*58b To be born, live and die in one's own language - but how?

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1. Introduction

An old Saami man is about to die in Northern Norway. The Norwegian nurse tells Ole Henrik Magga, the visitor, that the old man has really made progress in his Norwegian - they can now communicate to some extent. Is it a human right to die in one's own language? To be cared for in one's own language? Both of us know of people having died, completely unnecessarily, because the medical staff could not communicate with the patient, in Norway and Sweden. In Denmark, according to the translators and interpreters' trade union, only 10% of people who need interpretation in Danish hospitals get it. This includes mothers giving birth for the first time. A Saami medical doctor said a few years ago that the medical profession in Norway often treat old Saami patients in the same way as veterinarians treat sick animals because there is little of shared language. Humiliation is added to pain.

To avoid humiliation and to give their children better chances in life, indigenous and minority parents often decide to speak a dominant or official language to their children. We know that this leads to linguistic and mostly also cultural assimilation within a few generations or even faster. The children are linguistically and culturally transferred to the dominant group. At a community level this leads to fewer and fewer speakers of the small indigenous and minority languages. At a global level an end result is that many languages completely cease to be spoken. 'Optimistic' estimates suggest that at least half of today's oral languages might be dead or moribund, no longer learned by children, in hundred years time. 'Pessimistic' but still realistic prognoses place the figure as high as 90% or even more.

In many parts of the world indigenous peoples are attempting to save their languages, to maintain and develop them, to revitalise them and even to reclaim them. They are up against serious odds in this struggle. In this article we shall describe some of the factors that influence these attempts, using Saami experience as illustration. We start with two basic challenges, **lack of relevant data** and **lack of good theoretical models for prediction**. Then we present some of the **factors** which influence parents in their choice of languages to use at home and as pre-school and school languages for their children (children's **acquisition of linguistic capital**). We also mention factors which influence all indigenous and minority people's choice of languages in their everyday life, when they function on the **linguistic market**. Then

we discuss some of the **challenges** that the Saami face today when they try to maintain and develop their languages. We ask to what extent the present **linguistic human rights** system supports them, and we are here especially interested in educational language rights at an international and European level, and the Saami language laws at the local level. Finally, we conclude with a discussion and also some basic **recommendations** for support of indigenous and minority languages at individual and collective levels, in the light of both Saami experience and insights from research in several areas.

2. Lack of relevant data and theoretical models for prediction of what happens on the linguistic market

An old joke claims that a Saami family consists of a mother, a father, ten children, and an anthropologist. The Saami surely are one of the most researched groups in the world. Against this fact, it is amazing that there is serious lack of even basic data needed by the Saami themselves in order to be able to do proper language planning and implementation of strategies which lead to the maintenance of all Saami languages. 'We don't know who we are, where we are, and how many we are!' The researchers were initially almost without exception outsiders, and even if much of what especially outside linguists did, forms an important basis for Saami researchers today, it is clear that many of the basic data are not known. Nobody can tell, for example, how many speakers at what levels each Saami language has. Data on language are generally poor. In Denmark, a bacon-producing country, with 5 million people and 24 million pigs, the age, weight-class and life-span of each of the 24 million pigs is known at any one moment, but there is no idea of how many speakers of which languages there are. Languages spoken by non-Danes obviously do not have the same value on the linguistic market as bacon has on the economic market, and therefore they have not been counted or the profiles of people speaking or signing them described.

The languages people learn can be seen as linguistic capital. The worth of each language on the linguistic market is decided by the political and economic power of the people using the languages. If there is little demand for a language (as a language required for higher education, jobs, various kinds of social occasions), it represents little value on the market and few people are willing to invest in learning it. Parents and the educational systems are decisive for how big the supply will be of people who know specific languages; communities, companies, and states influence the demand. Little demand causes language death: only naive idealists persist in learning and transmitting to next generations languages with no value on the linguistic market.

Inspired by the regularities in how language structures changed, discovered by the Neogrammarians, it was for a while popular to look at a language as a living organism, like a plant or an animal. Its development, ageing and dying was seen as 'natural', out of the reach of human beings. Languages 'died of old age' rather than being killed. This agentless 'model' for prediction of the future of languages is still found among politicians, legitimating their way of treating minority languages.

Later it has become clear that language is an institution constructed in and by society and should be studied as such. Many studies have since revealed the intricate connections between factors that affect the position of a language in society. All human languages have the potential of expressing all kinds of human thoughts and ideas. The differences often ascribed to the languages themselves are as a rule rather differences of status between speakers of the languages. Political decisions have since been made and language legislation developed in many countries based on these insights, based on seeing what happens to languages as constructed by people. Still, we do not yet have sufficient theoretical models to predict the survival or death/killing of indigenous or minority languages, even in broad terms. Also, every language is itself unique and every language situation has it own characteristics. This also means that even if the situation seems very difficult for many languages, it is still not impossible to revitalise them and start using them more. Ultimately which languages survive and which do not seems to be a question of human will, not of any rules of nature.

3. Factors in language maintenance strategies

Anthropological and sociological studies of the Saami population present many random observations about positive and negative effects on language caused by changes in livelihood, demography and other factors. In recent years more detailed studies have been carried out, like Aikios (1988) study of language shift in Finland and Helanders (1984) description of a trilingual community. In drafting language legislation which aims at protecting the Saami language it has been necessary to study these factors in more detail. Legislation in both Norway and Finland were based on such arguments (NOU 1985: 14, Komiteanmietintö 1987: 60). A comprehensive and systematic study of these factors (Hyltenstam & Stroud 1990, 1991) was undertaken in order to prepare general Swedish minority language legislation (SOU 1990: 91). We build to some extent on the systematisation from Hyltenstam, Stroud & Svonni's (1999) thorough analysis where the factors have been related to the Saami language situation in Sweden, and comment on other Saami areas. The factors are discussed at three levels: societal, group and individual. There are both horizontal and vertical links between the factors.

Societal (structural and ideological) factors influence the relationship between the minority in question and the majority population. *political factors, including general legislation* regulate or limit the general position of minorities in society, their degree of autonomy and self-determination. This also has social implications for the use of the languages. *Language legislation* is one of the most obvious instruments to protect a minority language. During the 1990s, legislation has been introduced in all three Nordic countries with a Saami population (Finland, Norway, Sweden), aiming at securing Saami speakers certain limited rights within administration, police, courts and in other sectors of society. It is still too early to evaluate the effects[1]. A central question for both types of legislation is *implementation*, i.e. how the legislation is used (or not used) in practice. In certain parts of Norway the resistance from the Norwegian-speaking majority against any form of Saami cultural rights has been very strong. In such a situation the majority's 'own' people in the administration - a sector that the majority as a rule dominates - are often reluctant to follow the rule of law. *Majority attitudes* (e.g. pluralistic, segregative, assimilationist) play a decisive role both in the preparation of legislation and not least in the everyday status of minority languages. In Saamiland, these attitudes were very negative up to 1960s and 70s and have only recently started changing in a more positive direction.

Economic resources give social status. Minority peoples are often far from wealthy. Earlier Saami reindeer herders were believed to be very rich and this had a positive effect on the status of their language. Today the Saami areas are the economically weakest areas in all three countries. Modern economic 'development', including the exploitation of natural resources in Saami areas (where the profits in any case go elsewhere), does not further Saami language development; on the contrary, Saami speaking workers in mines may even be overtly discriminated against, and their language can be used only informally. Industrialisation as a rule furthers the majority languages and suppresses the Saami language. Company languages are always Norwegian, Finnish and Swedish and/or English, never Saami. Majority *sociocultural norms* dominate while Saami norms are invisibilised. Even a simple thing like the answer to Saami ' Buore beaivvi!' (Good morning) is totally unknown to most majority people in Saami areas even when the Norwegian population has by now lived there for 4-5 centuries. Saami cloths are perceived only as exotic (and used by the tourist industry). But in recent years, the *lávvu* (Saami tent) has become popular in out-door life and at sports events. Even or uneven distribution of *educational resources*, including questions of the medium and the content of education are decisive for competence development in indigenous languages. In Saamiland the education level is generally low among the Saami population, although it may be in comparison to local surroundings in a few places where there is a high concentration of Saami institutions with formally educated

Saami , for example in Kárásjohka. Often high levels of education in individuals are related to having had Saami medium education.

Group level factors describe the internal life of the group. Certain *demographic factors* are not advantageous for Saami language maintenance: 1. the geographical distribution in 4 countries (Finland, Norway, Russia, Sweden) rather than one; 2. the Saami live mostly interspersed among majority groups and the total number, especially within each country, is relative low; 3. the total number of speakers of some of the Saami languages is very modest indeed, while the total number of speakers is not yet critical; 4. more young people marry across linguistic boundaries and their children as a rule do not learn Saami. On the other hand, the Saami speaking population is young - a valuable potential.

The *situation of the languages* themselves can involve great challenges. The variety of Saami languages and/or dialects, in itself a richness, has also meant difficulties in creating writing systems. National borders and national languages have influenced the writing systems and functioned as a mitigating factor against standardisation. Bilingual situations tend rapidly to develop in favour of the majority language and loss of Saami.

The Saami population is heterogeneous in terms of cultural background, occupation, education and internal organisation and institutions where national norms in the 4 states create differences. The Saami are today found in nearly every kind of *occupation* in addition to traditional occupations like reindeer herding, fishing and farming. Saami *ethnicity* is a positive factor for language maintenance because it, despite several states and languages, defines the group as one people, with certain rights. On this basis *internal organising* has been very effective during the last 30 years, and a series of *Saami institutions* have been established. Among these, *Saami media* (radio and newspapers) are an important factor while TV production in Saami is still very modest. It is especially the Saami Radio and the three Saami medium newspapers that have established Northern Saami as a modern language. *Cultural expressions* like literature and theatre have developed strongly and have had a very stimulating effect on language maintenance and development.

Individual factors have to do with the behaviour and the attitudes of the individuals in families and together with each other. Are children socialised into speaking Saami as their mother tongue, at home and outside? Which language or combination of languages do bilingual Saami choose with other bilinguals? A study about language choice (Helander 1984) in a small village in northern Sweden showed the usual functional differentiation: Saami was the language of family and everyday life whereas Swedish was used in all situations involving outsiders. The opportunity to 'choose' Saami is very limited. The most important of all factors for individuals is the *language socialisation* in families and in the closest environment outside home. This choice,, whether or not transfer the language to the next generation, is the real

key to language maintenance. But it is in turn influencing and influenced by the other factors.

As a general rule Hyltenstam et al. also emphasise that there must be a genuine need for the language, i.e. that it must have a value on the linguistic market.

4. Reflection on Saami experience

The study of the Saami language situation today and the developments that have led to it offer many insights into the processes that affect language maintenance and may be of use to other indigenous peoples too. Up to the 17th century the Saami society lived its own life, with little interference from the outside. From then on the language situation can historically be divided in three distinct periods: a missionary phase, a harsh assimilation phase, and the present phase with progress for integration and some self-determination.

The 17th and 18th century were characterised of the beginning of missionary activities, with some very positive projects for the benefit of the language: teaching through the medium of Saami and translation of religious texts into Saami. From the middle of the 19th century, a new policy based on national romanticism and vulgar-Darwinian ideas led to a harsh suppression of the Saami and their language. The Norwegian parliament and government pursued overtly a policy aiming at assimilating the whole Saami population in Norway in the course of one generation. During a 30-year period from 1970 onwards a new policy has been gradually formed by the Nordic states. It was first and foremost a result of the Saami cultural and political movement that has grown stronger and stronger after the World War II (while the first Saami initiatives from around 1900 did not survive the harsh political climate that dominated at that time). The language policy processes were bottom-up, starting at local level and moving up to the national level (Magga 1990). In the political field the process has reached the international level and Saami movements have in fact also formed an essential basis for the formulation of indigenous and minority rights in general.

All these stages have had effects on the languages. The 'dark century' from 1870 to 1970 had detrimental effects which can still be felt on both the languages themselves and their status and speakers. In the coastal areas of Norway and also elsewhere the negative attitudes were internalised by the Saami themselves, and intergenerational transfer of the language to children ceased in one generation.

It seems that the new language efforts from 1970 onwards have been successful in many ways, in achieving recognition for the Saami language, in developing the languages themselves and in maintaining the total numbers of Saami speakers. On a national level the efforts have been successful when it comes to legislation and formal recognition. The identification of language rights as part of

general human rights has obviously had positive effects. Governments with aspirations in the human rights field have listened to arguments about language rights. Sadly, there is a clear tendency where Nordic governments today are less sensitive towards this kind of argument. As long as the states could, without large concessions, enhance their international profiles as defenders of human and indigenous rights, there was a willingness to support cultural and other rights for indigenous peoples. But there seems to be a limit when real self-determination, including issues of land rights, are brought onto the agenda. This also seems to be a general tendency internationally.

But there are also other less successful aspects in this process. Majority attitudes have been easier to influence in favour of minority languages when the whole debate has been at the level of principal. To influence everyday practice has proved to be much more difficult. Likewise, implementation of language legislation has proved very difficult both on central and local level. Another aspect, one of the most striking failures of the Saami strategies, is that the smaller Saami languages (small in numbers of speakers) have not had success in improving their situation or even in defending their previous position. Partly this is due to the fact that most of them live dispersed among Norwegians, and also apart from the larger Saami groups, and do not have the demographic concentration that would enable them to use their language in the workplace and in official situations, including schools. But there has also been a certain drawback in getting language legislation in place. Many municipalities with a Saami population had developed procedures which gave the Saami some local linguistic rights. But when the Saami language law (1990, in force since 1992) designated certain areas as belonging to the Saami administrative districts, many of those municipalities which were left outside these official districts, meaning often municipalities where the speakers of the smaller Saami languages lives, withdrew the services in Saami, claiming that the law said they did not need to offer them. Thus the situation of the speakers in fact deteriorated in the areas outside the designated areas. One can also see this clearly in the largest study ever on the use of Saami languages in Norway with interviews with almost 1000 Saami speakers and over 1000 Norwegian speakers in the Saami areas (SEG 2000; the report with all its Annexes can be read in Saami and Norwegian at http://www.samediggi.no).

Legal protection is therefore not enough. Strategies for how to implement the maintenance support principles in reality have to be worked out. The rights of minority members and their languages are still very weak, compared to majority members in traditional Saami areas and their language rights. In Norway, the situation in upper secondary schools established specifically for Saami students in traditional Saami areas is illustrative. When there is **one** Norwegian-speaking student in a class, among the Saami speaking students, it is taken for granted that **all** teaching must be in Norwegian. Episodes where teachers actually have used Saami in their teaching in such situations have caused lively debates where the right of the

Norwegian speaker have been focused on and the situation has been described as one of discrimination against the Norwegian speaker. The teachers naturally try to avoid accusations of discrimination, and the result is that hardly any teaching takes place through the medium of Saami, despite the general aims of these schools. This ruins the whole system of education through the medium of Saami for the Saami students. There is thus a culture clash between the Saami community's collective right to maintain and develop their language(s), and the right of individual Norwegian speaking students, be they (ethnically) Saami or not, i.e. a clash between indigenous collective rights thinking and 'western' individual rights thinking. While there is agreement at a principle level about the value of the indigenous culture and the language, the realisation of the principles fails in everyday life. Only slowly the Saami speakers dare to start claiming their rights in practice. But it still happens that if someone chooses to speak Saami at an official meeting, this may be interpreted as a demonstration – especially if the person in question is believed to master the majority language as well.

New Saami language niches are created. There is at least one higher education institution that uses Saami as its main language (<http://samiskhs.no>. This is, however, not unproblematic. Many majority language speakers sometimes show little understanding of the necessity of using Saami. Many seem to define it as a kind of language right for themselves that they should not be exposed to a monolingual Saami situation. They may demand that more of the activities at a Saami institution must be in a language that they themselves understand, forgetting that in that case the Saami speakers' rights are violated and the needs of the Saami languages to be used and developed in all domains are neglected.

Both observations and research have shown that there has been (Johansson 1975) and probably still is a significant discrepancy between rhetorical (positive) attitudes on group level, and actual language choice on individual level. In fact, many Saami parents who themselves are active in Saami cultural efforts (like furthering and developing traditional handicraft), in fact use the majority language with their own children. And in marriages with a non-Saami speaking spouse the general rule is that Saami is not used in the home. Even some prominent defenders of Saami culture and language have proved to be bad examples for others in not teaching Saami to their children. Decolonisation of the mind is a long process, as many other fighters for rights for indigenous languages have observed (e.g. Ngũgĩ wa Thiong'o in his book Decolonising the Mind). The first positive effects on language choice from local language policy in communities and of language legislation can now be observed.

A linguistic market where demand is created is necessary for the supply to be developed and maintained. An example: in earlier times the Saami dominated the sector of the transport systems in winter-time in the north, with their reindeer. This made it necessary for everyone needing these services to know some Saami.

Today's snow scooters, helicopters and cars speak Norwegian (Swedish, Finnish, Russian) - and English. There seem to be certain brutal realities that are decisive when it comes to implementation. We are only in the beginning of creating new niches for the language in a modern society.

5. Linguistic human rights as part of maintenance strategies

Some of the direct main agents for linguistic (and cultural) genocide (formal education and the mass media) come under the societal factors, as do the macro-level economic, military and political agents behind them. The concept *linguicism* was created to address issues of linguistic inequality, by analogy with racism and sexism, to refer to 'ideologies, structures and practices which are used to legitimate, effectuate, regulate and reproduce an unequal division of power and resources (both material and immaterial) between groups which are defined on the basis of language' (Skutnabb-Kangas 1988: 13). Most of the factors working against language maintenance reflect linguicism (Skutnabb-Kangas 2000). Often state education systems not only violate the linguistic human rights (LHRs) of minorities but they contribute to linguistic genocide. Even if schools alone cannot save languages, schools can kill them more or less on their own. Therefore we concentrate on LHRs in education in this section[2]). Our conclusion is that most educational clauses do not oblige states to more than non-discrimination on the basis of language (the typical formulation being the one in Article 27 of the UN **International Covenant on Civil and Political Rights** from 1966[3]).

The transmission of languages from the parent generation to children is **the** most vital factor for the maintenance of languages. When more and more children get access to formal education, much of the more formal language learning that earlier happened in the community takes place in schools. If an alien language is used in schools, i.e. if children do not have the right to learn and use their language in schools as the main medium of education, the language is not going to survive because children educated through the medium of an alien language are not likely to pass their own language on to their children and grandchildren. In this case the educational system has, through forced assimilation, participated in linguistic genocide.

Linguistic genocide can be seen as an end point on a continuum where the other end point is full enjoyment of all LHRs. Official languages and their native speakers in most cases enjoy all LHRs, including state support for the intergenerational transmission of their languages in the state school system, through using these languages as the main media of education. But this is not true for the Saami languages, despite their official or semi-official status in Norway and Finland (with the strongest position in the education system in Norway). The educational scenario for most indigenous peoples today still fits UN definitions of linguistic genocide. This is the

conclusion that we inevitably arrive at when we use definitions of genocide and linguistic genocide from the **UN Genocide Convention**. Two types of UN definitions are relevant. The *first* type is those two definitions, which still *are* part of the 1948 UN **International Convention on the Prevention and Punishment of the Crime of Genocide** (E 793, 1948):

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)

First language attrition and loss have been described fairly extensively in research literature and fiction, some also for the Saami. Janulf (1998) shows in her longitudinal study that of those Finnish immigrant minority members in Sweden who had had Swedish-medium education, not one spoke any Finnish to their own children. Even if they themselves might not have forgotten their Finnish completely, their children were certainly forcibly transferred to the majority group, at least linguistically. This happens to millions of speakers of threatened languages all over the world, including many Saami. For oral minority students education through the medium of a dominant majority language often leads to the students using the dominant language with their own children later on. Over a generation or two the children are linguistically and often also culturally assimilated, forcibly transferred to a dominant group. Since there are no alternatives in formal education (i.e. schools or classes which teach mainly through the medium of the threatened indigenous or minority languages), the transfer happens by force. For it to be voluntary, alternatives should exist, and parents would need to have enough reliable information about the long-term consequences of the various choices. None of these conditions are usually fulfilled for indigenous or minority parents and children, i.e. the situations where children lose their first language through forced assimilation, can often be characterised as genocide according to Article II(e), '*forcibly transferring children of the group to another group'*.

There is also a wealth of research and statistics about the '*mental harm'* that forced assimilation causes in education and otherwise. This includes reduced chances for expressing and even developing one's full potential linguistically, psychologically, cognitively, on the labour market, in societal participation . Indigenous and minority children have to work much harder to achieve. This obviously entails threats to democracy and equality. Williams concludes in his large study from Malawi and Kenya that '[f]or the majority of children in both countries the test results, and classroom observations, suggest there is a clear risk that the policy of using English as a vehicular language may contribute to **stunting, rather than promoting, academic and cognitive growth**' (ibid., 63-64; emphasis added). A similar conclusion is reached in Australia by Anne Lowell and Brian Devlin in an

article (1999) describing the 'Miscommunication between Aboriginal Students and their Non-Aboriginal Teachers in a Bilingual School'. It is clearly demonstrated that education through the dominant language 'severely inhibited the children's education' (p. 137), and was 'the greatest barrier to successful classroom learning for Aboriginal Children' (p. 156; emphasis added). Both cases fit the UN genocide Article II(b) definition of *'causing serious … mental harm to members of the group'*.

In both it is also a question of the school 'prohibiting the use of the language of the group', as in the *second* type of UN definition, the specific definition of *linguistic* genocide, which was included in the final Draft of the Convention. But in the UN General Assembly, Article 3 covering linguistic and cultural genocide was voted down by 16 states (see Capotorti, 1979), and it is thus *not included* in the final Convention of 1948. What remains is a *definition of linguistic genocide*. which most states then in the UN were prepared to accept:

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

'Prohibition' can be direct or indirect. If there are no minority teachers in the pre-school/school and if the minority language is not used as the main medium of education, the use of the language is indirectly prohibited in daily intercourse and in schools, i.e. it is a question of linguistic genocide. *Subtractive* formal education which teaches children something of a dominant language *at the cost* of their first language is genocidal. Instead, learning new languages should happen additively, *in addition to* their own languages. Still, a large majority of Saami children and most other indigenous children in the world do not have full additive education.

For the maintenance and development of languages (and thereby linguistic diversity on earth), educational language rights, including the right to mother tongue medium education, are absolutely vital. Binding LHRs, education rights in particular, may be one of the necessary (but not sufficient) ways of counteracting linguicide and linguicism. But we do not today have a proper basis in international law for these rights to be implemented (see the overviews and analyses in Skutnabb-Kangas & Phillipson, eds., 1994 and Skutnabb-Kangas 2000). There are hundreds of human rights Charters, Covenants, Declarations, Recommendations, etc, which mention language as one of the basic characteristics on the basis of which individuals are not to be discriminated against in their enjoyment of human rights and fundamental freedoms (e.g. in the United Nations Charter, Art. 13). But when we move from the non-duty-inducing phrases in the preambles of the human rights instruments to the binding clauses, especially to the educational clauses, there is a change. Often 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, or in the

International Covenant on Economic, Social and Cultural Rights (1966) where the educational Article (13) omits reference to language or linguistic groups (which have been mentioned in its general Article 2.2). **If** language-related rights **are** included and 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 instance, in the **European Charter for Regional or Minority Languages** (in force since 1998[4]; Norway, Sweden and Finland have ratified it for the Saami), the formulations in the education Article 8 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). Just as in the **UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities**, the 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.

The rights of indigenous peoples might improve somewhat with the ***UN*** Working Group on Indigenous Populations **Draft Declaration on the Rights of Indigenous Peoples (**<http://www.unhchr.ch/html/menu4/subres/9445.htm>) but the education and language articles have already been through several revisions which have made them weaker in relation to the right to mother tongue medium education.

As mentioned above, the strongest position for the Saami language in the education system is today found in Norway. Since 1998[5] every Saami child all over the country has an individual right to teaching in Saami as a subject in comprehensive school (ages 7-15). Within the Saami districts in the north they also have an individual right to be taught through the medium of Saami. Outside this area, there must be least ten pupils to claim this right.

6. Conclusions

Revitalisation and even the reclaiming of earlier minorised languages are also taking place. An encouraging example is given in Amery (2000). He describes work on reclaiming Kaurna, an Australian Aboriginal language where the last speaker died some 60 years ago. The reclamation is mainly based on missionary documents from around 1850. The Māori, Hawaiians and Saami use ’language nests’, in which pre-schoolers are taught in the indigenous languages by linguistically and culturally

proficient elders. Their pre-school teachers and parents also often develop more proficiency in the ancestral language too. In immersion programmes for these indigenous children, they are taught through the medium of indigenous languages which they initially do not know. The training of teachers and journalists in, for and through the medium of several small indigenous languages is expanding: for instance in Arctic areas, indigenous peoples are also establishing their own universities. Master-Apprentice-programmes in California (see Hinton, 1994) pair off proficient indigenous elders with younger people for 6-12 months, for instance 20 hours a week, for language revitalisation purposes, where the only requirement is that they use an indigenous language These are just a few examples.

Despite such work, strategies to counteract the linguistic dominance and hierarchisation that may ultimately lead to the disappearance of the majority of today's languages are urgently needed. Today's efforts are completely insufficient. We will mention some urgent tasks.

- It is important to establish the basic facts about minority and indigenous languages in terms of numbers of speakers (at each level) and their geographical distribution. In many countries, even in modern countries like the Nordic ones, these kinds of basic data are lacking.
- New additional strategies to support numerically really small languages must be found. We do not believe that there has to be a certain critical number of speakers for a language to be maintained; it is more a question of finding innovative strategies, making people aware of the potential and the globally invaluable knowledges embedded in every language and culture.
- The languages MUST be used as media of education, in the labour market, in administration and in other official domains, to be developed. If a language is only taught as a subject, it is not developed in terms of vocabulary and discourse for use in all domains. Either/or questions of the following type (which one often hears in Africa or Asia) are misplaced: should the meagre economic resources be used for primary education through the medium of the indigenous/minority language, or for higher education? **Both** are vital, and without using the language for purposes above the primary education level and everyday life, the language will soon be unable to function in other domains - and then, what value does it have on the linguistic market if you cannot discuss physics or politics in it. Likewise, collective and individual rights do not compete; **both** are necessary and complement each other.
- Strategies should be developed for strengthening the use of indigenous languages in the private sector (banks, shops, etc). There is much to learn from Quebec, Latvia, etc. We need language supporter groups who prepare labels in Saami and go and paste them on milk packs in shops, etc., in order to draw attention to discriminatory languaage practices.

- Orthographic standardisation has to be done with great care and respect. If the smaller-in-numbers language speakers feel that their languages and experience is not being respected, they do not feel that the written languages are their own. Linguistic and orthographic self-determination has to be practised.
- When writing systems are being developed or revised, it is vital to consider to what extent one can use the writing systems in a technological age. Alternatives which can be instantly written with common fonts, put on TV, used on Internet, and which ordinary people still feel represent the languages more or less fully must be developed. An Estonian seminar asks the provocative question: will those languages that you cannot use to speak to your coffee-pot, be dead in 50 years' time?
- How can we make sure that indigenous peoples are granted the right to become high level multilinguals, and at the same time guarantee a possibility to live and die in ONE language, in one's mother tongue? The question is to what extent diglossia always leads to monolingualism in a majority language? A solution is that various systems always support and use the language (of those that people are supposed to become multilingual in) that otherwise has fewer chances of developing up to a high formal level, and this is always the indigenous language, for both minorities and those in the majority population who want to become multilingual. Equality must always be seen in the light of the goals rather than in a mechanical way. To support a minority language both on the individual level and on the collective level and to support the development of the language itself, means that we have to use our resources accordingly. As a rule, to further real equality means that we have to support a minority language much more than a majority language. Every forum where the minority language can be used locally is immensely more important to it than for the majority language. Equality is misunderstood if it leads to the same division of time and resources between a minority and majority language. This seems to be very important to remind local administrators, teachers and politicians of.
- Majority attitudes are of course decisive for the development of an official sphere for the language. Without a rather radical turn in majority awareness in Scandinavia, there would never have been teaching in Saami and legislation. But as minorities often adopt majority attitudes to themselves and their culture, it is also important on the local and personal level that majority members are supportive.
- States are still the main actors on the international stage. States have the main responsibility in all international cooperation and in the development of international law. We have seen very clearly how important the contribution from states like Norway and Denmark have been in the process of developing instruments as the ILO convention 169 about indigenous peoples. In line with the thinking of linguistic human rights as a part of the general human rights system

(Skutnabb-Kangas & Phillipson 1994), it is urgent to develop binding international legal standards that oblige states to protect and develop language rights both as individual rights for every human being and as collective rights for a people, in particular with focus on minorities and indigenous peoples.

- Conflict avoidance should not lead to not saying clearly what one demands - but in the long run one needs to have acceptance of the demands in order to dare to believe in them. In Norway we have seen several conflicts which have opened up a path towards constructive solutions. Handling conflicts over longer periods is of course very much heavier for takes of course a much heavier toll on minorities than majorities.

What can you, the reader, do?

If you are a majority group member, you must remember that tolerance is not enough. You must show your active interest through learning at least some words of the relevant minority language(s) where you live. The best would of course be to able to communicate at least on an elementary level in (at least one of) the minority language(s), but every kind of recognition is important. Try, for instance, to use the original names of indigenous/minority individuals and learn how to pronounce them correctly. Find out what the original place names were/are in the indigenous/minority language in your area, and how they can be used officially. Find out which other names derive from those languages and how attention can be paid to this fact. Remember how important it is especially for minority children to have some kind of posive response from the environment. Minority languages are not a threat, and a will to keep one's own language alive is not an attack on you or your language. The right to one's own language is one of the most essential issues for human beings. A community with more languages than one is natural and represents strength, not weakness.

If you are an indigenous or minority representative, you know anyway. Share the knowledge with others.

Remember that the planet cannot exist without us - biodiversity and linguistic and cultural diversity which are related and support each other mutually (see <http://www.terralingua.org>) are a prerequisite for life on earth. Land and language support each other as indigenous peoples have always known. With every last speaker of a language, a vast library dies - and it might have had in it solutions to some of the urgent problems for the survival of the planet.

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Information Box on Saami languages

The Saami languages are Fenno-Ugrian languages spoken from central Sweden and Mid-Southern Norway through Norway, Sweden and Northern Finland to the tip of the Kola Peninsula in Russia by 25000-35000 speakers. The number of ethnic Saami is probably nearly 100,000. There are no deep linguistic boundaries within the language area between neighbouring dialects, but ten Saami languages can be distinguished, of which six have their written standards. The language situation is very diverse, with core ares in the north of Norway, Sweden and Finland and with the rest of the speakers living interspersed among the majority population, even in the bigger cities (source: Sammallahti 1998).

Notes:

[1] See Huss 1999 and Aikio-Puoskari & Pentikäinen 2001 for Finland, Magga 1994 for Norway and Hyltenstam et al. 1999 for Sweden.

[2] See Maffi 2000; her article complements ours.

[3] But see the UN Human Rights Committee's General Comment on Article 27 (4 April 1996, UN Doc. CCPR/C/21/Rev.1/Add.5) which interprets it in a more positive way.

[4][4] News and/or details about some human rights instruments can be checked at the following web-sites: **The European Charter for Regional or Minority Languages** <http://www.coe.fr./eng/legaltxt/148e.htm>; **Framework Convention for the Protection of National Minorities** <http://www.coe.fr./eng/legaltxt/157e.htm>; Draft **Universal Declaration of Linguistic Rights** <http://www.linguistic-declaration.org>. Many documents on language and law can also be downloaded from Mercator Linguistic Law and Legislation's web-site <http://www.troc.es/ciemen/mercator/index-gb.htm>.

[5]: Law on education 17.07.1998 nr. 61 from KUF (Kirke-, utdannings- og forskningsdepartementet), § 6-2, Samisk oplæaring i grunnskolen.