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## 1. Why is language important?<sup>1</sup>

Wars and colonisation have always been about control over both natural resources and identity. Today's 'globalisation' is an advanced type of war (haves against have-nots and never-to-haves) and colonisation (of minds, and, partially through that, of bodies and land and water). Natural resources are a value 'in and for themselves'. But their 'ownership' (as if they could be 'owned', rather than gratefully borrowed from Mother Earth...) is also included in status aspects of identity.

**Natural resources** include land and water but also human bodies, as in slavery (which is again on the increase, especially in relation to children and women, in factories, in piece-work and in trafficking). Two important natural resources specifications for the 21<sup>st</sup> century are water distribution and bio-medicines; taking over from oil and forests. **Cultural knowledge, encoded in a diversity of the world's languages, is a necessary prerequisite for sustainable maintenance of natural resources** (see Posey, ed., 1999); languages are in addition a necessary prerequisite for intergenerational transfer of that knowledge.

**Identity** wars have earlier been about the identities of power-holders, including their status as power-holders as an important part of their identities. This continues in the 21<sup>st</sup> century but other, collective, stake-holders with different identities, have stepped onto the arena too. After the **external self-determination** (independence of some of the 'European' colonies) had been accomplished according to some mainly European-originated definitions of self-determination in international law, most wars and other physically violent conflicts have been intra-statal. Many of them, certainly most of the ones involving indigenous peoples, could be (and some have been) completely avoided by states granting the nations/groups involved (indigenous nations, minority groups) some of those human rights (HRs) which dominant/majority groups take for granted for themselves. For indigenous peoples these include proper **internal self-determination**, autonomy of some kind - cultural, economic, political. This includes - or should include - the right to use and develop one's own language, in private and public, also as the main medium of education. **For most groups, their languages are core values in their identities** and, together with more mundane economic and political causes, threats to identities seem to be decisive causal factors in a large

number of conflicts, regardless of how fluid the identities may be. We do not live of bread (or rice or maize, as it may be) alone.

## **2. Why are educational language rights important?**

### ***2.1. Part of conflict prevention and self-determination***

If a state does not grant basic linguistic human rights (LHRs), including educational language rights (ELRs), to minorities and indigenous peoples, this lack of rights is what often leads to and/or can be used to mobilisation of sentiments which can then be labelled "ethnic conflicts". This is especially so in situations where linguistic and ethnic borders or boundaries coincide with economic boundaries or other boundaries where linguistically and ethnically defined groups differ in terms of relative political power. If legitimate demands for some kind of self-determination are not met, be it demands about cultural autonomy or about more regional economic or political autonomy, this may often lead to demands for secession. Thus granting education- and language-based rights to minorities can and should often be part of conflict prevention.

Educational language rights (ELRs), especially the right to learn one's mother tongue fully and properly, orally - when this is physiologically possible - and in writing, seem to among the most important rights that minorities and indigenous peoples want. The pressure on 'nation-states' from globalisation is manifest in the complex mosaic of 'Europe', where identities are currently being refashioned and old certainties challenged and where ethnicities and languages play an important role in negotiations about the new formations. It is equally clear in Africa and Asia, where, for instance, 'insurgents in Ethiopia have over the years, placed the use of native languages at the centre of their demands for autonomy and self-determination.' (Prah 1995: 7).

When the OSCE (Organisation for Security and Cooperation in Europe) in 1992 created the position of a High Commissioner on National Minorities, it was precisely 'as an instrument of conflict prevention in situations of ethnic tension' (Rothenberger 1997: 3). In order to prevent ethnic conflict, the High Commissioner, Max van der Stoep, published authoritative guidelines in October 1996 for minority education for the 55 member states (which include Canada and the United States). The High Commissioner, whose advisors are mainly international lawyers, said to the expert group (including TSK) preparing the Guidelines, that the minorities he was negotiating with had, in most cases, two main types of demand. Their first demand was that of self-determination (sometimes but not always including some control over natural resources). Their second demand was that of mother tongue medium (MTM) education. MTM education is one of the most important elements in the right not

only to exist with a separate identity but, most importantly, to reproduce this identity. Van der Stoel (1997: 153) stated when launching **The Hague Recommendations Regarding the Education Rights of National Minorities** (see below) that

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

The OSCE educational guidelines, **The Hague Recommendations Regarding the Education Rights of National Minorities & Explanatory Note**, were worked out by a small group of experts on HRs and education (including TSK). They represent an authoritative interpretation and concretisation of the minimum in present HRs standards (see also van der Stoel 1997, Rothenberger 1997). Even if the term used is "national minority", the guidelines also apply to other groups, for instance immigrated minorities. One does NOT need to be a citizen in order to be protected by the guidelines (both these observations follow from the UN Human Rights Committee's General Comment on Article 27; see section 3 for a reference).

If the **Hague Recommendations** about ELRs<sup>2</sup> were to be implemented, linguistic genocide in education could be stopped (see Skutnabb-Kangas 2000a).

## ***2.2. Part of prevention of linguistic genocide***

The education of indigenous peoples and minorities in large parts of the world is today being organised in direct contradiction to our best scientific knowledge of how it should be organised. So also is the education of both minorities and numerically large but politically dominated groups in most African and many Asian countries (see Skutnabb-Kangas 2000a for details in the claims; see Brock-Utne 2000 for Africa). Most of this education participates in committing linguistic and cultural genocide, according to Articles II (e) and (b) of the 1948 UN International Convention on the Prevention and Punishment of the Crime of Genocide:

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).

Likewise, most minority education is guilty of linguistic genocide according to the 1948 special definition (not part of the present Convention)

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-schools/schools and if the minority languages are not used as the main media of education, the use of these languages is indirectly prohibited in daily intercourse/in schools, i.e. it is a question of linguistic genocide.

Assimilationist submersion education where minorities are taught through the medium of dominant languages, causes mental harm. This submersion education also leads the students to using the dominant language with their own children later on, i.e. over a generation or two the children are linguistically and often in other ways too forcibly transferred to a dominant group. My latest book **Linguistic genocide in education – or worldwide diversity and human rights?** (Skutnabb-Kangas 2000a) provides hundreds of examples of the prohibition, the harm it causes, and the forcible transfer. Formal education which is **subtractive**, i.e. which teaches children something of a dominant language **at the cost** of their first language, is genocidal. By comparison, learning new languages, including the dominant languages which most children obviously see is in their best interest to learn, should happen additively, **in addition to** their own languages. ELRs which guarantee additive language learning are also what is needed for preventing linguistic genocide and for linguistic diversity to be maintained on earth. This diversity is necessary for our future. Most reasons for this necessity have been detailed by linguists, for instance in the debate in the journal **Language** (1992-). I will add only one less well known reason here.

### ***2.3. Part of the maintenance of linguistic diversity - and biodiversity***

Maintenance of diversities, in the plural, is one end of a continuum where ecocide and linguistic genocide are at the other end. We start with **biodiversity**. Monocropping, pesticides, deforestation, genetic engineering and the wrong use of fertilisers and irrigation have led to an unprecedented decrease of all kinds of biodiversity, including agrobiodiversity. People consume at least 7,000 species of plants, but 'only 150 species are commercially important and about 103 species account for 90 percent of the world's food crops. Just three crops - rice, wheat and maize - account for about 60 percent of the calories and 56 percent of the protein people derive from plants' (Thrupp 1999:

318). The remaining crop diversity (already low) is eroding at 1-2% and livestock breeds at 5% per annum (Christie & Moonie 1999: 321). 'Almost all farmers' knowledge of plants and research systems [something that has been built up during the 12,000 years of agriculture, Thrupp 1999: 318] could become extinct within one or two generations' (Christie/Moonie 1999: Table 7.5). Likewise, 'almost all local knowledge of medicinal plants and systems as well as the plants themselves could disappear within one generation' (ibid.). 'Rainforests are coming down at a rate of 0.9 percent per annum and the pace is picking up. Much of the earth's remaining diversity could be gone within one or two generations' (ibid.).

This 'remaining diversity' includes **linguistic diversity** and cultural and spiritual diversity. Languages are today disappearing at a faster pace than ever before in human history. What happens is linguistic genocide on a massive scale, with formal education and media as the main concrete culprits but with the world's political, economic and military structures as the more basic causal factors. The most useful source on number of languages, **The Ethnologue**, edited by Barbara Grimes, the Summer Institute of Linguistics, a missionary organisation - see <http://www.sil.org/ethnologue/> lists almost 6,800 languages in 228 countries. But there might be even twice as many: there are deaf people in all societies, and while hearing people have developed spoken, oral languages, the Deaf have developed **sign languages**, fully-fledged, complex, abstract languages (see Branson & Miller, in press, for a brilliant analysis of the treatment of Sign languages). Those who speak about 'languages' but in fact mean oral languages only, participate through invisibilising sign languages in killing half the linguistic diversity on earth.

Relatively few people speak most of the world's languages. The median number of speakers is probably around 5-6,000. 95% of the world's spoken languages have fewer than 1 million native users; half of all the languages have fewer than 10,000. A quarter of the world's spoken languages and most of the Sign languages have fewer than 1,000 users. More than 80% of the world's languages are endemic: they exist in one country only (Harmon 1995).

Linguists are today working with the description of the world's linguistic diversity in the same way as biologists describe and list the world's biodiversity. There are **Red books for threatened languages**, in the same way as for threatened animals and plants and other species. There are detailed definitions of the degree of threat or endangerment. A language is threatened if it has few users and a weak political status, and, especially, if children are no longer learning it, i.e. when the language is no longer transmitted to the next generation. The present discussions and ongoing work about the disappearance/death/killing of languages, starting with the debate in **Language** in 1992,

include quite a lot of descriptive work, books and articles. It has led to the founding of several international organisations for the promotion and protection of endangered languages, and activism for the revival and reclamation of languages. For summaries, see Maffi et al. 1999, Maffi 2000, Maffi (ed.) (in press).

Even the most 'optimistic realistic' linguists now estimate that half of today's oral languages may have disappeared or at least not be learned by children in 100 years' time. The 'pessimistic but realistic' (e.g. Michael Krauss from Alaska, 1992) estimate that we may only have some 10% of today's oral languages left as vital, non-threatened languages in the year 2100. 90% may be 'dead' or 'on the death row', 'moribund' (negative terms that many, including myself, object to). On the other hand languages can also be 'reborn' or 'reclaimed' - there is a handful of examples of this. Kaurna in Australia is one (see Amery 2000). Those who speak it now say that it was not dead - even if the last speaker died in the late 1920s - it was only sleeping. But so far it has happened seldom, and fairly few new languages arise.

UNEP (United Nations Environmental Program), one of the organisers of the world summit on biodiversity in Rio de Janeiro in 1992, published a mega-volume (Heywood, ed., 1995) summarising our knowledge on biodiversity. The companion volume (Posey, ed., 1999) on other types of diversity, **Cultural and Spiritual Values of Biodiversity. A Complementary Contribution to the Global Biodiversity Assessment**, appeared in December 1999. In its chapter on linguistic diversity Luisa Maffi and I argue that the preservation of the world's linguistic diversity must be incorporated as an essential goal in any bioculturally-oriented diversity conservation programme.

Conservationist David Harmon (1995: 14) has compared endemism of languages and of higher vertebrates (mammals, birds, reptiles and amphibians). Taking the top 25 countries for each type, he shows that 16 of the 25 countries are on both lists, a coincidence of 64%. According to Harmon (1995: 6) 'it is very unlikely that this would only be accidental'. He gets the same results with flowering plants and languages, butterflies and languages, etc. - a high correlation between countries with biological and linguistic megadiversity (Harmon, forthcoming).

But the relationship between linguistic and cultural diversity on the one hand and biodiversity on the other is, maybe, not only correlational. There seems to be mounting evidence that it might be causal. According to Maffi, ethnobiologists, human-ecologists and others have proposed 'theories of "human-environment coevolution"', including the assumption that 'cultural diversity might enhance biodiversity or vice versa' (Maffi 1996). Most articles in the Posey volume (1999) adduce further evidence for this assumption. The strong correlation need not indicate

a **direct** causal relationship, in the sense that neither type of diversity should probably be seen directly as an **independent** variable in relation to the other. But linguistic and cultural diversity may be decisive mediating variables in sustaining biodiversity itself, and vice versa, as long as humans are on the earth. Of course there was no relationship in pre-human times, but as soon as humans came into existence, they started to influence the rest of nature. Today it is safe to say that there is no 'wild' nature left - all landscapes have been and are influenced by human action, even those where untrained observers might not notice it immediately. All landscapes are cultural landscapes. Likewise, local nature and people's detailed knowledge about it and use of it have influenced the cultures, languages and cosmo-visions of the people who have been dependent on it for their sustenance.

If this long-lasting coevolution which people have had with their environments since time immemorial is abruptly disrupted, without nature (including people) getting enough time to adjust and adapt, we can expect a catastrophe. If we during the next 100 years murder 50-90% of the linguistic (and thereby mostly also the cultural) diversity which is our treasury of historically developed knowledge, we are also seriously undermining our chances of life on earth (see Terralingua's website<sup>3</sup>). The knowledge we are killing include knowledge about sustainable management and stewardship of some of the most vulnerable and most biologically diverse environments in the world. The time needed for people to get to know their environment well enough to see their interest<sup>4</sup> in and get the knowledge of how to protect their environment and use it in a sustainable way is centuries, not decades. The time to transfer this knowledge from one language to another (e.g. from a small indigenous language to a larger dominant language) probably also takes generations. If languages are being killed at today's pace, these vital knowledges are lost.

### **3. Linguistic human rights are a prerequisite...**

Using the HRs (Human Rights) system might be one way forward in protecting diversities in a globalised 'free market' world. Instead of granting market forces free range, HRs, especially economic and social rights, are, according to human rights lawyer Katarina Tomaševski (1996: 104), to act as **correctives to the free market**. The first international HRs treaty abolished slavery. Prohibiting slavery implied that **people** were not supposed to be treated as market commodities. ILO (The International Labour Organisation) has added that **labour** should not be treated as a commodity. But price-tags are to be removed from other areas too. Tomaševski states (ibid., 104) that 'The

purpose of international HRs law is ... to overrule the law of supply and demand and remove price-tags from people and from necessities for their survival.' These necessities for survival include not only basic food and housing (which would come under economic and social rights), but also basics for the sustenance of a dignified life, including basic civil, political **and cultural** rights, including LHRs.

The international HRs regime started to develop in a prominent way directly after the Second 'World' War under the auspices of the United Nations. Most of the initial rights were individual rights. This resulted in non-development for most of those rights which during the League of Nations had included some language rights, namely minority rights (which are collective per definition). One of the arguments was that if every individual had certain rights, people were protected as individuals and collective rights were not needed. Minorities were seen, for instance by American delegates to the UN human rights instruments drafting bodies, as "a European problem". Today, certain collective rights are increasingly being included in the HRs regime. A somewhat bold general claim would be that European regional instruments contain fewer collective rights and fewer binding duties/responsibilities than the four African instruments (clear even in the name of the first general instrument, the **African Charter on Human and Peoples' Rights**, 1981). The Organization of American States' 14 instruments (where the United States of America, one of the 35 member states, has significantly only signed 3; see UNESCO 1999: 30-32) resemble the European instruments. There is as yet no inter-governmental HRs system at the regional level in Asia. Several attempts have however been made to concretise a regional stance on HRs, with governments and NGOs highlighting different viewpoints (see Muntarbhorn, 2000, for an overview; see also Beetham, 2000, for a discussion of universality and cultural differences in HRs).

But international and regional (African, American and European) binding Covenants, Conventions and Charters give very little support to LHRs in education, and language gets in them a much poorer treatment than other central human characteristics. Often language is present in the lofty non-duty-inducing phrases in the preambles of the HRs instruments, but disappears completely in educational parts. When it is there, the Articles dealing with education, especially the right to mother tongue medium education, are more vague and/or contain many more opt-outs and modifications than any other Articles, as Robert Phillipson and I have shown in many books and articles<sup>5</sup>. At the most languages have negative rights (that is non-discrimination prescriptions) rather than positive rights. If languages were given positive rights, the clauses or articles about them would create obligations and contain demanding formulations and where the states would be firm dutyholders and be obliged to



('shall') act in order to ensure the specified rights. I will give only two illustrations of each type, the ones where language disappears, and the ones with vague formulations, modifications and opt-outs (see Chapter 7 in my 2000 book for a fuller treatment).

Language disappears completely in the **Universal Declaration of Human Rights** (1948) where the paragraph on education (26) does not refer to language at all. Similarly, the **International Covenant on Economic, Social and Cultural Rights** (adopted in 1966 and in force since 1976), having mentioned language on a par with race, colour, sex, religion, etc. in its general Article (2.2), does explicitly refer to 'racial, ethnic or religious groups' in its educational Article (13). However, it omits here reference to language or linguistic groups:

In the **UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities**, adopted by the General Assembly in December 1992, most of the Articles use the obligating formulation 'shall' and have few let-out modifications or alternatives - except where linguistic rights in education are concerned. Compare the unconditional formulation in Articles 1.1 and 1.2 about identity with the education Article 4.3 (emphases added, '*obligating*' in italics, '**opt-outs**' in bold):

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

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

4.3. States **should** take **appropriate** measures so that, **wherever possible**, persons belonging to minorities have **adequate** opportunities to learn their mother tongue **or** to have instruction in their mother tongue.

The questions one can ask are; what constitutes 'appropriate measures', or 'adequate opportunities', and who is to decide what is 'possible'? Does 'instruction in their mother tongue' mean through the medium of the mother tongue or does it only mean instruction in the mother tongue as a subject? The opt-outs and alternatives permit a reluctant state to meet the requirements in a minimalist way . This the state legitimates 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 Council of Europe **Framework Convention for the Protection of National Minorities** (1994, in force since 2000) Article covering medium of education is so heavily qualified that the minority is completely at the mercy of the state:

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

The conclusion is that we are still to see the right to education through the medium of the mother tongue become a human right. Denial of LHRs, linguistic and cultural genocide and forced assimilation through education are still characteristic of many states, notably in Europe and Neo-Europes. There are some examples of what I consider positive recent developments, at least on paper: HRs instruments, draft instruments, recommendations, declarations or comments. They might give some cautious reason for hope<sup>6</sup>. The impact of the recent positive developments in counteracting linguistic genocide in education and the killing of linguistic diversity is yet to be seen.

#### **4. ... but not enough**

Implementation needs to follow. Without implementation, monitoring and proper complaint procedures many of the possibilities in the new or emerging instruments are lost. Some people are optimistic about HRs as a tool. The Italian philosopher Norberto Bobbio (quoted in Møller 2000: 6) said in an interview with **Die Zeit** that the acceptance of universal HRs, understood as individual rights, was the only real progress in the 20<sup>th</sup> century (and he has, at 94, experienced most of it). The first question is to what extent the optimism is rational or emotional: Collini (2000, 11) claims that '... one of the indisputable boom industries of the 21<sup>st</sup> century will be nostalgia ... almost everything one grew up with will have disappeared before one dies. Some of the greatest wars of the 21<sup>st</sup> century will be those between rational optimism and emotional pessimism'. The second question is whether a distinction between 'rational' and 'emotional' makes sense - it is not a question of 'either/or' but 'both/and', something that Eastern thinkers have known for millennia.

When first God and then knowledge/scientific research as the highest arbiters were replaced in some parts of the world by other secular discourses, the HRs discourse has been one of the most prominent mantras during the latter half of the 20<sup>th</sup> century for much international action and lack of action. Since all legitimating Gods will sooner or later become mere instruments for power, it was

to be expected that the originally possibly well-intended ideas would be increasingly misused and reverence for HRs would also disappear. And this is what seems to be in the process of happening. I have believed myself since the early 1970s, when I started discussing LHRs, especially in education, that accessing LHRs might be used as a tool for promoting and protecting diversity. Having written dozens of articles and edited several books on the topic (see my homepage <http://babel.ruc.dk/~tovesku/>) my conclusion is that the HRs system does not (yet?) include the necessary LHRs for this, and the whole discourse is characterised by western hypocrisy, despite many good intentions and forces.

There needs to be more awareness of the fact that HRs violations happen in the West at the same time as we penalise other countries for not living up to their HRs obligations (see Tomasevski 1997 for accounts on the HRs conditionalities in development cooperation). As a starting point, our own record needs to be scrutinised. In Skutnabb-Kangas 2000b I compare European Union member states and possible members (altogether 38 countries) in terms of, firstly, their respect for legal instruments (defined as ratifications), and, secondly, their claims about implementation (based on the governments' replies to a questionnaire sent out by the OSCE High Commissioner on National Minorities - see van der Stoel 1999, Annex). In the conclusions, I also compare claims about implementing legal instruments with the attitudes of governments:

Even in the government replies, one can see both convergence and divergence of attitudes with the legal provisions. The **convergence** can be both negative (e.g. Turkey or Greece: no rights for linguistic minorities, openly negative attitudes) and positive (e.g. Hungary: excellent rights, positive attitudes). The **divergence** can also be both ways even if it is more risky to generalise here (e.g. Britain: some positive rights but some negative government representative attitudes; see Table 10; or positive formulation of attitudes but few factual rights, e.g. Sweden). Knowing the conditions in various countries in detail, one may also be surprised when reading what some governments claim. Government statements are in need of detailed empirical validation, where some results of this empirical investigation might - or might not - be surprising for the governments themselves.

The paper also presents some quotations from the government replies from the Annex to van der Stoel 1999 which show that governments have a long way to go as regards awareness of language rights. Many governments 'need to be better aware of the content of the international standards in these various areas' as van der Stoel diplomatically puts it in his conclusions (1999: 37).

It seems to me, then, that we need to discuss globalisation in terms of common HRs implementation everywhere, rather than the West presenting requirements that other countries are

asked to fulfil. Of course a discussion about extending HRs, about how to support (and pressurise) more countries into ratifying and implementing basic HRs has to continue, but without the western hypocrisy that at times characterises some of it. Today western countries, following the pattern set by minority protection demands in connection with the Peace Treaties after the first World War, often demand more from eastern and central European countries than they are prepared to grant to all corresponding minorities (including immigrant minorities) themselves (see Skutnabb-Kangas & Phillipson 1994 for examples). Likewise, they often demand more worldwide than they are prepared to do themselves (the USA is, for instance, in the lowest quarter of the UN member countries in the number of ratifications of HRs instruments, and practises death sentences but still preaches to other countries about HRs). But in addition we also need to discuss system-internal extension of the scope of educational language rights. If this is not done, we will see still more of two developments. Firstly, discontent and signs of unequal societal treatment in ethnic minorities will grow, together with the use of less than democratic means to achieve at least some equality. Secondly, strong extreme right wing parties, sometimes close to neo-nazi ideologies, will continue to grow. And, as a less than wise partial reaction to this, a general move towards the political right will continue, including overt expressions of xenophobic and sometimes racist opinions even by social democratic parties. Democracy in not only Europe but the world is threatened by these developments. They will further negative glocalisation (Bauman 1998): brutal capitalism, paired with weak but sovereign local states with one major task: to remove obstacles for transnational corporations: to drop constraints to 'free' market, to enable capital to be flexible, to make workers movable, replaceable and controllable, i.e. not take any positive action but only remove constraints to capitalism (see articles in Mander & Goldsmith, eds, 1996). Granting and implementing LHRs is not the problem but part of the badly needed solution.

Still more ambitious goals include determining what kind of LHRs, including educational language rights, are minimally necessary in order to prevent what is called ethnic conflict, and ask **all** countries to fulfil them. The most important right, the right to mother tongue medium education, is inadequately protected in existing instruments. The level of knowledge of various governments is in serious need of enhancement, as is shown by their inability to make even some of the most basic distinctions noted in the replies to Max van der Stoel (1999, Annex).

And when we think a bit further, we need to discuss what educational linguistic human rights are necessary for maintaining linguistic and cultural diversity on earth. If Europe, a linguistically extremely poor continent, with only 3 percent of the world's languages, cannot protect even these

few languages, we have no right to criticise others. In terms of the responsibility for killing languages everywhere in the world, Europe and the rest of Western countries bear a really heavy responsibility - and this will fairly soon start backfiring in serious ways, both economically and otherwise.

Here one of the jobs for researchers, in addition to describing and cataloguing the linguistic diversity (something that linguists and sociolinguists are already doing) is to analyse why languages are being killed, by whom/what and how, and who benefits. Likewise, to suggest measures for counteracting this, and to participate in the political processes needed for an acceptance of the necessity of implementation, including the economic and political structural changes that this presupposes, and in the implementation itself.

This also presupposes leaving some of the 'academic pureness' and naivety that is a hallmark of many academics. Stepping out to participate in struggles. Becoming activists, in addition to being archivists.

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## Notes:

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<sup>1</sup> This article draws heavily on several of my earlier articles and my 2000 book.

<sup>2</sup> In the section 'The spirit of international instruments', bilingualism is seen as a right and responsibility for persons belonging to national minorities (Art. 1), and states are reminded not to interpret their obligations in a restrictive manner (Art. 3). In the section on 'Minority education at primary and secondary levels', mother tongue medium education is recommended at all levels, including bilingual teachers in the dominant language as a second language (Articles 11-13). Teacher training is made a duty on the state (Art. 14). Four central Articles are reproduced below:

11) The first years of education are of pivotal importance in a child's development. Educational research suggests that the medium of teaching at pre-school and kindergarten levels should ideally be the child's language. Wherever possible, States should create conditions enabling parents to avail themselves of this option.

12) Research also indicates that in primary school the curriculum should ideally be taught in the minority language. The minority language should be taught as a subject on a regular basis. The State language should also be taught as a subject on a regular basis preferably by bilingual teachers who have a good understanding of the children's cultural and linguistic background. Towards the end of this period, a few practical or non-theoretical subjects should be taught through the medium of the State language. Wherever possible, States should create conditions enabling parents to avail themselves of this option.

13) In secondary school a substantial part of the curriculum should be taught through the medium of the minority language. The minority language should be taught as a subject on a regular basis. The State language should also be taught as a subject on a regular basis preferably by bilingual teachers who have a good understanding of the children's cultural and linguistic background. Throughout this period, the number of subjects taught in the State language, should gradually be increased. Research findings suggest that the more gradual the increase, the better for the child.

14) The maintenance of the primary and secondary levels of minority education depends a great deal on the availability of teachers trained in all disciplines in the mother tongue. Therefore, ensuing from the obligation to provide adequate opportunities for minority language education, States should provide adequate facilities for the appropriate training of teachers and should facilitate access to such training.

Finally, the Explanatory Note states that

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

<sup>3</sup> Terralingua, Partnerships for Linguistic and Biological Diversity (<<http://www.terralingua.org>>) is a 'nonprofit international organization devoted to preserving the world's linguistic diversity and investigating links between biological and cultural diversity'

<sup>4</sup> This interest is a prerequisite for the wish to maintain biodiversity - see Diamond 1991).

<sup>5</sup> Several book-length presentations of language rights have appeared in tandem with the increasing salience of language issues and ethnicity in many post-communist and post-colonial trouble spots (e.g. Kibbee 1998, 22 contributors; Guillorel & Koubi 1999, 18 contributors, Hamel 1997, 12 contributors, Benson et al. 1998, 10 contributors, Kontra et al. 1999, 15 contributors, Phillipson 2000, over 50 contributors). See also Frowein et al. 1994/95, Phillipson & Skutnabb-Kangas 1994, 1995, 1996, Skutnabb-Kangas 1996a,b, 1999, Skutnabb-Kangas & Phillipson 1994, 1997, 1998). In Canada the implementation of language rights has spawned a strong research tradition, not least among lawyers (see, e.g., the bilingual bulletin of the Centre Canadien des Droits Linguistiques of the University of Ottawa, and de Varennes 1996).

<sup>6</sup> I list a few of them, with follow-up addresses:

**1. UN, Human Rights Committee: General Comment on UN International Covenant on Civil and Political Rights, Article 27** (4 April 1996, UN Doc. CCPR/C/21/Rev.1/Add.5).

**2. UN, Working Group on Indigenous Populations: Draft Declaration on the Rights of Indigenous Peoples;** <<http://www.unhchr.ch/html/menu4/subres/9445.htm>>.

**3. CIEMEN (Mercator Programme, Linguistic Rights and Law); The International Pen Club (Committee for Translation and Linguistic Rights): The draft Universal Declaration of Linguistic Rights** (handed over to UNESCO in June 1997); <<http://www.troc.es/ciemen/mercator/index-gb.htm>>.

**4. The Third World Network, Malaysia; The Cultural Environment Movement, USA; and the World Association of Community Radio Broadcasters, AMARC: People's Communication Charter** (including an International Hearing on Language Rights, in May 1999, in the Hague; <<http://www.waag.org/pcc>>).

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5. **OSCE, High Commissioner on National Minorities: The Hague Recommendations Regarding the Education Rights of National Minorities & Explanatory Note**; <<http://www.osce.org/>>.
6. **The 1997 Harare Declaration** from an OAU (Organisation for African Unity) Conference of Ministers on Language Policies in Africa.
7. **The Asmara Declaration on African Languages and Literatures**, 17 Jan. 2000 ; <<http://www.outreach.psu.edu/C&I/AllOdds/declaration.html>>.