*304. Dominant language-medium education or mother-tongue-based

multilingual education – on Linguistic Human Rights and social justice

Tove Skutnabb-Kangas

translated into Portuguese as 305. Educação através da língua dominante ou educação multilingue baseada na língua materna: Direitos Humanos Linguísticos e justiça social. In M. A. Moreira & K. Zeichner (orgs.), *"Filhos de um Deus Menor": Diversidade linguística e justiça social na formação de professores*. Ramada: Pedago, 27-52.

Abstract

Today's subtractive assimilatory education of Indigenous/tribal, minority and minoritised (ITM) children through the medium of a dominant language violates both the human right to education and linguistic human rights (LHRs); in addition to intentionally promoting poverty, it is organised against solid scientific evidence. It increases social and political injustice. The article also looks at some basic issues and distinctions about the difference between language rights and LHRs, negative and positive rights, individual and collective rights, duty-holders and beneficiaries of LHRs, and linguistic genocide and crimes against humanity in education. It presents some of the basic human rights instruments that contain some LHRs. Some recent research about MLE (mother-tongue-based multilingual education)from several parts of the world is presented. It shows that if the political will is present, it is perfectly possible to organise education so that it respects linguistic and cultural human rights principles, leads to positive results for ITM children and communities, even in some of the economically poorest countries in the world, and promotes social, economic and and political justice.

Keywords: Linguistic human rights, language rights, minority education, Indigenous/tribal peoples, minorities, mother tongues, linguistic genocide, crimes against humanity, language policy, MLE (mother-tongue-based multilingual education), poverty, social justice

1. Introduction: what are Linguistic Human Rights (LHRs)?[1]

If the search engine Google had existed some 30 years ago, searching on the term "Linguistic human rights" (in English) would probably have given maximally a dozen hits or so, if any. Today (June 2013) there were around 11,100,000 hits. Even Google Scholar returns some 747,000 entries. It seems that the concept resounds with many people. The reasons for this are naturally varied. Applied and other linguists are only one of the groups working with these rights, and their motivations and areas of research interests are extremely diverse:

> Issues of language rights have become increasingly prominent in the last decade, and are often raised in the context of more general human rights. Linguists have become involved in this area via diverse pathways – e.g., language endangerment, preservation and revitalization; language planning; forensic (=legal) linguistics; bilingual education and other school-centered language issues; action research with urban linguistic minorities; work with indigenous peoples, including land claims;

refugee and asylum issues, and more (from Professor Peter Patrick's website http://privatewww.essex.ac.uk/~patrickp/lhr/linguistichumanrights.htm).

The quote above uses the term "language rights". Many researchers seem to use three terms interchangeably, as the quote from Wikipedia's entry on "Linguistic human rights" shows (http://en.wikipedia.org/wiki/Linguistic_human_rights) shows:

Linguistic rights (or *language rights* or *linguistic human rights*) are the human and civil rights concerning the individual and collective right to choose the language or languages for communicating in a private or public atmosphere, regardless of ethnicity, nationality or the number of the speakers of language in a given territory. Linguistic rights include the right to legal, administrative and judicial acts, education, and the media in a language understood and freely chosen by those concerned. They are a means of resisting forced cultural assimilation and linguistic imperialism, especially in the context of protection of minorities and indigenous peoples. Linguistic rights in international law are usually dealt in the broader framework of cultural and educational rights.

Linguistic rights or *language* rights (LRs) are all rights related to the learning and use of languages. These two terms are mostly used as synonyms. Some researchers regard linguistic rights as a somewhat broader concept than language rights. In this case they are often discussing rights not only to various languages but also to varieties *within* the "language" label, e.g. regional, gender-based or class-based varieties. LRs have been discussed for centuries, and the first multilateral treaties about LRs are from the 1880s[2]. Our present human rights (HRs) are from the period after the Second World War but there were many HRs treaties already under the League of Nations after the first world war.

But only some of the LRs are linguistic *human* rights (LHRs): those language-related rights that are so basic that every human being is entitled to them because of being human. They are as necessary to satisfy people's basic needs as food and shelter, necessary to live a dignified life. Secondly, they are so basic, so fundamental that no state (or individual or group) is supposed to violate them. LHRs combine some LRs with human rights. The first full book about LHRs was published less than two decades ago (Skutnabb-Kangas and Phillipson, eds, 1994), and the scope of LHRs is still discussed. There are many LRs, which are not LHRs. It would, for instance, be nice if everybody could, even in civil court cases, have a judge and witnesses who speak (or sign) this person's language, regardless of how few users the language has. Today, it is mostly in criminal cases only that one has any LHRs, namely the right to be informed of the charge against oneself in a language that one understands (i.e., not necessarily the mother tongue). In all other court contexts, people may or may not have a *language* right, depending on the country and language; in the best cases, interpreters paid for by the state are used. In the next sections, some basic distinctions about both language/linguistic rights (LRs) and linguistic human rights (LHRs) are presented and discussed.

2. Negative and positive rights

Some basic rights prohibit discrimination on the basis of language (*negative rights*); others ensure equal treatment to languages, individuals or language groups (*positive rights*). Most LHRs are negative rights. Negative rights have been defined by Max van der Stoel (1999: 8) as "the right to non-discrimination in the enjoyment of human rights" whereas positive rights have to do with "the right to the maintenance and development of identity through the freedom to practise or use those special and unique aspects of their minority life – typically culture, religion, and language". Negative rights must

ensure that minorities receive all of the other protections without regard to their ethnic, national, or religious status; they thus enjoy a number of linguistic rights that all persons in the state enjoy, such as freedom of expression and the right in criminal proceedings to be informed of the charge against them in a language they understand, if necessary through an interpreter provided free of charge (van der Stoel 1999: 8).

Positive rights are those

encompassing affirmative obligations beyond non-discrimination […] include a number of rights pertinent to minorities simply by virtue of their minority status, such as the right to use their language. This pillar is necessary because a pure non-discrimination norm could have the effect of forcing people belonging to minorities to adhere to a majority language, effectively denying them their rights to identity (van der Stoel 1999: 8).

Negative rights (instrumental rights) are not sufficient for an Indigenous people or a minority to reproduce themselves as a people or minority and they may lead to forced assimilation. In some interpretations, only positive rights (which can also be called affective rights) are LHRs proper.

3. Who or what can have LRs? Languages, individuals, and collectivities

Languages themselves may have rights to be used, developed and maintained. Council of Europe's European Charter on Regional or Minority *Languages* grants rights to languages, not speakers of the languages concerned, i.e. they are LRs, not LHRs. The basic human rights instruments can be found at the website of the Office of the United Nations Human Rights Commissioner, http://www2.ohchr.org/english/law/.

Many HRs instruments, especially the first ones to emerge after the Second World War, are concerned with rights of *individuals* (e.g. the United Nations <u>Universal Declaration of Human Rights</u>, or the UN <u>Convention on the Rights of the Child</u> (CRC, 1989, http://www2.ohchr.org/english/law/crc.htm). Some of these are LRs, some may be LHRs. An *individual* from a certain group or with specific characteristics in a specific country may, for instance, have the right to use her or his *mother tongue* in various contexts, e.g. in dealing with authorities, local, regional or state-wide, orally or signing it, in writing, or all of these. However, the authorities do not necessarily need to reply in the same language. The <u>UN Declaration on the Rights of *Persons* Belonging to National or Ethnic, Religious and Linguistic Minorities</u> from1992 is an example of an instrument that grants rights to individuals.

The *mother tongue* is often for legal purposes defined in a strict way, as the first language that a person learned, and still speaks, and with which s/he identifies. In most cases both a degree of competence and/or use of the language is demanded, together with identification; in some (few) cases identification with the language is enough. If those Indigenous peoples whose parents or grandparents have been forcibly assimilated are to have a chance to reclaiming or revitalising their languages, a definition based on identification only, with no demands of competence or use, is necessary (for mother tongue definitions, see, e.g. Skutnabb-Kangas 2008).

Individuals may also have rights in relation to *other languages* than their mother tongue/first language. Mostly these rights relate to a dominant/ official/ national language in the country. Some people have also started to demand that access to an international language, in most cases English, should be seen as a language right.

Alternatively, *collectivities* of people (individuals, groups, peoples, organisations, or states**)** may have rights to use, develop and maintain languages or duties to enable the use, development or maintenance of them. Council of Europe's <u>Framework Convention on the Protection of National *Minorities*</u> grants rights to (national) minorities, i.e. groups. Once a state has both signed (promised to start the process which enables it to ratify them) and ratified one of these human rights instruments (changed their laws and regulations and put processes in place that enables them to fulfill the obligations that they have promised to undertake), these are binding for the state. States usually have a duty to report at specified intervals how they have acted to guarantee the rights, and there is also normally some kind of a monitoring body that scrutinises the reports and gives feedback and guidance to the states. The human rights regime of the League of Nations between the two "World" Wars contained many *collective* rights; in principle most minority rights should be collective rights (see Thornberry and Gibbons 1997). In the United Nations regime after 1945, it was initially claimed that no collective rights were necessary since every person was protected as an individual, by individual rights. Collectivities like "minorities" were by many negotiators (e.g. the USA human rights negotiator Eleanor Roosevelt) seen as "a European problem", meaning they were not seen as *universal*. Council of Europe's 1950 <u>Convention for the Protection of Human Rights and Fundamental Freedoms</u> (http://conventions.coe.int/treaty/EN/Treaties/html/005.htm) and the corresponding African and American instruments (<u>The African Charter on Human and Peoples' Rights</u> 1981 (see www.achpr.org/) and the <u>American Convention on Human Rights</u> 1969 (see www.wcl.american.edu/pub/humright/digest/index.html) are all *regional* rights. Universal collective rights of various groups have re-emerged later and few of these are

language-related. Somewhat simplified, Western countries have largely opposed collective rights and African countries have supported many of them, while Asian countries have stood so divided that the issue of them has been one of the major hurdles preventing an acceptance of regional Asian human rights instruments. Some of the latest universal instruments include language-related rights. Two very important recent ones are the United Nations <u>Convention on the Rights of Persons with Disabilities (2007)</u> <u>http://www.un.org/disabilities/convention/conventionfull.shtml</u>, and the <u>United Nations Declaration on the Rights of Indigenous Peoples</u> (UNDRIP, 61/295, 2007, <u>http://www.un.org/esa/socdev/unpfii/en/drip.html</u>). The first one has many articles where language is mentioned and it is especially important for the Deaf as a linguistic minority. In the second one, articles 13 and 14 have several LHR-related formulations. Since it is "only" a Declaration, it is strictly speaking not legally binding on states, but Indigenous peoples are hoping that its strong moral force influences reluctant states (even if there unfortunately does not seem to be much reason for this hope).

Article 13
1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.
2. States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.

Article 14
1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

The Indigenous peoples (IPs) thus 'have the right to establish and control their educational systems and institutions providing education in their own languages'. But who pays?? IPs themselves??? On the other hand, the IPs 'have the right to all levels and forms of education of the State without discrimination'. In State education, usually the State pays, or is supposed to pay!

This means that a State can claim to fulfil its obligations if it "allows" the IPs to establish PRIVATE schools, with their own language as the teaching language in all subjects - but at their own cost, whereas State education through the medium of a/the State language is (supposed to be) free. This is NOT following the spirit of the Declaration, but formally is is OK. Still, forced assimilation may be the consequence.

My question then is: Are legal "guarantees" enough? The answer is clearly NO.

Some important language-related instruments try to combine individual and collective rights, by using "persons belonging to a minority" or a similar phrase. This is what, for instance, Article 27 of the UN <u>International Covenant on Civil and Political Rights</u>, ICCPR, uses. Article 27 is still the most far-reaching Article in (binding) human rights law granting linguistic rights:

> 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.

Article 30 in the CRC (see above) is almost the same except it has added "or is indigenous", and it uses "he or she" - Indigenous people and females have become subjects in international law.

Many international organizations and most states have a language policy which spells out the official language(s) of the organisation or state and, by implication, the LRs of the people, groups, and states dealing with, and working within, that entity. The United Nations have six official languages, the Council of Europe only two. The European Union has several times increased the number of its official languages, such that after its latest expansion the Union now (July 2013) has 24 official languages; all official documents have to be made available in all of these. Many organisations also have working languages; their number may be more restricted. A number of states have only one official (or state) language; most have two or more.

In addition, many states specify one or several national, additional, link, or national heritage languages in their constitutions; in most cases, speakers of these have fewer rights than speakers of the official languages have (see de Varennes 1996). Most states have spelled out some kind of minority protection for linguistic minorities, with either only negative or also positive rights. Some countries which do have linguistic minorities deny this fact (e.g. Turkey); therefore the definition of a minority is important. There is no legal definition in international law of what a minority is, even if the issue has been discussed extensively (e.g. Andrýsek 1989; Capotorti 1979). Most definitions are fairly similar, though, and resemble the definition below (from Skutnabb-Kangas and Phillipson 1994: 107, Note 2):

> A group which is smaller in number than the rest of the population of a State, whose members have ethnic, religious or linguistic features different from those of the rest of the population, and are guided, if only implicitly, by the will to safeguard their culture, traditions, religion or language.
>   Any group coming within the terms of this definition shall be treated as an ethnic, religious or linguistic minority.
>   To belong to a minority shall be a matter of individual choice.

If a group claims that they are a national minority and an individual claims that she belongs to this national minority, the State may claim that such a national linguistic minority does not exist; then there is a conflict. The State may refuse to grant the minority person and/or group rights, which it has accorded or might accord to national minorities. In many definitions of minority, minority rights thus become conditional on the acceptance by the State of the existence of a minority in the first place. According to my definition of a minority (see above), minority status does NOT depend on the acceptance of the State, but is either "objectively" ('coming within the terms of this definition' or subjectively verifiable ("a matter of individual choice"', or both. This interpretation was confirmed by the UN Human Rights Committee in 1994. They reinterpreted Article 27 above in a General Comment No. 23 of 6 April 1994 (UN Doc. CCPR/C/21/Rev.1/Add.5, 1994, http://www.unhchr.ch/tbs/doc.nsf/0/fb7fb12c2fb8bb21c12563ed004df111?Opendocument). The UN Human Rights Committee saw the Article as a) 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; b) stating that the existence of a minority does not depend on a decision by the State but requires to be established by objective criteria; c) recognizing the existence of a "right"; and d) imposing positive obligations on the States.

For Deaf people this means that various countries minimally have to see the Deaf as a (linguistic) minority, protected by Article 27. Likewise, the reinterpretation means that minorities, including the Deaf, are supposed to have positive language rights, not only the negative right of protection against discrimination.

Numbers also matter. A group has to have a certain size in order to have language-related rights. It often depends on how many individuals there are in the unit under consideration (country, area, region, municipality, etc.) whether individuals (speakers or signers) belonging to that group have any LRs, let alone LHRs. Two of the most important European LRs documents use group size as a criterion, but do not in any way define it. The European Charter, and the Framework Convention (see above) use formulations such as *"in substantial numbers"* or *"pupils who so wish in a number considered sufficient"* or *"if the number of users of a regional or minority language justifies it"*. It is obviously necessary to limit the size, to adjust to various contexts and also for economic reasons, but it is also possible for reluctant states to use lack of what states claim are "sufficient" numbers as a legitimation for lack of political will. But one can conclude that for LHRs to be granted and implemented, both individual and collective positive promotion-oriented (i.e. not negative and tolerations-oriented) rights are necessary. One or the other type alone is not sufficient. It is not a question of either/or, but both/and/and. Next we discuss extreme lack of LHRs, especially in education, something that always signals lack of political will to grant even the most basic LHRs.

4. Linguistic genocide and educational LHRs

Many political scientists seem to think that only (large) national minorities should have their languages promoted by the state, i.e., have positive rights, whereas small national minorities and small Indigenous peoples and, especially, immigrant minorities, cannot expect more than toleration-oriented negative rights. On the other

hand, toleration and non-discrimination, understood in liberal terms (a state should not interfere on behalf of a group's special characteristics, such as religion), does not work in relation to language. A state has to choose *some* language(s) as the language(s) of administration, courts, education, possibly the media, etc., and this necessarily privileges some language(s) (see Rubio-Marín 2003).

For proper integration of linguistic minorities and indigenous peoples, positive *promotion-oriented rights* are thus necessary. Negative *toleration-oriented* rights are not sufficient and often lead to forced assimilation or even linguistic genocide, according to two of the definitions of genocide in UN <u>International Convention on the Prevention and Punishment of the Crime of Genocide</u> (E793, 1948; 78 U.N.T.S. 277, entered into force Jan. 12, 1951; for the full text, see http://www1.umn.edu/humanrts/instree/x1cppcg.htm). The Convention has five definitions of genocide. Three of them are about physical or biological killing, but the remaining two fit most of today's (and earlier) Indigenous/tribal and minority (ITM) education:

> Article II(e): *"forcibly transferring children of the group to another group,"* and Article II(b): *"causing serious bodily **or mental** harm to members of the group."*(emphasis added)

Most speakers of numerically large languages in countries that have not been colonized are probably not even aware of the privilege that they are enjoying, when they can have their education through the medium of a language that they know and understand, and teachers with whom both they and their parents can communicate easily. But for almost all the world's Indigenous and tribal peoples and many if not most minorities (ITMs), and for most children in former colonies in Africa and Asia (regardless of their minority or majority status), this is a dream that they have been and are still fighting for. ITMs are mostly forced to accept education (if they can attend school at all) in an alien dominant language. Their access to education is denied because of the wrong medium of education (see Tomaševski 2001, 2003, 2006; Magga et al. 2005; Skutnabb-Kangas and Dunbar, 2010). The controversy about the medium of education is, interestingly, not anymore about the research evidence (see next section).

According to Nobel Prize laureate Amartya Sen (e.g. Sen 1985), poverty is not only about economic conditions and growth; expansion of human capabilities is a more basic locus of poverty and more basic objective of development. Dominant-language medium education for indigenous children often curtails the development of the children's capabilities (Misra and Mohanty 2000a, b; Mohanty 2000; Mohanty and Skutnabb-Kangas 2013). Thus it perpetuates poverty. Teaching ITM children through the medium of an alien dominant language can and in many cases does lead to negative results in terms of linguistic and cognitive competence, school achievement, self-confidence and identity development, and, later, access to the labour market and possibilities of democratic participation. Thus it may cause serious mental (and even physical) harm. It transfers children to another linguistic group through enforced language shift. It also prevents access to education, a human right

that is granted in several of the instruments mentioned[3]. Sociologically, educationally and psychologically it can be seen as genocidal (Skutnabb-Kangas and Dunbar 2010).

In our book (Skutnabb-Kangas and Dunbar 2010) human rights lawyer Robert Dunbar and I also consider the extent to which the various forms of submersion education practiced both earlier and today by States could be considered to give rise to *international criminal responsibility.* The term 'crime against humanity', first used in the modern context in respect of the massacres of Ottoman Turkey's Armenians of 1915, was translated into international legal principle in 1945. Although long associated with armed conflict, it is now accepted that these crimes can also be perpetrated in times of peace; this can now be seen as part of customary international law. We look at four common features that apply to both war-time and peace-time crimes against humanity, using Cassese's definitions and interpretations (2008: 98-101). The most complete description of what constitute "crimes against humanity" is now set out in the *Rome Statute of the International Criminal Court* of 17 July, 1998 (the "ICC Statute") (http://untreaty.un.org/cod/icc/statute/romefra.htm). We note the existence of a range of barriers to the application of either concept (genocide, crimes against humanity) to forms of submersion education, in the absence of concrete court cases that could clarify further some of the concepts (e.g. 'intention' in Article 2 in the Genocide Convention). But there are several recent examples already where lawyers conclude that the "intent" need not be expressed directly and openly. (No state says: we intend to harm children). Instead, it can be deduced from the results, i.e. if the state organizes educational structures which are known to lead to negative results, this can be seen as "intent" in the sense of Art. 2. Julia Ringelheim (2013: 104-105), for instance, discusses a landmark judgment where the European Court of Human Rights

> makes clear that no intention to discriminate is required for the discrimination to exist: the sole fact that a measure has a disparate impact on a minority is sufficient to establish the existence of differential treatment – whatever the intent behind the policy. This opens the possibility of addressing structural or systemic forms of discrimination.

But we also note, particularly in relation to the concept of crimes against humanity, that the law is not particularly clear and is constantly evolving, which may make the application of at least some concepts of international criminal law to submersion education possible as the law develops. When those needed court cases start, education authorities will have a serious problem. Education of immigrant minorities in most EU countries today is also submersion, just like the education of immigrants is in North America and Australia.

When claiming that the present ITM education does not respect the right to education, that it can transfer children to another group, that it can cause serious mental and physical harm, and that it can be a crime against humanity, it is obviously not enough to look at human rights instruments and evidence. Solid educational research is needed as evidence for the human rights claims. For this, we have to look at results of various types of educational programmes in terms of how well they reach basic educational goals, including high levels of bi/multilingualism and academic school achievement. The following main types of programme for ITM children[4] have been compared:

1) completely dominant-language medium education from grade 1; (submersion, a non-model of bilingual education;
2) early-exit transitional programmes, with mother tongue medium education for the first 1-2 years, followed by using a dominant language as the teaching language; (a weak model);
3) late-exit transitional programmes where the transition from a mother tongue medium programme to a dominant language medium programme is more gradual but is mostly completed by grade 5 or 6; (also a weak model but better than early-exit) ; and
4) programmes where the mother tongue is the main medium of education at least for the first eight years, or even longer (a strong model, an MLE model).

Research results comparing academic achievement of these children show unanimously that the children from submersion (1, dominant language medium) and early-exit transitional programmes (2) are as a group never likely to reach a native-like competence in the dominant language. At the same time, they will not learn their own language up to a high level either (they do not learn to read and write it, for instance, even if a writing system and materials may exist). Their academic achievement results are mostly very poor at a group level, even if some individuals may manage; for instance, in Canada, ITM children as a group are today in some aspects doing better than dominant group children; similar trends for some immigrant minority groups are starting to be visible in London too. They manage despite the way their education is organised, not because of it.

Children in 3, late-exit transitional programmes, fare somewhat better, but even their results are much below what they could be. A typical early example of a solid study showing this is Ramirez et al. (1991), with 2352 students, comparing three groups of Spanish-speaking minority students (see Table 1). The first group were taught through the medium of *English only* (but even these students had bilingual teachers and many were taught Spanish as a subject, something that is very unusual in submersion programmes); the second one, *early-exit* students, had one or two years of Spanish-medium education and were then transferred to English-medium, and the third group, *late-exit* students, had 4-6 years of Spanish-medium education before being transferred to English-medium.

Table 1. Ramirez et al. study, 1991, 2,352 students

GROUP	MEDIUM OF EDUCATION	RESULTS
English-Only	English	Low levels of English and school achievement; likely never to catch up
Early-exit transitional	Spanish 1-2 years, then all English	Fairly low levels of English and school achievement; not likely to catch up
Late-exit transitional	Spanish 4-6 years, then all English	Best results; likely to catch up with native speakers of English

A common sense approach would suggest that the ones who started early and had most exposure to English, the English-only students, would have the best results in English, and in mathematics and in educational achievement in general, and that the late-exit students who started late with English-medium education and consequently had least exposure to English, would do worst in English etc. In fact the results were exactly the opposite. *The late-exit students got the best results*. In addition, they were the only ones who were estimated to have a chance to achieve native levels of English later on, whereas the other two groups were, after an initial boost, falling more and more behind, and were judged as probably never being able to catch up to native English-speaking peers in English or general school achievement.

The Thomas and Collier study (see bibliography under both names; see also http://www.thomasandcollier.com/Research Links.htm), the largest longitudinal study in the world on the education of minority students, with altogether over 210,000 students, including in-depth studies in both urban and rural settings in the USA, included many more types of programmes than listed here. Across *all* the models, those students who reached the highest levels of both bilingualism and school achievement were the ones where the children's mother tongue was the main medium of education for the most extended period of time. This length of education in the L1 (language 1, first language), was the strongest predictor of both the children's competence and gains in L2, English, and of their school achievement (Thomas and Collier 2002: 7).

The length of mother tongue medium education was in both Ramirez', and Thomas and Collier's studies more important than any other factor (and many were included) in predicting the educational success of bilingual students. It was also much more important than *socio-economic status*, something extremely vital when reflecting on the socio-economic status of many indigenous peoples. Students in regular submersion programmes (number 1 above) where the students' L1s were either not supported at all or where these were only taught as subjects had the worst results, including high percentages of push-outs[5].

Similar conclusions have been drawn in Africa. Early transition to an "international language of wider communication" across Africa is, according to many studies summarised by Heugh (2008) accompanied by poor literacy in L1 and L2, poor numeracy/mathematics and science, high failure and drop-out rates and high costs/ wastage of expenditure.

According to Heugh 2009, initially early-exit programmes with transition to L2/FL by year 2-3 show success over years $1 - 3$, sometimes into the 4th year. This success starts to slow down in years 4 to 5. More than 50% of learners never get to secondary school in African countries. No early-exit bilingual model has been able to demonstrate lasting educational achievement for the majority of pupils in countries anywhere in the world, she writes (see also Alidou et al. 2006).

Quoting studies and statistics from the USA, Teresa McCarty writes about the consequences of "medium-of-instruction policies" (2004: 74):

Indigenous and other minoritized students experience the lowest rates of educational attainment, the lowest family incomes, and, particularly among Indigenous youth, the highest rates of depression and teen suicides.

Amy Tsui and James Tollefson conclude in their 2004 edited book *Medium of Instruction Policies*, on the basis of worldwide studies:

The use of a foreign language as the medium of instruction for children who are still struggling with basic expression in that language hampers not only their academic achievement and cognitive growth, but also their self-perception, self-esteem, emotional security, and their ability to participate meaningfully in the educational process (2004: 17).

There are hundreds of smaller studies showing similar conclusions, with many different types of groups and many languages, and from many countries[6]. And the knowledge is not new – many Indigenous people and others knew this already in the 18th and 19th centuries[7]. All these studies show the mostly negative results of subtractive and early-exit education.

Only strong models reach the educational goals. All strong models (for both ITM and dominant group children) use mainly a minority language as the main teaching language during the first many years. The longer it is used, the better the results in terms of high levels of bi- or multilingualism and school achievement. This education (of course including teaching of a dominant language as a subject, by bilingual teachers) should continue minimally 8 years, preferably longer (see the last section). Mother-tongue-based multilingual education (MLE) is a necessary linguistic human right (LHR). The most important LHR in education for ITMs, if they want to achieve the educational goals (and also reproduce themselves as peoples/minorities) is thus an unconditional right to additive mainly mother tongue medium education in non-fee state schools. Today, binding educational LHRs are more or less non-existent. ITM education is organised against solid research evidence about how it should be organised. ITM students (and their parents and communities) need LHRs as one of the necessary (but not sufficient) measures to stop linguistic genocide. Is this happening?

5. Is ITM education being organized to respect LHRs? The lack of political will

The debates about the scope of LHRs continue, also and maybe even especially in education. Human rights lawyer Fernand de Varennes (see also his 1996, 1999) writes on the back cover of a book (Skutnabb-Kangas, Phillipson, Mohanty and Panda, eds, 2009), that the book "addresses directly a still surprisingly controversial topic: the indisputable value of education in one's own language". Mother-tongue-medium education IS controversial, but "only" politically. Research evidence about it is not controversial. The increasingly fewer counterarguments against *mother-tongue-based multilingual education* (MLE) are political and not research-based. The right to good MLE for ITM children must be seen as a basic linguistic human right.

It would be rational to reduce poverty (see Amartya Sen above) through organising ITM education according to research recommendations, i.e. use mother-tongue-based multilingual education (MLE). Even if the serious harm of *not* doing it has been well known (and documented) for a long time, and the principles for what to do have equally been known, this has not led to MLE on a large scale. I use Africa as an example – almost a third of the world's languages are in Africa (http://www.ethnologue.com/ethno_docs/distribution.asp?by=area - 1). A review of achievements in Africa concludes '[W]e are not making any progress at all' (Alexander 2006: 9); 'most conference resolutions were no more than a recycling exercise' (Bamgbose 2001, quoted in Alexander 2006: 10); 'these propositions had been enunciated in one conference after another since the early 1980s' (2006: 11); 'since the adoption of the OAU [Organisation for African Unity] Charter in 1963, every major conference of African cultural experts and political leaders had solemnly intoned the commitment of the political leadership of the continent to the development and powerful use of the African languages without any serious attempt at implementing the relevant resolutions' (2006: 11). This has led to 'the palpable failure of virtually all post-colonial educational systems on the continent' (2006: 16). An excellent analysis of this in both Africa and Asia is Rassool 2007.

Still, ITM education is today organised against solid scientific evidence of how it should be organised. We need implementation of the existing good laws and intentions (there are many), but the political will for that is mostly lacking. Neville Alexander's analysis of reasons for it (2006: 16) states:

> The problem of generating the essential political will to translate these insights into implementable policy … needs to be addressed in realistic terms. Language planners have to realize that costing of policy interventions is an essential aspect of the planning process itself and that no political leadership will be content to consider favourably a plan that amounts to no more than a wish list, even if it is based on the most accurate quantitative and qualitative research evidence.

What Alexander advocates, namely that the costs of organising – or not organising – MTM education are made explicit in economic terms, necessitates the type of multidisciplinary approach that minimally includes sociolinguists, educators, lawyers and economists. Without that, it seems impossible to even start convincing states of rational policies that would in the end be really beneficial not only for ITMs but for the states themselves (see François Grin's many analyses of the economic aspects of multilingualism and minority languages support). There is an urgent need for more socioculturally, pedagogically and linguistically appropriate language policies in education, policies that respect LHRs. And there are pressures to change the state of affairs. *The Asmara Declaration on African Languages and Literatures* from 2000) (http://www.outreach.psu.edu/programs/allodds/declaration.html) is one example of the impressive African declarations of intent. Even more optimistic plans are contained in *The Language Plan of Action for Africa* (http://www.acalan.org/eng/textesreferenciels/pala.php), one of the results from ACALAN's (The African Academy of Languages, www.acalan.org) conference in Bamako, Mali, January 2009 (http://www.acalan.org/eng/confeven/forum/forum.php), with a set of recommendations to African governments and to 'aid' organizations that

should facilitate a reversal of current educational paradigms. Similar pronouncements exist on other continents but are less impressive. But if implementation really were to follow, what kind of encouraging examples are there?

6. How should ITM education be organized to respect LHRs? Mother-tongue-based multilingual education

As a summary, it is fair to say that all solid research evidence shows that teaching ITM children mainly through the medium of their mother tongues, minimally for 6-8 years, preferably longer, with good teaching of a dominant language as a second or foreign language (preferably with bilingual teachers), and having one or several other foreign, often "international" languages as subjects, can lead to high levels of bi/multilingualism, and many other positive consequences in terms of the issues mentioned in the previous sections[8] Under well-resourced conditions, with qualified teachers, high-quality materials, etc, 6 years might be just enough; under less fortunate conditions, with crowded classrooms, few materials, poorly qualified teachers with low salaries, etc, 8 years seems to be a minimum (see. This can be seen in a uniquely broad study across all the regions commissioned by the Ethiopian Ministry of Education (Heugh, Benson, Berhanu and Mekonnen Alemu 2007; see also Benson et al. 2011; Heugh et al. 2011; Heugh and Skutnabb-Kangas 2011). The data show very clear patterns of learner achievement at Grade/Year 8, 10 and 12. The country-wide Grade 8 evaluation data show that those learners who have 8 years of mother-tongue-medium (MTM) education plus English as a subject perform better across the curriculum (including in English) than those with 6 years or 4 years of mother tongue medium. The exception is the capital of Ethiopia where children hear and use English outside school and get slightly better results in English than rural children, despite fewer years of MTM education. The results are described and updated, and compared with many other countries, in several articles in Heugh and Skutnabb-Kangas (eds) 2010; Skutnabb-Kangas and Heugh 2011.

A dual-language model combines an immersion programme for dominant language speakers and a maintenance (or, minimally, late-exit transitional) programme for ITM children. Collier and Thomas are

> conducting a major research study on dual language education for the whole state of North Carolina -- it involves analyzing all student records for the state, over a five year period -- approximately 3 million student records from the past two years analyzed so far […] They now have 36 schools doing two-way dual language (mostly Spanish-English; one program is Mandarin Chinese-English). In our first year findings, all student groups (English learners, Latinos, whites, blacks, low SES students) attending dual language classes were doing better than their comparable peer groups not in dual language. By sixth-seventh-eighth grade (middle school years), the dual language students are a whole grade ahead of their comparison groups (Virginia Collier, private email 15 September 2010; see also Thomas & Collier 2012).

There are many encouraging both small-scale and larger scale examples of either strong models or models which are at present transitional but are developing towards strong models. These represent change that strengthens endangered languages and multilingualism. Recent research that documents good practice and clarifies fundamental pedagogical and linguistic principles is summarised in many recent books and articles[9]. Most of them represent MLE, from Ethiopia, the Basque Country (Spain), Bolivia, Botswana, Burkina Faso, Canada, Ethiopia, France, Guatemala, India, Mexico, Nepal, Peru, the Saami country (Finland, Norway, Sweden), UK, and the USA. Recent evidence of success of MLE throughout Africa, includes some of Africa's poorest countries (e.g. Burkina Faso, Nikièma and Ilboudo 2011). Positive results which also present many of the challenges of MLE come from India, Nepal, Peru, Bolivia, and other parts of the world. It is important to stress that children who benefit from literacy and concept development in their mother tongue are more likely to succeed in learning additional languages, including English and French, than is currently the case. Such policies are not 'against' particular languages; they are intended to promote multilingualism and to combat linguicist misuse of the languages.

Christian missionaries remain active worldwide, and are often concerned with documenting and alphabetizing indigenous languages (see Harrison 2008). Some also choose to combine their mission with functioning as teachers of English, which creates a major ethical dilemma for the English teaching profession (Wong and Canagarajah 2009).

While listing and documenting endangered languages is important, it is vital to try to influence the conditions that lead to the endangerment in the first place. The poor and powerless economic and political situation of ITMs who often live in the world's most biodiverse ecoregions is one of the important factors in the destruction of biocultural/ biolinguistic diversity. Habitat destruction through logging, spread of commercial agriculture, use of pesticides and fertilisers, deforestation, desertification, overfishing, etc., often result in ITMs being forced into assimilation, migration or destitution. Formal education and media in dominant languages are the most important *direct* causal factors in linguistic genocide – behind them are the macroeconomic, techno-military, social and political causes. Arundhati Roy (1999) estimates that 33 million people ('development refugees') have been displaced in India alone during the construction of big dams since 1950. Mishra and Majumdar's *The Elsewhere People* (2003) describes several other groups for whom 'the battle for the school was part of the battle for land' (Zibechi 2010: 317).

On the other hand, while work on the economic and political causes of language endangerment continues, it is also possible to influence the learning and use of even very small languages in revitalisation projects of various kinds. The Master/Apprentice programmes started by Leanne Hinton, of the University of California at Berkeley, together with Indigenous peoples, are an example. Old speakers are paired with young people who want to learn the language; they get a nominal embursement, conditional on spending minimally some 20 hours per week together, using only the endangered language. They are free to choose any activities, privided the language is used (Hinton 2002, Hinton and Hale 2001).

Such programmes are spreading to other parts of the world. One example is one of the smallest Saami languages, Aanaar/Inari Saami, spoken only in Finland - it is experiencing a spectacular revitalisation. Some 20 years ago there were no child speakers and only a couple of young speakers. Today there are two language nests (day care centres & preschools) where only Aanaar/Inari Saami is spoken (since 1997), and children can attend their primary school with Inari Saami as the teaching language (since 2000) (see Aikio-Puoskari, 2009). To create anew Saami speakers in the 'lost generation' between the children/youngsters and grandparents, Marja-Liisa Olthuis, herself Aanaar Saami, organised in 2009-2010 a full-time one-year intensive fully financed Aanaar Saami course for people from professions where competence in the Saami language was lacking – teachers, social workers, journalists, etc; even one priest (see Olthuis, Kivelä and Skutnabb-Kangas 2013). The revitalisation has been spectacular, and now (July 2013) there are very large numbers of people who want to participate in one-year courses in Aanaar Saami – many more than can be accomodated. The whole community experiences new life, and this has inspired several other very small Indigenous communities. In Norway, many Saami children can have their first 9 years of school through the medium of mainly North Saami; there are two upper secondary schools, and the Saami University College in Guovdageaidnu uses Saami only as the teaching language (see http://www.samiskhs.no/).

Various commentators in a book on Indigenous education and resistance in Latin America (Meyer and Maldonado Alvarado 2010) criticize "multiculturalism" and "interculturalism" (which are that many human rights instruments and declarations endorce) as appreciation-oriented celebrations of other cultures, and diversity as commodities supporting the status quo. These celebrations render invisible the disparities of power and status between languages and cultures. As such, interculturalism can be part of the effort "to preserve the privileges of the colonizer language" (Mamani 2010: 287). Human rights advocates need to be multidisciplinary and very much aware of how their actions influence ever-changing power relations.

References:
Aikio-Puoskari, Ulla (2009). The Ethnic Revival, Language and Education of the Sámi, an Indigenous People, in three Nordic Countries (Finland, Norway and Sweden). In Skutnabb-Kangas et al. (eds), 238-262.
Alexander, Neville (2006). Introduction. In *Intergovernmental Conference on Language Policies in Africa. Harare, Zimbabwe, 17-21 March 1997. Final Report*. Paris: UNESCO, Intangible Heritage Section, 9-16.
Alidou, Hassana, Aliou, Boly, Birgit Brock-Utne, Yaya Satina Diallo, Kathleen Heugh, and H. Ekkehard Wolff (2006). *Optimizing Learning and Education in Africa – the Language Factor. A Stock-taking Research on Mother Tongue and Bilingual Education in Sub-Saharan Africa.* Working Document prepared for ADEA 2006 Biennial Meeting, (Libreville, Gabon, March 27-31, 2006). Association for the Development of Education in Africa (ADEA), UNESCO Institute for Education & Deutsche Gesellschaft für Technische Zusammenarbeit. http://www.adeanet.org/adeaPortal/adea/biennial-2006/doc/document/B3_1_MTBLE_en.pdf.
Andrýsek, Oldrich (1989). *Report on the definition of minorities*. SIM Special No 8. Utrecht: Netherlands Institute of Human Rights, Studie- en Informatiecentrum

Mensenrechten (SIM).

Baker, Colin (2006). *Foundations of Bilingual Educatifon and Bilingualism. 4th Edition*. Clevedon, UK: Multilingual Matters.

Baker, Colin and Prys Jones, Sylvia (1998). *Encyclopedia of Bilingualism and Bilingual Education*. Clevedon/Philadelphia: Multilingual Matters.

Benson, Carol (2009). Designing effective schooling in multilingual contexts: going beyond bilingual models. In Skutnabb-Kangas et al. (eds.), 63-81.

Benson, Carol, Heugh, Kathleen, Bogale, Berhanu, and Gebre Yohannes, Mekonnen Alemu (2011). The medium of instruction in the primary schools in Ethiopia: a study and its implications for multilingual education. In Skutnabb-Kangas and Heugh (eds), 32-61.

Capotorti, Francisco (1979). *Study of the Rights of Persons Belonging to Ethnic, Religious and Linguistic Minorities*. New York: United Nations.

Cassese, Antonio (2008) [2003]. *International Criminal Law*. Oxford: Oxford University Press. 2nd edition.

Collier, Virginia P. and Wayne P. Thomas (2002). Reforming Education Policies for English Learners Means Better Schools for All. *The State Educational Standards* 3:1, 30-36.

Collier, Virginia P. and Wayne P. Thomas (2007). Predicting Second Language Academic Success in English Using the Prism Model. In Cummins, Jim & Davison, Chris (eds). *International Handbook of English Language Teaching*, Parts 1-2. New York: Springer, 333-348.

Collier, Virginia P. and Wayne P. Thomas (2009). *Educating English Learners For a Transformed World.* Albuquerque, NM: Fuente Press – see also http://www.thomasandcollier.com/Research Links.htm

Cummins, Jim (1989). *Empowering Minority Students*. Sacramento, California Association for Bilingual Education.

Cummins, Jim (2000). *Language, Power, and Pedagogy: Bilingual Children in the Crossfire*. Clevedon, UK: Multilingual Matters.

Cummins, Jim (2009). Fundamental psychological and sociological principles underlying educational success for linguistic minority students. In Mohanty et al. (eds), 21-35.

Cummins, Jim and David Corson (eds) (1997). *Bilingual Education. Volume 5. Encyclopedia of Language and Education*. Dordrecht, Boston & London: Kluwer Academic Publishers. [see also the fully revised edition, in press, eds Cummins and Nancy Hornberger].

de Varennes, Fernand (1996). *Language, Minorities and Human Rights*. The Hague, Boston, London: Martinus Nijhoff.

de Varennes, Fernand (1999). The Existing Rights of Minorities in International Law. In Kontra, Miklós, Robert Phillipson, Tove Skutnabb-Kangas, and Tibor Várady (eds*). Language: a Right and a Resource. Approaching Linguistic Human Rights*. Budapest: Central European University Press, 117-146.

Dolson, David and Kathryn Lindholm (1995). World class education for children in California: A comparison of the two-way bilingual immersion and European School model. In Skutnabb-Kangas (ed.), 69-102.

García, Ofelia, Tove Skutnabb-Kangas and María Torres Guzmán (eds) (2006). *Imagining Multilingual Schools: Languages in Education and Glocalization*. Clevedon, UK: Multilingual Matters.

Harrison, K. David (2008). *When Languages Die. The Extinction of the World's Languages and the Erosion of Human Knowledge*. Oxford: Oxford University

Press.

Heugh, Kathleen (2008). Power Point presentation in Delhi, India, in January 2008, leading to Heugh (2009).

Heugh, Kathleen (2009). Literacy and bi/multilingual education in Africa: recovering collective memory and knowledge. In Skutnabb-Kangas et al. (eds), 103-124.

Heugh, Kathleen, Carol Benson, Berhanu Bogale and Mekonnen Alemu Gebre Yohannes (2007). *Final Report. Study on Medium of Instruction in Primary Schools in Ethiopia.* Commissioned by the Ministry of Education, September 2006. Addis Ababa: Ministry of Education of Ethiopia.

Heugh, Kathleen, Carol Benson, Gebre Yohannes Mekonnen Alemu and Bogale Berhanu (2011). Multilingual education in Ethiopia: what assessment shows us about what works and what doesn't. In Skutnabb-Kangas and Heugh (eds), 239-262

Heugh, Kathleen and Tove Skutnabb-Kangas (2011). 'Peripheries' take centre stage: reinterpreted multilingual education works. In Skutnabb-Kangas and Heugh (eds), 263-283.

Heugh, Kathleen and Tove Skutnabb-Kangas (eds). (2010). *Multilingual Education Works. From the Periphery to the Centre*. Delhi: Orient BlackSwan.

Hinton, Leanne (with Matt Vera and Nancy Steel and the Advocates for Indigenous California Language Survival) (2002). *How to Keep Your Language Alive. A Commonsense Approach to One-on-One Language Learning.* Berkeley, CA: Heyday Books.

Hinton, Leanne and Ken Hale (eds) (2001). *The Green Book of Language Revitalization in Practice*. San Diego: Academic Press.

Huss, Leena (1999). *Reversing Language Shift in the Far North. Linguistic Revitalization in Scandinavia and Finland*. Acta Universitatis Upsaliensis. Studia Uralica Upsaliensia 31. Uppsala: Uppsala University.

Huss, Leena, Antoinette Camilleri, and Kendall King (eds) (2003). *Transcending Monolingualism: Linguistic Revitalisation in Education*. Series Multilingualism and linguistic diversity. Lisse: Swets & Zeitlinger.

Leontiev, Alexei A. (1995). Multilingualism for all - Russians? In Skutnabb-Kangas (ed.), 199-214.

Magga, Ole Henrik, Ida Nicolaisen, Mililani Trask, Robert Dunbar, and Tove Skutnabb-Kangas (2005). *Indigenous Children's Education and Indigenous Languages. Expert paper written for the United Nations Permanent Forum on Indigenous Issues.* New York: United Nations. Download from www.Tove-Skutnabb-Kangas.org/pdf/PFII_Expert_paper_1_Education_final.pdf

Mamani Condori, Carlos (2010). The Path of Decolonization. In Meyer, Lois and Benjamín Maldonado Alvarado (eds). *New World of Indigenous Resistance. Noam Chomsky and Voices from North, South and Central America*. San Francisco: City Lights Books (www.citylights.com), 283-289.

Marsh, David (coordinator) (2009). Study on the Contribution of Multilingualism to Creativity. Compendium Part One. Multilingualism and Creativity: Towards an Evidence-base. Brussels: Europublic sca/cva. www.europublic.com

May, Stephen (2001). *Language and Minority Rights: Ethnicity, Nationalism, and the Politics of Language*. London: Longman.

May, Stephen and Richard Hill (2003). *Bilingual/Immersion Education: Indicators of Good Practice*. Milestone Report 2. Hamilton: Wilf Malcolm Institute of Educational Research, School of Education, University of Waikato.

May, Stephen, Richard Hill, and Sarah Tiakiwai (2003). *Bilingual/Immersion

education: Indicators of Good Practice. Milestone Report 1. Hamilton: Wilf Malcolm Institute of Educational Research, School of Education, University of Waikato.

May, Stephen. (ed.) (1999). *Indigenous community-based education*. Clevedon: Multilingual Matters. Also available as Vol. 11, No. 3 of the journal *Language, Culture and Curriculum.*

McCarty, Teresa L. (2004). Dangerous Difference: A Critical-Historical Analysis of Language Education policies in the United States. In James W. Tollefson and Amy B. M. Tsui (eds). *Medium of Instruction Policies. Which Agenda? Whose Agenda?* Mahwah, NJ: Lawrence Erlbaum, 71-93.

Meyer, Lois and Benjamín Maldonado Alvarado (eds) (2010). *New World of Indigenous Resistance. Noam Chomsky and Voices from North, South and Central America*. San Francisco: City Lights Books (www.citylights.com).

Misra, Girishwar and Ajit K. Mohanty (2000a). Consequences of Poverty and Disadvantage: A Review of Indian Studies. In Mohanty, Ajit K. and Girishwar Misra (eds) (2000). *Psychology of Poverty and Disadvantage*. New Delhi: Concept Publishing Company, 121-148.

Mishra, Omprakash and Anindyo J. Majumdar (eds.) (2003). *The Elsewhere People: Cross-border Migration, Refugee Protection and State Response*. New Delhi: Lancer.

Misra, Girishwar and Ajit K. Mohanty (2000b). Poverty and Disadvantage: Issues in Retrospect. In In Mohanty, Ajit K. and Girishwar Misra (eds) (2000). *Psychology of Poverty and Disadvantage*. New Delhi: Concept Publishing Company, 261-284.

Mohanty, Ajit K. (2000). Perpetuating Inequality: The Disadvantage of language, Minority Mother Tongues and Related Issues. In Mohanty, Ajit K. and Girishwar Misra (eds). *Psychology of Poverty and Disadvantage*. New Delhi: Concept Publishing Company, 104-117.

Mohanty, Ajit K. and Tove Skutnabb-Kangas (2013). MLE as an economic equaliser in India and Nepal: mother tongue based multilingual education fights poverty through capability development and identity support. In Henrard, Kristin (ed.). *Socioeconomic participation of minorities in relation to their right to (respect for) identity*. Studies in International Minority and Group Rights, Volume 2. Leiden and Boston: Brill/ Martinus Nijhoff Publishers, 159-187.

Mohanty, Ajit K., Minati Panda, Robert Phillipson and Tove Skutnabb-Kangas (eds) (2009). *Multilingual Education for Social Justice: Globalising the Local*. New Delhi: Orient BlackSwan.

Nikièma, Norbert and Paul Taryam Ilboudo (2011). Setting a tradition of MTM education in 'francophone' Africa: the case of Burkina Faso. In Skutnabb-Kangas and Heugh (eds), 197-215.

Olthuis, Marja-Liisa and Suvi Kivelä (2013). *Revitalising Indigenous languages. How to recreate a lost generation*. Bristol: Multilingual Matters.

Panda, Minati and Ajit K. Mohanty (2009). Language matters, so does culture: beyond the rhetoric of culture in Multilingual Education. In Mohanty, Ajit K., Minati Panda, Robert Phillipson, and Tove Skutnabb-Kangas (eds). *Multilingual Education for Social Justice: Globalising the Local*. New Delhi: Orient BlackSwan, 295-312. [also in Skutnabb-Kangas, Phillipson, Mohanty & Panda (eds). *Social Justice through Multilingual Education*. Bristol: Multilingual Matters, 301-319].

Ramirez, J. David, David J. Pasta, Sandra D. Yuen, David K. Billings, and Dena R. Ramey (1991). *Longitudinal study of structured immersion strategy, early-exit,*

and late-exit bilingual education programs for language minority children (Vols. 1-2). San Mateo, CA: Aguirre International.

Rassool, Naz (ed.) (2007). *Global Issues in Language, Education and Development. Perspectives from Postcolonial Countries. Series Linguistic Diversity and Language Rights.* Clevedon, UK: Multilingual Matters.

Ringelheim, Julie (2013). Between identity transmission and equal opportunities: the multiple dimensions of minorities' right to education. In Henrard, Kristin (ed.). *The interrelation between the right to identity of minorities and their socio-economic participation.* Studies in International Minority and Group Rights, Volume 2. Leiden and Boston: Brill/ Martinus Nijhoff Publishers, 91-114.

Roy, Arundhati (1999). *The Cost of Living. The Greater Common Good, and The End of Imagination*. London: Flamingo.

Rubio-Marín, Ruth (2003). Language rights: Exploring the competing rationales. In: Kymlicka, Will and Alan Patten (eds). *Language Rights and Political Theory*. Oxford: Oxford University Press, 52-79.

Sen, Amartya (1985). *Commodities and Capabilities*. Amsterdam: North Holland.

Skutnabb-Kangas, Tove (2000). *Linguistic genocide in education - or worldwide diversity and human rights?* Mahwah, NJ & London, UK: Lawrence Erlbaum Associates. [South Asian updated edition in 2008, Delhi: Orient BlackSwan].

Skutnabb-Kangas, Tove (2008). Bilingual education and Sign language as the mother tongue of Deaf children. In Kellett Bidoli, Cynthia J. and Elana Ochse (eds). *English in International Deaf Communication*. Bern: Peter Lang, 75-94.

Skutnabb-Kangas, Tove (2009). MLE for Global Justice: Issues, Approaches, Opportunities. In Skutnabb-Kangas et al (eds), 36-62

Skutnabb-Kangas, Tove (2013). Mother tongue medium education. In *The Encyclopedia of Applied Linguistics*, ed. Carol A. Chapelle; part Bilingual Education, Area Editors Jasone Cenoz and Durk Gorter. Malden, MA: Blackwell. DOI: 10.1002/9781405198431.wbeal0776.

Skutnabb-Kangas, Tove and Robert Dunbar (2010). *Indigenous Children's Education as Linguistic Genocide and a Crime Against Humanity? A Global View. Gáldu Čála. Journal of Indigenous Peoples' Rights* No 1, 2010. Guovdageaidnu/ Kautokeino: Galdu, Resource Centre for the Rights of Indigenous Peoples (http://www.galdu.org). Also as an e-book, free of charge, at http://www.e-pages.dk/grusweb/55/.

Skutnabb-Kangas, Tove and Teresa McCarty (2008). Clarification, ideological/epistemological underpinnings and implications of some concepts in bilingual education. In Volume 5, *Bilingual Education*, eds Jim Cummins and Nancy H. Hornberger. *Encyclopedia of Language and Education*, 2nd edition. New York: Springer, 3-17.

Skutnabb-Kangas, Tove, Robert Phillipson, Minati Panda, and Ajit Mohanty (2009). MLE concepts, goals, needs and expense: English for all or achieving justice? In Skutnabb-Kangas et al. (eds), 320-344.

Skutnabb-Kangas, Tove and Robert Phillipson (1989). *Wanted! Linguistic Human Rights*, ROLIG-papir 44. Roskilde: Roskilde University Centre.

Skutnabb-Kangas, Tove and Robert Phillipson (1994). Linguistic human rights, past and present. In Skutnabb-Kangas, Tove and Robert Phillipson (eds), in collaboration with Mart Rannut. *Linguistic Human Rights. Overcoming Linguistic Discrimination*. Contributions to the Sociology of Language 67. Berlin & New York: Mouton de Gruyter, 71-110.

Skutnabb-Kangas, Tove (ed.) (1995). *Multilingualism for all*. Lisse: Swets &

Zeitlinger.

Skutnabb-Kangas, Tove and Kathleen Heugh (eds) (2011). *Multilingual Education and Sustainable Diversity Work: From Periphery to Center*. New York: Routledge.

Skutnabb-Kangas, Tove, Robert Phillipson, Ajit K. Mohanty, and Minati Panda (eds.) (2009). *Social Justice through Multilingual Education*. Bristol: Multilingual Matters [see also http://uri.fi/EO/].

Thomas, Jacob (Chief), with Terry Boyle (2001) [1994]. *Teachings from the Longhouse*. Toronto: Stoddart.

Thomas, Wayne P. and Virginia P. Collier (2002). *A National Study of School Effectiveness for Language minority Students' Long Term Academic Achievement*. George Mason University, CREDE (Center for Research on Education, Diversity & Excellence). http://www.crede.ucsc.edu/research/llaa/1.1_final.html.

Thomas, Wayne P. and Collier, Virginia P. (2012). *Dual Language Education for a Transformed World*. Albuquerque, NM, Dual Language Education of New Mexico and Fuente Press.

Thornberry, Patrick (1997). Minority rights. In Academy of European Law (ed.), *Collected Courses of the Academy of European Law: Vol. VI, Book 2*. The Netherlands: Kluwer Law International, 307-390.

Thornberry, Patrick and Dianna Gibbons (1997). Education and Minority Rights: A Short Survey of International Standards. *International Journal on Minority and Group Rights. Special Issue on the Education Rights of National Minorities* 4:2, 1996/1997, 115-152.

Tomaševski, Katarina (2001). *Human rights obligations: making education available, accessible, acceptable and adaptable*. Right to Education Primers 3. Lund: Raoul Wallenberg Institute of Human Rights and Humanitarian Law & Stockholm, Sida (Swedish International Development Cooperation Agency).

Tomaševski, Katarina (2003). *Education Denied: Costs and Remedies*. London: Zed Books.

Tomaševski, Katarina (2006). *Human rights obligations in education. The 4-A Scheme*. The Nijmegen: Wold Legal Publishers.

Tsui, Amy B. M. and James W. Tollefson (2004). The Centrality of Medium-of-Instruction Policy in Sociopolitical Processes. In Tollefson, James W. and Amy B. M. Tsui (eds). *Medium of Instruction Policies. Which Agenda? Whose Agenda?* Mahwah, NJ: Lawrence Erlbaum, 1-18.

van der Stoel, Max (1999). *Report on the Linguistic Rights of Persons Belonging to National Minorities in the OSCE area*. + Annex. Replies from OSCE Participating States. The Hague: OSCE High Commissioner on National Minorities.

Wong, Mary Shepard and Suresh A. Canagarajah (eds) (2009). *Christian and Critical English Language educators in Dialogue*. New York: Routledge/Taylor and Francis.

Zibechi, Raúl (2010). The Complex Decolonization of the School. In Meyer, Lois and Benjamín Maldonado Alvarado (eds). *New World of Indigenous Resistance. Noam Chomsky and Voices from North, South and Central America*. San Francisco: City Lights Books (www.citylights.com), 315-329.

Tove Skutnabb-Kangas
(retired) Åbo Akademi University Vasa, Finland; e-mail:
skutnabbkangas@gmail.com

Notes:

[1] This article draws heavily on several of my most recent articles. See www.Tove-Skutnabb-Kangas.org for recent publications and publications in press.

[2] See Capotorti 1979; May 2001; Skutnabb-Kangas 2000; Skutnabb-Kangas and Phillipson 1994; Thornberry 1997; and de Varennes 1996, for overviews.

[3] See, e.g., Magga et al. 2005; Panda and Mohanty 2009; Skutnabb-Kangas 2000, and, especially, Skutnabb-Kangas and Dunbar 2010, for references, arguments and evidence for all these claims.

[4] See Skutnabb-Kangas and McCarthy (2008) for definitions of these programmes and, in general, for definitions in the area of bilingualism and bilingual education. The article can be downloaded from http://www.tove-skutnabb-kangas.org/en/articles_for_downloading.html.

[5] These are called "drop-outs" in deficiency-based theories, which blame the students, their characteristics, their parents and their culture for lack of school achievement.

[6] See summaries and references in, e.g., Baker 2006; Baker and Prys Jones 1998;, references to Cummins in the bibliography; Dolson and Lindholm 1995; Huss 1999; Huss et al. 2003; Leontiev 1995; May and Hill 2003; May et al. 2003; Skutnabb-Kangas 2000, 2013, ed. 1995; and the 8-volume series *Encyclopedia of Language and Education*, especially Cummins and Corson, eds, 1997.

[7] See, e.g., Skutnabb-Kangas 2009; Skutnabb-Kangas and Phillipson 1989; Thomas 2001.

[8] See, e.g. Cummins, 1989, 2000; Marsh 2009; articles in Heugh and Skutnabb-Kangas 2010; Skutnabb-Kangas et al., eds. 2009; Skutnabb-Kangas and Heugh, eds., 2011; Thomas and Collier 2002, 2009.

[9] See, e.g., Benson 2009; Heugh 2009; Benson et al. 2011; Heugh et. al. 2011; and articles in books edited by García et al.; Heugh and Skutnabb-Kangas; Mohanty et al.; May 1999; Skutnabb-Kangas and Heugh; and Skutnabb-Kangas et al. – see also Skutnabb-Kangas 2000, 2008a, 2009; Skutnabb-Kangas, Phillipson, Panda and Mohanty, 2009.