of equality and to render it real and effective (Art. 10.3).

And when we come to the Articles dealing with education, the same piety prevails, while no dutyholder is specified:

All language communities are entitled to have at their disposal all the human and material resources necessary to ensure that their language is present to the extent they desire at all levels of education within their territory: properly trained teachers, appropriate teaching methods, text books, finance, buildings and equipment, traditional and innovative technology. (Art. 25).

All language communities are entitled to an education which will enable their members to acquire a full command of their own language, including the different abilities relating to all the usual spheres of use, as well as the most extensive possible command of any other language they may wish to know (Art. 26).

The language and culture of all language communities must be the subject of study and research at university level (Art. 30).

In many ways these 'rights' sound like a dream - and probably that is what they will remain. They are at present completely unrealistic for any except, maybe, a few hundred of the world's language communities, most of them dominant linguistic majorities.

Groups have fewer rights than communities. Article 3.2 spells out collective rights for groups:

This Declaration considers that the collective rights of language groups **may** include... the right for their own language and culture to be taught (emphasis added).

For groups, collective rights to one's own language are thus not seen as inalienable. In addition, Article 3.2 says nothing about where the language should be taught (whether only in private schools, or after school, or in state-financed schools) and for how long. Again, no dutyholder is specified.

8.3. Does 'everyone' have language rights?

Only education in the language of the territory is a **positive** right for 'everyone'. There is no mention of bilingual or multilingual territories in the Declaration. Every territory seems to have only one 'language specific to the territory', i.e. territories are seen as monolingual. This means that for those who speak a language other than the language of the territory, education in their own language is not a positive right. In addition, the Declaration grants members of language communities the right to 'the most extensive possible command' of any **foreign** language in the world, whereas the rights granted to 'everyone' include only the (negative - 'does **not exclude**') right to 'oral and written knowledge' of one's **own** language. This is clear if one compares the formulations at the end of Article 26 on language communities with Article 29, which spells out the (negative) right of 'everyone':

All language communities are entitled to an education which will enable their members to acquire a full command of their own language, including the different abilities relating to all the usual spheres of use, as well as **the most extensive possible command of any other language** they may wish to know (Art. 26 on rights of language communities).

1. Everyone is entitled to receive an education **in the language specific to the territory where s/he resides**.
2. This right does not exclude the right to acquire **oral and written knowledge of any language** which may be of use to him/her as an instrument of communication with other **language communities**. (Art. 29 on rights of 'everyone', emphases added).

Besides, Art. 29.2 is formulated so as to suggest that 'everyone's' own language can be learned only if it is a useful instrument when communicating with other language communities. This means that it could in principle be excluded if it is not known by any entity defined as a language community, or if it is not used as a **lingua franca** between people where some represent language communities. If it is 'only' known and/or used by language groups or by individuals representing 'everybody' it can be excluded from any provision in Article 26. This is extremely important when considering the fact (section 2) that most threatened languages are used in one country only.

It is likely that language policies following the principles in the education section, with its lack of rights, will force all those not defined as members of language communities to assimilate. This interpretation of indirect assimilation through education is strengthened when noting the reservations in Articles which otherwise might grant 'everyone' more language rights. According to Art. 23.4, '... everyone has the right to learn any language'. 'Any language' could also be interpreted as the mother tongue of those who otherwise are not granted positive mother tongue learning rights - except that this right prevails only 'within the context of the foregoing principles' (Art. 23.4) and these support only the languages and self-expression of language communities, i.e. not the languages of 'groups' or 'everyone':

1. Education must help to foster the capacity for linguistic and cultural self-expression **of the language community of the territory where it is provided.**
2. Education must help to maintain and develop **the language spoken by the language community of the territory where it is provided.**
3. Education must always be at the service of linguistic and cultural diversity and of harmonious relations **between different language communities** throughout the world.
4. Within the context of the foregoing principles, everyone has the right to learn any language. (Article 23; our emphases).

The Declaration thus clearly gives language communities very extensive rights but leaves 'everyone' with very few rights. This makes the Declaration vulnerable in several respects. As we know, there are many states which claim that they do not have minority language communities, and which do not want to grant these communities any language rights. Self-determination is not an unconditional right in international law, neither internally, in terms of autonomy of some kind, nor externally (see contributions to Clark & Williamson (eds.) 1996). This means that a Declaration which grants most of the rights to linguistic communities, without specifying firm dutyholders, makes these communities completely dependent on the acceptance of their existence by states, an acceptance that many states are not willing to grant. 'Language groups' are in a still weaker position - these may by many states be seen as individuals only, not representatives of any 'group'. And those individuals who are not members of any language communities or groups even according to the fairly vague definitions of these entities in the Declaration are in the weakest position. It is for these reasons that the existence of firm individual rights is enormously important, and would be a logical continuation of the tradition of human rights being individual. But such rights are the weakest part of the Declaration.

The new draft Universal Declaration thus does not give any positive educational language rights to every individual, regardless of which category s/he belongs to - and this is exactly what individual human rights are supposed to do. An individual human right is, by definition, an unconditional, fundamental right which every individual in the world has simply because that individual is a human being. It is a right which no state is allowed to take away. The Declaration suggests a monitoring body to be set up by the United Nations, and suggests sanctions against states that interfere with their citizens' rights. At present the text is only a draft recommendation that has no immediate prospect of being approved.

In addition, even the educational language rights for language communities are formulated in such a way that the whole Declaration runs the risk of being seen as full of pious, unrealistic wishes which cannot be taken seriously. For most African, Asian and Latin American countries, the rights in the Declaration are at present practically, economically and even politically impossible to realise, as was clearly expressed at the first UNESCO meeting where the Declaration was discussed. It therefore seems extremely unlikely that it will be accepted in its present form^{xviii}. This will probably also be the fate of the UN draft **Universal Declaration on Rights of Indigenous Peoples**, according to its chair, Erica Irene Daes (1995). Despite careful negotiations over a decade, several countries, most importantly the United States, are probably going to demand substantial changes which undermine the progress achieved in the Declaration (Morris 1995). This draft Declaration formulates language rights strongly, especially in education. If these rights were to be granted in their present form, some 60 to 80 percent of the world's oral languages would have decent legal support. Implementation is, of course, a completely different matter. The draft **Universal Declaration of Linguistic Rights**, clearly less than ideal in its present form, represents the first

attempt at formulating language rights at a universal level which has reached a stage that permits serious international discussion to start. From the point of view of maintaining the planet's linguistic diversity, the immediate fate of the UN Draft **Universal Declaration on Rights of Indigenous Peoples** is probably more important, though, because it has at least some chance of being accepted, signed and ratified, even if in a form which reduces the rights granted in the present draft.

9. Recent positive developments

9.1. *New interpretation of Article 27*

There might be some hope for some groups, though, in a few promising recent developments. The UN ICCPR Article 27 still grants the best legally binding protection to languages:

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.

In the customary reading of Art. 27, rights were only granted to individuals, not collectivities. And 'persons belonging to ... minorities' only had these rights in states which accepted their existence. This has not helped immigrant minorities because they have not been seen as minorities in the legal sense by the states in which they live. More recently (6 April 1994), the **UN Human Rights Committee** adopted a **General Comment on Article 27** which interprets it in a substantially broader and more positive way than earlier. The Committee sees the Article as

- 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;
- recognizing the existence of a 'right', and
- imposing positive obligations on the States.

9.2. *The Hague Recommendations Regarding the Education Rights of National Minorities*

The second positive development is the new educational guidelines issued by The Foundation on Inter-Ethnic Relations for the OSCE (= Organisation for Security and Cooperation in Europe) High Commissioner on National Minorities, Max van der Stoep, **The Hague Recommendations Regarding the Education Rights of National Minorities & Explanatory Note** (October 1996). These guidelines were worked out by a small group of experts on human rights and education (including the author of this article). In the section 'The spirit of international instruments', bilingualism is seen as a right and responsibility for persons belonging to national minorities (Art. 1), and states are reminded not to interpret their obligations in a restrictive manner (Art. 3). In the section on 'Minority education at primary and secondary levels', mother tongue medium education is recommended at all levels, including bilingual teachers of the dominant language as a second language (Articles 11--13). Teacher training is made a duty of the state (Art. 14). Finally, the Explanatory Note states that

[S]ubmersion-type approaches whereby the curriculum is taught exclusively through the medium of the State language and minority children are entirely integrated into classes with children of the majority are not in line with international standards (p. 5).

This means that the children that the Recommendations apply to might be granted some of the central educational linguistic human rights. The questions now are to what extent the 57 OSCE countries will apply the Recommendations and how they will interpret their scope (see the Special Issue volume 4:2, 1996/1997 of **International Journal on Minority and Group Rights** which is about the Hague Recommendations). The Recommendations could in principle apply to all minorities, even the 'everyone' with very few rights in the draft **Universal Declaration on Linguistic Rights** discussed above (and since indigenous peoples are supposed to have at least all the rights that minorities have, they might peruse the Recommendations too while waiting for their own Declaration).

The recent Peoples' Communication Charter, an NGO-initiative, might also help (see Hamelink 1994, 1995).

10. Conclusion

At present, though, while we can hope that these two positive developments might have some effect, overall there is not much cause for optimism. My conclusion is that we still have to work for education through the medium of the mother tongue to be recognized as a human right. And if this right is not granted, and implemented, it seems likely that the present pessimistic prognoses of over 90% of the world's oral languages not being around anymore in the year 2100, err, **on the side of optimism.**

Language shift **can** thus be 'voluntary' at an individual level: a result of more benefits accruing to the individual who agrees to shift than to someone who maintains her mother tongue. But in most cases of language shift it seems that either sticks, punishment, or carrots, economic or other benefits, have been at work - or, increasingly, ideological persuasion, hegemonic mind-mastering, meaning linguistic agents. Likewise, the choice of which languages are granted support, and of what kind, in the education system as mother tongues and foreign or second languages often follows linguistic 'free' market principles, with more benefits accruing to those who support the killer languages as both media of education and as first foreign languages in education.

To sum up, then: if people are forced to shift their languages in order to gain economic benefits of the kind which in fact are bare necessities for basic survival, this is a violation of not only their economic human rights but also their linguistic human rights. Violations of linguistic human rights, especially in education, may lead and have led to both ethnically articulated conflict and to reduction of linguistic and cultural diversity on our planet. But granting human rights, even linguistic human rights, even in education, on paper, something that is hardly done today, does not help much, without a radical redistribution of resources. With a 'free' market this is not likely to happen, because, as Soros (1998, p. 27) puts it: "Markets reduce everything, including human beings (labor) and nature (land), to commodities. We can have a market economy but we cannot have a market society."

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i Grimes' **Ethnologue**, 13th edition (<http://www.sil.org/ethnologue>) lists 6.703 languages; David Dalby's new Linguistic Atlas claims around 10.000. Most of the figures in this article are based on Harmon 1995).

ii Every time "language" is written here, it means "oral language", unless otherwise indicated. We know very little about sign languages, demographically and otherwise. See note 3.

iii For important analyses of the invalidation of these, see Branson & Miller 1989, 1993, 1995, 1996, 1997, in press; for Hungary, see Muzsnai, this volume.

iv Terralingua is a nonprofit international organisation devoted to preserving the world's linguistic diversity and to investigating links between biological and cultural diversity (President: Luisa Maffi; Web-site:

<http://cougar.ucdavis.edu/nas/terralin/home.html>).

v For empirical evidence and an excellent discussion of the complexities of assessing these correlations, see Harmon 1995.

vi Using the term 'idiom' (rather than 'language') signals that it really means 'what the parents speak (or sign)', regardless of whether this is called a language, a dialect, a sociolect, a vernacular, or whatever - it does NOT need to be the standard or official language of the area/country or what people have replied in census questions about mother tongue, or be written.

vii The linguisticist hierarchisation through glorification of dominant languages, stigmatization of dominated languages and rationalisation of the relationship between them (Skutnabb-Kangas & Phillipson, in press) can be compared with the hierarchisation which Bauman (1997) describes as "**chronopolitics**" in the universalisation process: everything that was different from the West was put down chronologically, placed on a scale where it was seen as similar to something that might have existed in the West in an earlier historical phase. An example would be the frequent reference in Denmark to a distance of 150 years to be covered on the plane from a Turkish village via Istanbul to Copenhagen, i.e. Bauman's chronopolitics is similar to evolution theories in development studies.

viii Linguicism (Skutnabb-Kangas 1988, p. 13) is a major factor in determining whether speakers of particular languages are allowed to enjoy their linguistic human rights. Lack of these rights, for instance the absence of these languages from school time-tables, makes indigenous and minority languages invisible. Alternatively, minority mother tongues are constructed and presented as non-resources, as handicaps which are constructed as 'preventing' indigenous or minority children from acquiring the majority language (= the only valued linguistic resource), so that minority children should get rid of them in their own interest. At the same time, many minorities, especially minority children, are in fact prevented from fully acquiring majority resources, and especially majority languages, by disabling educational structures in which instruction is organised through the medium of the majority languages in ways which contradict most scientific evidence on how education for bilingualism should be organised (see e.g. Cummins 1996; Pattanayak 1981; Ramirez et al 1991; Skutnabb-Kangas 1984, 1990, forthcoming).

ix With some classics, the change was from military to industrial society (Saint-Simon); from a religious to a "positive", scientific stage of social evolution (Comte); from Gemeinschaft to Gesellschaft (Tönnies): from mechanical to organic solidarity (Durkheim) and from traditional to rational (Weber).

x The model is in complete contradiction with the South countries' own definition of what development is, a definition which would also correspond to the human rights and basic needs oriented approach in this paper: **DEVELOPMENT**: "A process of self-reliant growth achieved through the participation of the people acting in their own interests as they see them, and under their own control. The primary objective is to satisfy the basic needs of all the people through a democratic structure of government that supports individual freedoms of speech and organization, and respects all human rights. (This description is based on the definition provided in **The Challenge to the South**, the Report of the South Commission)." (Harris 1997, 213).

xi This was how a South African MP formulated it in an interview 14 November 1997. We (Robert Phillipson & TSK) have heard Hungarian and Baltic colleagues claim the same about their own countries. 'Every year Africa transfers to its creditors -principally northern governments, the World Bank and the IMF - around \$10billion, more than the region spends on health and education combined... For every dollar on health, the Ugandan government spends five on debt repayment... Zambia is spending 10 times more on repaying the IMF than on primary education.' (Watkins 1996, 14). Watkins also notes that Germany, Japan, Britain and the US have notoriously rejected proposed plans to alleviate the situation. The overlap with a list of countries which have notoriously tried to prevent the acceptance of linguistic human rights is not surprising.

xii There are caveats, though. There are no longer any 'bad' or 'good' solutions, only relatively better or worse solutions. Both the bipolar possibilities (either **universality** (universal ideas, ideologies, solutions) or **tolerance of diversity and pluralism**) have certain benefits and certain dangers, according to Baumann (1997). Believing in 'universal truths' (like 'communism' or 'capitalism' or 'free market') can in the worst case lead (and has led) to genocides. 'Tolerance' can also lead to tolerating genocide without doing anything (e.g. Bosnia, Nigeria). 'Tolerance' can also be expressed in demands for autonomy of choice, in an individualistic neo-liberal way, in consumer societies, where any kind of restrictions or limits are seen as negative. This might also include the prevention of any kind of positive intervention to achieve the 'regulated context' which Grin (this volume) sees as necessary for harnessing market forces for preservation of at least some linguistic diversity.

xiii One reason not discussed here is of course that even basic human rights do not apply to all humans, and very clearly not to most of those who are speakers of the most threatened languages.

When the UN Universal Declaration of Human Rights was accepted, UN consisted of only 51 states, as compared to the present number of close to 200 states. But only a minority of the individuals living in those states were deemed "human" in the sense that the Universal Declaration should apply to them - the human beings in colonies and dependent territories were not "human", according to the vote in UN. In the same sense, migrants are not human today, according to Katarina Tomaševski (1997) - they have very few human rights and certainly no binding linguistic rights.

xiv Bauman claims (1997) that if the globalisation of information levels out cultural differences and cultures in general, a policy of fragmentation implied in localisation on the other hand may favour differentiation. You can have whatever cultural values but still get Western tanks, computers, etc. There is a lack of cohesion, illogicality, in the policy.

xv The concept "human rights" is often used in international relations arbitrarily and selectively by "donor" governments so as to attempt to trigger "democratic" elections or to sanction states that commit gross human rights abuses; in effect it is used as a political tool rather than a rigorous concept rooted in international law (Tomaševski 1997).

xvi The Declaration was the result of an initiative undertaken by The International Pen Club (Committee for Translation and Linguistic Rights), and CIEMEN (Mercator Programme, Linguistic Rights and Law).

xvii 'Minority' is a notoriously difficult concept to define - see Andrysek 1989, and Skutnabb-Kangas & Phillipson 1994, note 2 and references in it, for an overview of the criteria used in different definitions. See also Capotorti 1979; Thornberry 1991; de Varennes 1996, for some of the most thorough treatises on the legal problems that minorities face.

xviii There is a small Follow-up Committee, trying to raise support for the Declaration, and a Scientific Council (which TSK is member of) which is supposed to advise UNESCO on a revision.