Linguistic Justice in Policy and Practice

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Linguistic injustice issues?

- Do **non-discrimination** clauses in international law mean one has a right to mother tongue medium education?
- Is the legal right to **interpretation** in criminal proceedings enforced?
- Is 24 languages in the EU with equal rights a reality?
- Why does the **European** Court of Human Rights in Strasbourg function only in 2 languages?
- At **international conferences** are speakers of languages other than English marginalised and therefore victims of injustice?
- Is it an injustice when **scholars whose primary academic language is not English** have to submit articles in English in ‘international’ journals?
- In **EU research funding** applications and assessment, are scholars whose primary working language is not English treated fairly?
- Is describing English as a **neutral** international language justifiable?
- Is **linguistic justice** well-established in scholarship in political theory, economics, law, sociology, education, and language rights?
- Are **linguistic human rights** well-established in law and practice?
- Does **British promotion of English learning worldwide** promote linguistic justice in education systems?
Greta Thunberg

English for moral, humane purposes

English as a foreign language
English for egocentric, ignoble purposes
English as a mother tongue
Literature on Linguistic Justice

- Javier Alcaide, *Linguistic Justice: An Interdisciplinary Overview of the Literature*, draws on political philosophy, economics, sociolinguistics, ecolinguistics, Esperantology, and law

- Philippe van Parijs, *Linguistic justice for Europe and for the world*, applauded by anglophile philosophers, criticised by Stephen May, Jean-Claude Barbier, & RP.
International human rights law

Article 27 of the 1966 UN International Covenant on Civil and Political Rights
In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her own group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language.

Individual or group/collective rights
Medium of instruction?

European Charter for Regional or Minority Languages
UN Human Rights Council in Geneva
Implementation?

Article 29(d)

... education should be directed to the development of respect for the child’s parents, his or her own cultural identity, language and values, as well as for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own.

Are British ‘aid’ policies to education worldwide qualified to do this?
The view from inside the UN Human Rights system

Katarina Tomaševski

Has the Right to Education a Future Within the United Nations? A Behind-the-Scenes Account by the Special Rapporteur on the Right to Education 1998–2004

*Human Rights Law Review, 5/2, 2005, 205–237*

A passionate analysis of the way human rights norms are sabotaged within the UN system. Human rights instruments have always been the least common denominator that states are willing to accept, and Cold War competition undermined implementation. The UN is afraid of offending governments. The work of Special Rapporteurs is not well funded, which is symptomatic of a lack of interest in improving matters.

The right to free public education

*availability, accessibility, acceptability and adaptability*


http://www.linguistic-rights.org/robert-phillipson/
Societal hierarchisation and discrimination

gender sexism
class classism
‘race’ racism
language linguicism (Skutnabb-Kangas)

All forms involve processes and structures of injustice, attitudes, beliefs and ideologies, and resources, funds, institutions, policies.

• **Linguicism co-articulates with sexism, classism, and racism.**

• **Racism and linguicism have been integral to global Europeanisation, to imperialism, and neoimperial globalisation. These all promote linguistic injustice.**
European legal discourse: promoting linguistic justice?

The Lisbon Constitutional Treaty, 2009
Charter of Fundamental Rights of the European Union, Article 22

L’Union respecte la diversité culturelle, religieuse et linguistique.
The Union shall respect cultural, religious and linguistic diversity.

Yves Marek, adviser to Jacques Toubon
Ministre de la Culture et de la Francophonie, and later of Justice, at a conference in 1996

... in the field of linguistic rights, like in other fields of human rights, there is no right but only ... politics.
EU management of multilingualism

24 official and working languages

European Commission:
• English is the *de facto* in-house *procedural* language
• A linguist privileging of English in many EU ‘actions’
• Website pecking order: English > French > others
• Many meetings have limited or no interpretation
• Brexit will not change these realities

Court of Justice of the European Union:
• Judges of the Court use French
• Advocates General can use their mother tongue
• Any of the 24 can be procedural languages

European Parliament
• Great linguistic diversity
• Linguistic advance of English? Or German?

NB: Policies for permanent staff and others
NB: Policies for internal and external communication
Implementation of Eurolaw

The duty of EU member states

Court cases at the ECJ on language issues
- cases summarised in *English-only Europe? Challenging language policy*
- patent office in five languages?
- the rule of law in Poland?

The President of the new European Commission Ursula von Leyen plans to follow up on cases that went against Poland, Hungary, and Czechia.

Hearing by the Ombud on the management of multilingualism in the EU system, 2018.

Colloquium in Paris on March 27 on linguistic justice and the multilingual functioning of the ECJ.

The Commissioner for Human Rights of the Council of Europe Dunja Mijatović investigates failure to observe human rights, one dimension of which is language policy in 47 member states. See her publications.
Postcolonial linguistic injustice: linguicism and classism


.... in sub-Saharan Africa, where more than 20 countries have adopted English as the assumed language of neutrality (i.e. the language that could be used to navigate ethnic conflict and jealousies, or access to political and economic power), this has not transpired in practice. We knew by the early 1990s that in Zambia, English came to divide the rich from the poor, and that a culture of reliance on British expatriate teachers of English had a damaging effect on the economy. The adoption of English to serve a similar function in Malawi and Namibia has similarly not been successful, and although there have been optimistic hopes that English would triumph in South Africa, it has done so in a manner that continues to serve mostly the middle and professional classes.
- *Linguistic imperialism*, Oxford University Press, 1992
  A paradigm shift in English Language Teaching
  OR
  letting down the side?
- **Empirical data/evidence of linguistic imperialism?**
  - *Investment* in English OR in local languages
  - *Tenets/fallacies*: monolingualism, native speaker ideal, early start, maximum exposure, either/or thinking
  - *Linguicist policies* are in conflict with linguistic justice and language needs
  - English: a *benevolent bonus* OR a *creeping cancer of modernity*? (Joshua Fishman, 1976)
Imperial visions

Benjamin Franklin, 1776: Our cause is the cause of all mankind, and we are fighting for their liberty in defending our own. It is a glorious task assigned to us by Providence.

Charles Trevelyan to Lord Bentinck, 1834: to establish ‘our language, our learning, and ultimately our religion in India’ and to extend this to ‘the surrounding nations’.

Bishop of Oxford in the mid-19th century: ‘God has entrusted India to us to hold it for Him, and we have no right to give it up’.

Cecil Rhodes 1877, a draft will. ... the ultimate recovery of the United States of America as an integral part of the British Empire ..... to weld together the disjointed members of the Empire, and finally the foundation of so great a power as to hereafter render wars impossible and promote the best interests of humanity’.

Winston Churchill and Franklin D. Roosevelt, 1941, The Atlantic Charter
The Chapel of the Most Excellent Order of the British Empire, 1960
The Chapel of the Most Excellent Order of the British Empire

Chapel ‘For God and empire’
Large glass portraits of George V & Queen Mary,
Elizabeth II and Prince Philip
Bust of the Queen Mother

The cathedral
For God, the monarchy, state, and empires
Royal weddings
Memorial services (Churchill, Thatcher)
Thanksgiving Day service (28,000 US troops)
American memorial chapel (1958)  
Annual Thanksgiving Day service
Macaulay  Graddol
British Council and British government’s global agenda

our ambition, as an organisation, is that every learner and teacher of English right around the world should have access to the best of English language teaching from this country.

English Next India tells us that from education to the economy, from employability to social mobility, the prospects for India and its people will be greatly enhanced by bringing English into every classroom, every office and every home.

"Promoting English: Hydras old and new”
Churchill’s five themes, Harvard, 1943

• UK/US unity
• military collaboration
• plans for global peace-keeping
• ensuring US/UK global dominance
• expanding **English worldwide: global English – and global English teaching**
  – *The use of English as a world language, 1934*
  – investment in 1930s and from 1950s onwards
  – *a lingua nullius*, following on from *terra nullius* and *cultura nullius*
  – global professional service industry.
UK-USA links

- Eisenhower July 4, 1951 – 28,000 service personnel died
- American Memorial Chapel
- Cathedral choir tour of the USA & Canada 1953
  Invited by the English-Speaking Union
  41 cities, White House
- Churchill’s *A history of the English-speaking peoples, 1955*
- The special relationship
  - Poodle or partner? Chris Patton, *Not quite the diplomat*
  - Think tanks
    Thatcher Centre for Freedom at the Heritage Foundation, USA
  - Young leader visits
  - Soft and hard power
- Anglosphere?
Brexit means establishing the Anglosphere
Belief in shared values and systems – linguistic, cultural, legal, political, military/security - of the US, UK, and ‘white’ Commonwealth countries.

- Continuous US-UK links 17th-21st century
- Cecil Rhodes, Churchill, Enoch Powell, Thatcher
- An Anglosphere network (James Bennett)
- Brexit, Johnson
The Anglosphere vision of James C. Bennett

• The sharing of fundamental customs and values at the core of English-speaking cultures: individualism; rule of law; honouring of covenants; .... freedom as a political and cultural value (2004, 79-80)

• The merging of the UK with NAFTA and its detachment from Europe so that the British defence industry can merge with the US’s and, as in finance, function as a ‘seamless market’ (ibid., p. 167).

• promoting closer links between English-speaking countries, with India and possibly Singapore included as English-speaking countries.

• In the USA (and by extension elsewhere) ‘Multiculturalism and bilingualism should be abandoned, and assimilation and learning of English should become national policies’ (2007, 85).
The special relationship?
Dispossession of territories, cultures, and languages in settler colonies

- Vast majority of indigenous languages were eliminated
- cultural and linguistic genocide in residential schools

USA, Canada, Australia, New Zealand?

Kenya (Ngũgĩ wa Thiong’o) in extraction colonies

- monolingual English-speaking elites, Afro-Saxons
- expansion of private English-medium schools.

Such policies entail linguistic injustice vis-à-vis all local, ancestral, indigenous languages.
English then and now

- English has functioned as an **imperialist language** on several continents.
- **Linguistic imperialism** entails resources and ideologies, push and pull factors, which can be investigated empirically, at macro, meso, and micro levels.
- Efforts to strengthen language rights, linguistic justice, and to change neocolonial language policies is a **decolonising** task.
- In **continental Europe** the way English is expanding involves risks, but will avoid being either a **panacea** or a **pandemic** if strong measures are in force to ensure multilingualism/bilingualism.
- There are studies of whether the expansion of English in the Nordic countries represents a **threat** or not.
Nordic government policy for universities: the parallel use of English and Nordic languages. There are issues of linguistic justice in each variable.

• that it be possible to use both the languages of the Nordic countries essential to society and English as languages of science
• that the presentation of scientific results in the languages of the Nordic countries essential to society be rewarded
• that instruction in scientific technical language, especially in written form, be given in both English and the languages of the Nordic countries essential to society
• that universities, colleges, and other scientific institutions can develop long-range strategies for the choice of language, the parallel use of languages, language instruction, and translation grants within their fields …
Language policy in higher education in five Nordic countries the macro level

Denmark, Finland, Norway, Sweden, Iceland

More parallel, please! Best practice of parallel language use at Nordic Universities: 11 recommendations

Nordic Council of Ministers 2018
Recommendations (1) at the macro and meso levels

1. All universities should have a language policy integrated with its internationalization policy and that relates to national language policy parameters and the role of the university locally, as well as internationally.

2. All universities should have a language policy committee that follows developments continually.

3. A language centre should, on the basis of research criteria, elaborate courses in the local language of relevance for ‘international’ staff and students, and should ensure the quality of such courses; it should also offer translation and language revision services; it should develop digital resources.
Recommendations (2) at meso and micro levels

4. International teaching and research staff should be instructed in forms of *parallel academic language use, and features of local students’ dialogue*; they should also be familiarised with the local language of *university administration*; and progressively acquire competence to function fully in the local language; this should be stipulated in their *employment contract*.

5. There should be *needs analysis* in relation to study disciplines and future employment *for guest students* and for foreign students doing an *entire degree*; *local* students should be instructed in the discourse of their academic field in their language and in English, and ideally in additional languages.

6. Elaboration of a *specialised needs analysis* so as to achieve full parallel competence.
7. Criteria for *choice of the language(s)* of instruction, for lecturers’ language proficiency, reading material, and specification of achievement in each language are needed.

8. Principles for *the language of university administration*.

9. Strategies for *languages of publication*.

10. Policies for *research dissemination* and popularisation nationally and internationally.

11. Elaboration of relevant *digital tools* for staff and students.
Linguistic injustice?

- Do non-discrimination clauses in international law mean one has a right to mother tongue teaching? **No**
- Is the legal right to interpretation in criminal proceedings enforced? **Law 2010**
- Is 24 languages in the EU with equal rights a reality? **In part**
- Why does the European Court of Human Rights in Strasbourg function only in 2 languages? **Historical legacy; injustice for users of other languages?**
- At international conferences are speakers of other languages than English marginalised and therefore victims of injustice? **Often**
- Is it an injustice when scholars whose primary academic language is not English have to submit articles in English in ‘international’ journals? **Often**
- In EU research funding applications and assessment, are scholars whose primary working language is not English treated fairly? **No**
- Is describing English as a neutral international language justifiable? **Seldom, and definitely not as an unqualified generalisation**
- Is linguistic justice well established in scholarship in political theory, economics, law, sociology, education, and language rights? **It varies, but not widely**
- Are linguistic human rights well-established in law and practice? **Seldom**
- Does British promotion of English learning worldwide promote linguistic justice in education systems? **No; its thrust is seldom professionally appropriate**

*Answering such questions requires good empirical data and good theory.*
Promoting linguistic justice

For both *national and international purposes*, *multilingualism is imperative*. 

**Education** plays a *key role* in achieving this. 

**Language policy** needs to address challenges at the three levels, *macro, meso, and micro*. 

It needs to be aware of the *linguicist pressures behind English*. 

There is now *a wealth of literature* on all the topics in this talk (see Handout). 

The situation is fluid in many contexts, so *sharing relevant experience* is important.

Thank you/merci/vielen Dank/tack så mycket/tusind tak