

Language rights: Moving the debate forward

Stephen May

University of Waikato, New Zealand

This article provides an overview of the current issues and challenges facing the nascent paradigm of minority language rights (MLR). It focuses on the theoretical points of dispute and tension with respect to MLR, as well as the challenges attendant upon their implementation in complex, multiethnic and multilingual contexts. The article acknowledges, but also responds to, key critiques of MLR to date. These include debates about linguistic modernisation, linguistic identities and essentialism, language and social mobility, and macro and micro language practices. In light of these debates, the article speculates about possible ways forward for the MLR paradigm.

KEYWORDS: Language rights, minorities, linguistic modernisation, essentialism, language and mobility, macro–micro language practices

INTRODUCTION

The development of language rights as an academic paradigm is at a crucial turning point.¹ On the one hand, the articulation of language rights is now well established in the disciplines of sociolinguistics, the sociology of language, and language policy and planning. Its presence, and growing traction, is demonstrated by three distinct, albeit closely interrelated, academic movements. One is the Language Ecology (LE) movement, charting the links between linguistics and ecology, and situating the current exponential loss of many of the world's languages within a wider ecological framework (see, for example, Harmon 1995; Mühlhäusler 1996, 2000; Maffi 2000, 2001; Nettle and Romaine 2000). A second is the linguistic human rights (LHR) movement² that argues, often on the basis of LE premises, for the greater institutional protection and support of minority languages,³ and their speakers, both within national and supranational contexts (see, for example, Skutnabb-Kangas and Phillipson 1995; Kontra et al. 1999; Skutnabb-Kangas 1998, 2000, 2002; Phillipson 2003). These arguments are also echoed in a third domain of academic legal discourse that has developed with respect to minority group rights generally, but with an increasing focus on the specific implementation of minority language rights (MLR) in national and international law (see, for

example, Capotorti 1979; Thornberry 1991a, b; de Varennes 1996a, b; Henrard 2000).

On the other hand, the academic articulation of language rights, along with its social and political consequences, is increasingly facing criticisms of its own. This critique is expressed at two different, albeit closely allied, levels of engagement: a fundamental questioning of the intellectual underpinnings of the language rights movement, alongside a critique of its practical application, or rather the limits thereof, in actual language contexts.

Intellectual criticisms have tended to coalesce around three key themes, which might be described usefully as:

- the 'problem of historical inevitability' (why resist the inexorable forces of linguistic modernisation?);
- the 'problem of essentialism' (why link language ineluctably to ethnic identity?);
- the 'problem of mobility and use' (why actively delimit the mobility of minority language speakers by insisting that they continue to speak a language of limited use and, by implication, value?).

The concerns with the application of language rights in real life contexts have similarly tended to focus on three key concerns:

- the implications for wider social and political stability (language rights unnecessarily destabilise social and political contexts, by highlighting difference, and promoting differential rights-based group claims);
- the disjuncture between legal arguments in favour of MLR, and the actual, ongoing language policies of many nation-states (moral claims on behalf of language rights, particularly within international law, are all very well, but do not unduly influence, let alone change, many existing national language policies);
- the disjuncture between macro language rights claims and micro language practices in any given context (macro language claims necessarily require the codification and homogenisation of language groups and related languages and thus ignore the often far more complex, fluid, and at times contradictory, micro language practices of individuals from within those groups).

The issue of social and political stability will not be explored further here (for discussion of this, see May 2000a, 2001, 2003a), but all the other concerns will be addressed directly in this special issue. The aim is not, however, to dismantle the language rights paradigm, as some overt sceptics and critics are wont to do (see, for example, Edwards 2001; Brutt-Griffler 2002), but rather to see whether and in what ways academic arguments for language rights can be developed and strengthened further in response to these existing criticisms. To this end, all of the contributors to this issue are sympathetic to, and/or actively involved in, the language rights movement. The contributions,

including this introductory overview, thus aim to address key lacunae in the language rights paradigm, and to complexify it where necessary, in order to chart useful ways forward for the ongoing articulation of language rights in the (post)modern world.

THE PROBLEM OF HISTORY

A regular criticism of language rights highlights its apparent romanticism and/or utopianism. In this view, attempting to maintain minority languages in the modern world, principally via attempts to reverse language shift patterns that are often already well in train, is fundamentally misguided and almost certainly futile. The trenchancy of the criticisms varies widely – ranging from those who reject any form of language rights *tout court* (for example, Schlesinger 1992; Barry 2000; Laitin and Reich 2003; Pogge 2003) through to those who, while not unsympathetic to the aims of language rights, suggest rather sadly that such aims are nonetheless unachievable. The latter position I have described elsewhere (May 2003b, 2004a) as ‘resigned language realism’ and its most prominent advocate within sociolinguistics over the years has been John Edwards (1984, 1985, 1994, 2001; see also Coulmas 1992; Brutt-Griffler 2002). Underpinning both positions, however, is an implicit, and often explicit, assertion of the benefits, and inevitability, of linguistic modernisation – a process of modernisation, moreover, that is linked ineluctably with majority languages, and particularly English. Not surprisingly, minority languages come to be constructed in this view as irrelevant, quaint and/or antediluvian, by definition.

But this kind of teleological account also immediately raises the problem of history and, in particular, three key problematic features attendant upon it:

1. historical disavowal, or the problem of ‘presentism’;
2. historical simplification and/or misrepresentation, or the problem of sanitisation; and
3. historical inevitability, or the problem of the linguistic *fait accompli*.

The problem of ‘presentism’

Pierre Bourdieu, the French sociologist and social anthropologist, has often criticised the discipline of linguistics for its tendency towards a synchronic or ‘presentist’ approach to the study of language, of examining language in isolation from the social and political conditions in which it is used (see also Blommaert 1999, this issue). As Bourdieu comments ironically of this process:

... bracketing out the social ... allows language or any other symbolic object to be treated like an end in itself, [this] contributed considerably to the success of structural linguistics, for it endowed the ‘pure’ exercises that characterise a purely internal and formal analysis with the charm of a game devoid of consequences. (1991: 34)

Much the same can be said for the ahistorical, apolitical approach to language that too often underpins this particular critique of language rights. This is most evident in the almost unquestioned legitimacy ascribed to majority languages – particularly national languages – in such discussions (cf. Schlesinger 1992; Barry 2000), and the similarly unquestioned acceptance of their dominant social and political position and function – their normative ascendancy – within modern nation-states. Adopting a presentist approach inevitably entails ignoring, or at best underemphasising, the specific socio-historical and socio-political processes by which these majority languages have come to be created, and accepted as dominant and legitimate, in the first place. As Bourdieu again observes of this process:

To speak of *the* language, without further specification, as linguists do, is tacitly to accept the *official* definition of the *official* language of a political unit. This language is the one which, within the territorial limits of that unit, imposes itself on the whole population as the only legitimate language . . . The official language is bound up with the state, both in its genesis and its social uses . . . this state language becomes the theoretical norm against which all linguistic practices are objectively measured. (Bourdieu 1991: 45, emphases in original)

A synchronic or presentist approach to the question of language rights is particularly problematic because it fails to address adequately, if at all, the unavoidable historical and contemporary fact that the establishment of state-mandated or national languages is, in almost all cases, an inherently deliberate (and deliberative) political act and one, moreover, that clearly advantages some individuals and groups at the expense of others. Fernand de Varennes summarises the process and its implications thus:

By imposing a language requirement, the state shows a definite preference towards some individuals on the basis of language . . . In other words, the imposition of a single language for use in state activities and services is by no means a neutral act, since:

1. The state's chosen language becomes a condition for the full access to a number of services, resources and privileges, such as education or public employment. . . .
2. Those for whom the chosen state speech is not the primary language are thus treated differently from those for whom it is: the latter have the advantage or benefit of receiving the state's largesse in their primary tongue, whereas the former do not and find themselves in a more or less disadvantaged position . . . Whether it is for employment in state institutions . . . or the need to translate or obtain assistance . . . a person faced with not being able to use his primary language *assumes a heavier burden*. (1996a: 86–87, my emphasis)

In effect, speakers of the dominant language variety are immediately placed at an advantage in both accessing and benefiting from the civic culture of the nation-state. A dominant language group usually controls the crucial authority in the areas of administration, politics, education and the economy, and gives preference to those with a command of that language. Concomitantly,

other language groups are limited in their language use to specific domains, usually solely private and/or low status, and are thus left with the choice of renouncing their social ambitions, assimilating, or resisting in order to gain greater access to the public realm (Nelde 1997).

Given this, it is surely not unreasonable to interrogate critically the historical processes that have seen particular language varieties accorded the status and prestige of 'national' languages, while other languages have been 'minoritised' and, most often, stigmatised. Indeed, it is only when a diachronic analysis of language rights is adopted in favour of a solely synchronic one that we can come to a critical understanding of how particular language ideologies are created in the first place and subsequently legitimated politically (Blommaert 1999), both by the power of the state and, perhaps even more effectively, by the instruments of civil society, notably education (May 2001). Consequently a prominent feature of this special issue is the importance placed by its contributors on *rehistoricising* the apparent naturalisation or normalisation of dominant language varieties in the particular social and political contexts discussed. These localised historical processes are also explored in relation to their often-complex interactions with wider global processes of colonisation and decolonisation, transnationalism and globalisation.

Thomas Ricento, in his discussion of the heritage language movement in the United States, focuses specifically on the historical antecedents that have led to the legitimation and normalisation of English at the specific expense of other languages spoken over time in the U.S. (notably, indigenous American languages, Spanish, French and German). Suresh Canagarajah's exploration of the long-standing animosities around language status and use in Sri Lanka, particularly between Sinhalese, English and Tamil, and Jan Blommaert's discussion of the historical relationship between various varieties of English and Swahili in Tanzania, likewise adopt a specific diachronic approach to questions of language rights and practice. In so doing, both Canagarajah and Blommaert also highlight the complex interactions of language status and use that have emerged from the equally complex processes of colonisation and decolonisation in each context. Indeed, as Ricento in this issue observes of this process more generally, an important role that scholars in language research can play is to unpack the processes and events that have defined the various spaces which languages and their users currently inhabit and may have inhabited in the past.

The problem of sanitisation

When history is attended to more closely, a related limitation in many critical accounts of language rights is also highlighted – a tendency to simplify and sanitise the language (and wider social and political) histories of the minority groups in question.

What most often tends to happen here is that the current hegemony of particular majority languages in any given national context comes to be viewed,

retrospectively, as inevitable, unproblematic and, crucially, uncontested – as, in effect, a natural, evolutionary and seamless march to linguistic victory. In the process, the often quite extensive linguistic, as well as social and cultural, dislocation experienced by minority language speakers is conveniently overlooked. A case in point is the regular reconstruction of the U.S.A. by academic and political proponents of the English-Only movement as a *monolingual* English-speaking country, excising other languages, and language *conflict*, from its historiography. This is, in turn, a political (rather than linguistic) strategy to try and ‘contain’ the rise of Spanish, and Spanish speakers, within the U.S.A. and the ‘threat’ this poses to the hegemony of English (for critical overviews of the English-Only movement, see Dicker 1996, 2000; Crawford 2001; May 2001). To the contrary, as Ricento in this issue makes clear, while English *is* now clearly pre-eminent, it was not inevitably so, particularly in the early colonial period when a number of languages – notably German, French and Spanish – competed with English in the public domain. But if discussions of U.S. language history regularly ignore its historical (and contemporary) multilingualism, they also regularly ignore, even more problematically, its more punitive, proscriptive aspects as well. To take a complementary example to those discussed by Ricento, one only has to look to the case of Native American languages.

When the Spanish first arrived on the North American continent in the early sixteenth century, it is estimated that at least 500 Native American languages were spoken (Leap 1981). The subsequent impact of European colonisation on Native Americans – along with its usual corollaries of introduced diseases, land dispossession, and genocide – were to change all that. By 1920, the Native American population reached a nadir of 400,000, having fallen from an estimated 30–40 million at time of contact (see McKay and Wong 1988). An educational policy over this period of actively repressing Native American languages, and replacing them with English, also contributed significantly to the related decline and extinction of many Native American languages (for comparable examples in New Zealand, Australia, Norway and Canada, see May 2001: Ch. 8).

One notable example of this assimilationist and also clearly racialised approach can be seen in the U.S. Congress’s passing in 1887 of the General Allotment and Compulsory Education Acts. This amounted to a two-fisted policy of forced assimilation, aimed at transforming Native Americans into yeoman farmers by dividing their lands, while schooling their children in English *specifically* for the trades and domestic service (McCarty 2002; for comparable examples elsewhere, see May 2001: Ch. 8). As a federal commissioner of Indian Affairs, J. D. C. Atkins, observed in his annual report at the time: ‘schools should be established, which [Native American] children should be required to attend, [and where] their barbarous *dialects* should be blotted out and the English *language* substituted’ (1887: reprinted in Crawford 1992: 48, my emphases).⁴ Although the Bureau of Indian Affairs formally rescinded this

assimilationist education policy in 1934, punishment for native language use in schools continued through to the 1950s (Crawford 1989). Notwithstanding this sorry history, Native American languages are still spoken today in the U.S.A., although they are seldom commented upon,⁵ and include numerous examples that have undergone more recent language revitalisation efforts (May 1999; McCarty 2002).

In short, the U.S.A., as with most modern nation-states, has had a much more *diverse*, *punitive* and *contested* language history than bald assertions of English language dominance might suggest. Furthermore, the example of Native Americans highlights clearly – if there was ever any doubt about this – the *selective* nature of state-mandated language proscription. Such proscription is almost always situated within a wider racialised policy directed at marginalised and disadvantaged groups – with indigenous peoples being perhaps the most marginalised of all people groups (Tully 1995). As Crawford (1994) notes, such practices seldom occur in communities of wealth and privilege, but rather to the dispossessed and disempowered. Moreover, linguistic dislocation for a particular community of speakers seldom, if ever, occurs in isolation from socio-cultural and socio-economic dislocation as well. The proscription of a minority language almost always forms part of a wider process of social, cultural and political displacement.

The problem of the linguistic fait accompli

But even if we recognise and accept the often brutalising language practices of the past – almost always instigated by the state, and invoked on the principle of cultural and linguistic homogeneity – there is still the problem of the historical *fait accompli*. We may well regret the past, but there is nothing we can now do about it, so it should not, nor can it, usefully inform our present. What is done is done.

The problem with this position, however, is that it attenuates, and in most instances forecloses, the possibility of considering alternative conceptions – of rethinking the nation-state in more culturally and linguistically plural ways, not least via the application of language rights for minority language speakers. It also understates, and often overlooks, the many counter-examples evident, not only historically, but also contemporaneously, where MLR have been considered, and in some cases successfully implemented. Such examples vary widely. The most obvious are those that are based on territorial language principles – instantiating minority languages in the public domain, alongside a majority language in particular territories – Quebec, Wales, Belgium, Catalonia, Switzerland are obvious examples here and have been extensively discussed in the sociolinguistic literature. But there are also examples where the ‘personality language principle’, which attaches language rights to individuals, irrespective of their geographical position, has been applied with some degree of success, usually via the legal criterion of ‘where numbers warrant’.

On this basis, particular language rights are granted to minority language speakers when there is a *sufficient* number of these speakers to warrant language protection. Examples of this approach can currently be found in Canada, for French speakers not living in Quebec, as well as in the state-based language legislation of India and, at least in theory, via the multilingual language policy adopted by post-Apartheid South Africa.

These national examples are also supplemented by a plethora of local and regional initiatives with respect to minority language accommodation within nation-states. The promotion and development of indigenous language and education initiatives, often as part of a wider recognition of indigenous self-determination, is a clear example here. Recent developments in New Zealand with respect to the recognition of indigenous Maori rights to land, language and education have resulted in a substantial realignment of public policy there in favour of group-based rights for Maori (see May 2002a, 2004b).

Other examples include Norway granting greater formal autonomy to Sámi, most notably in the regional area of Finnmark, in the northernmost part of Norway, where the largest percentage of Sámi live. The formal recognition accorded to Sámi has led to the subsequent establishment of a Sámi Parliament in Finnmark (in 1989), while the Sámi Language Act, passed in 1992, recognised Northern Sámi as its official regional language. The latter Act saw the formal promotion of the language within the Sámi Parliament, the courts of law, and all levels of education (see Corson 1995; Todal 1999). This was further extended when, in 2000, the Sámi Parliament officially took on partial responsibility for the school system of the Sámi minority in Norway (see Todal 2003).

Similar developments, albeit more nascent, can be seen currently in Canada with respect to the formal establishment of the new Arctic province of Nunavut. The establishment of Nunavut in 1999, the first formal subdivision of territory in Canada for 50 years, is the end result of a 20-year negotiation process with the 22,000 Inuit of the region (out of a total regional population of 25,000). The new provincial administration is dominated by Inuit and the local Inuit language, Inuktitut, is co-official with English and French in the region, as well as being the first working language of the provincial government (Corson 2001; cf. Patrick this issue).

Suffice it to say, that these examples indicate that minority language accommodation – while clearly not easily achieved, or necessarily without its tensions – *can* nonetheless be successfully implemented when there is sufficient political will to do so. In the process, the moral legitimacy of language rights' claims – both in relation to addressing and redressing historical linguistic injustice and, often, contemporary circumstances of ongoing disadvantage and discrimination as well – can be given the weight and due that they deserve.

However, the moral basis of these claims is not, in itself, a sufficient condition for the successful implementation of language rights – precisely because, of course, this moral basis is itself a key point of contestation in the debate over

language rights. Thus, advocates of language rights need to extend their arguments beyond the social justice and equity considerations that underpin language rights' claims, important though these are, in order to emphasise the *practical* advantages of implementing such rights within nation-states. As François Grin argues in this issue, in his discussion of the policy implications of MLR, such developments can be supported on the basis of the economic and welfare benefits that accrue, not only for minority groups themselves, but also the wider nation-state of which they are part.⁶ Longstanding patterns of social, economic and educational disadvantage for minority language speakers can be addressed, while the costs of linguistic accommodation can be shared more equally among majority and minority language speakers, rather than, as is usually the case, being borne disproportionately by the latter. On this basis, Grin argues, the specific support of linguistic diversity can be regarded as simply good public policy, obtained (if necessary) 'independently of any moral or rights-based considerations' (p. 454) for minority language speakers.

THE PROBLEM OF ESSENTIALISM

This issue of greater reciprocity and accountability among majority and minority speakers also foreshadows a potential response to another regular criticism levelled by language rights sceptics. This criticism, almost a refrain, is that advocacy of language rights for minority speakers invariably essentialises the languages and the groups concerned, fixing them eternally at a particular (usually long-past) point in time when their historically associated language(s) was still widely spoken.⁷ This 'essentialist tendency', closely allied with an often-deterministic account of the links between language, identity, and the wider ecological system, is most evident in arguments for language ecology (LE), as well as in those linguistic human rights (LHR) arguments that are predicated on LE principles. Such arguments assume – in their less sophisticated manifestations, explicitly, and even in their most sophisticated forms, at least implicitly – an almost ineluctable connection between language and (ethnic) identity. This often-unquestioned language/identity link is then used, in turn, to justify any associated 'collective' language rights claims (see, for example, Skutnabb-Kangas and Phillipson 1995).

However, a particular challenge for advocates of MLR in this regard is the widespread consensus in social and political theory, and increasingly in sociolinguistics and critical applied linguistics, that language is at most only a contingent factor of one's identity. In other words, language does not define us, and may not be an important feature, or indeed even a necessary one, in the construction of our identities, whether at the individual or collective levels. This view has been put forward in sociolinguistics by, among others, John Edwards (1985, 1994) and Carol Eastman (1984), who have argued that language is often only a secondary or surface characteristic of ethnicity (see also,

Coulmas 1992; Bentahila and Davies 1993). The consequence of such a view is obvious – if language use is merely a surface feature of ethnic identity, adopting another language would only affect the language use aspect of our ethnic identity, not the identity itself. Thus, the loss of a particular language is not the 'end of the world' for a particular ethnic identity – the latter simply adapts to the new language. As Eastman asserts, 'there is no need to worry about preserving ethnic identity, so long as the only change being made is in what language we use' (1984: 275).

Edwards (1985) develops a broadly comparable argument on the detachability of language from identity when he asserts that economic rationality often plays a part in the language choices individuals make, particularly when individuals realise the 'benefits' of shifting to a more 'modern' language. On this view, loyalty to a particular language persists only as long as the economic and social circumstances are conducive to it (see also Dorian 1981, 1982; Coulmas 1992). As Edwards proceeds to observe, this contrasts with what he sees as the clearly regressive interests of MLR proponents:

Note here how patronising and naive are attempts to *preserve people as they are*, on the grounds that they are really better off if only they knew it, that progress is not all it is made out to be . . . Little wonder, then, that *sensible* populations themselves do not accept this line, and that the major proponents of the view [minority elites] are usually securely ensconced within that very segment of society they rail against . . . looking backwards has been a favourite sport for disaffected intellectuals for a long time, but actually moving backwards has not been so popular. (1985: 95, 97, my emphases)

Brutt-Griffler (2002), in her more recent critique of MLR, takes much the same position, arguing that individuals may well make their language choices on the basis of social class rather than ethnicity. As she observes:

If you make ethnicity, nationality, or minority status the unit of analysis, you can conclude that people would want to or have in their interest to maintain their mother tongue. If, on the contrary, you take class as the unit of analysis, their interest might dictate emphasis on access to 'dominant languages' . . . (2002: 225)

Edwards and Brutt-Griffler's arguments on language choice are representative here of the methodological individualism of rational choice theory (see Banton 1980, 1987; Hechter 1986, 1987; see also Ricento this issue). Methodological individualism assumes that groups are 'constituted from individual behaviour and are subject to continual change as individuals respond to changes in their circumstances' (Banton 1987: 140). In this view, social relations become a form of market relations with individuals making rational choices about their ethnic alignment(s) solely on the basis of the social and material gain it will bring them. As Banton observes of this process, an individual will join in ethnic group mobilisation 'only when he expects the benefits of his participation to exceed the costs' (1987: 136). When applied to the ethnic

identity/language choice nexus, the cost/opportunity approach of rational choice theory would indicate clearly that particular languages do *not* define us, and may not be an important feature, or even a necessary one, in the construction of our identities, whether at the individual or collective levels. After all, how else can we explain the exponentially increasing phenomenon of language shift?

This critique on the detachability of language is complemented by a wider current acceptance within social theory of the merits of hybridity – that our social, political (and linguistic) identities are inevitably plural, complex, and contingent (see, for example, Hall 1992; Gilroy 1993, 2000; Bhabha 1994). Hybridity theory is entirely opposed to universalism, traditionalism and any idea of ethnic, cultural and, by extension, linguistic rootedness. Rather, as Homi Bhabha (1994) argues, it is the ‘inter’ and ‘in-between’, the liminal ‘third space’ of translation, which carries the burden of the meaning(s) of culture in this post-modern, post-colonial world.

This position highlights the social and historical *constructedness* of language and culture over time and their associated fluidity and malleability. Both are clearly apparent in multilingual contexts, and the complex language repertoires, and code-switching, attendant upon them. Blommaert (this issue) observes, for example, in his discussion of Tanzania, that ‘the social environment of almost any individual would by definition be *polycentric*, with a wide range of overlapping and criss-crossing centers to which orientations need to be made, and evidently with multiple ‘belongings’ for individuals (often understood as ‘mixed’ or ‘hybrid’ identities)’ (p. 394). Likewise, Canagarajah, in discussing language use in Jaffna, Sri Lanka, comments: ‘Not only are local identities hybrid (shaped by a mixture of English and Tamil) . . . they can also be fluid, shifting, and strategically renegotiated according to changing social contexts. Tamil identity has been defined differently through history . . .’ (p. 438).

Consequently, hybridity theory, as part of the wider post-modern critique, appears to offer us, among other things, a more contingent, situational account of identity, language and culture – a process which involves ‘decentering’ the subject (Rattansi 1999) and contesting essentialism wherever it is found. In this view, language clearly *is* a contingent marker of ethnic identity and adopting any other position involves, inevitably, an essentialised and reified view of the language-identity link. Holding onto the idea of a link between a particular language and identity—as MLR advocates appear to do – thus seems not only irremediably *passé*, but unrealistic, since multiple identities, including multiple linguistic identities, are now the order of the day.⁸

Clearly then, an acceptance of the contingent nature of the language-identity link, and the wider principle of hybridity, is a necessary prerequisite before MLR can continue to develop further theoretically. This view of the contingent, hybrid nature of the language – identity link is taken for granted in the articles that comprise this special issue, even if some other prominent

advocates of MLR are still loath to countenance such a move (see, for example, Skutnabb-Kangas 2005).

However, all is also not quite as it seems, because in recognising the salience of contingency and hybridity, we are also concerned to explore their limits as theoretical constructs, as well as pointing out some key lacunae in their use. In particular, we address why, *despite* the clear presence of hybrid linguistic identities, historically associated languages continue often to hold considerable purchase for members of particular cultural or ethnic groups in their identity claims. As Canagarajah (this issue) observes: 'Hybridity of identity doesn't change the fact that ethnicity and mother tongue have always been potent forces in community relations . . . Change doesn't mean irrelevance or irreverence. Attachments to ethnicity and mother tongue are resilient, despite their limited value in pragmatic and material terms' (p. 439).

To say that language is not an inevitable feature of identity is thus *not* the same as saying it is unimportant. Yet many constructivist commentators, including many MLR critics, in (rightly) assuming the former position have also (wrongly) assumed the latter. In other words, they assume that because language is merely a contingent factor of identity it cannot therefore (ever) be a *significant* or *constitutive* factor of identity. As a result, contingency is elided with unimportance or peripheralism – an additional move that is neither necessary nor warranted.

Indeed, this position is extremely problematic, not least because of the considerable evidence 'in the real world' (something MLR critics frequently invoke to support their own arguments) that suggests that, while language may not be a *determining* feature of ethnic identity, it remains nonetheless a *significant* one in many instances. Or to put it another way, it simply does not reflect adequately, let alone explain, the heightened saliency of language issues in many historical and contemporary political conflicts, particularly at the intrastate level (see Weinstein 1983, 1990; Blommaert 1996, 1999; May 2001). In these conflicts, particular languages clearly *are* for many people an important and constitutive factor of their individual, and at times, collective identities. This is so, *even* when holding onto such languages has specific negative social and political consequences for their speakers, most often via active discrimination and/or oppression. Franco's Spain, or the ongoing plight of the Kurds in Turkey, are but two examples – there are numerous others.⁹

The *will* to maintain historically associated languages in often highly oppressive contexts also problematises in turn the notion of 'rational choice'. The assertion that speakers only make decisions on purely instrumentalist grounds, or at least that instrumental reasons are the only valid or rational choice available to minority language speakers, is at best one-sided, and at worst simply wrong. Ethnic groups may hold on tenaciously to a particular language precisely because greater functionality in another language is not, in itself, enough. Or if it is, the price for achieving it via that dominant language –

given that it is usually at the specific *expense* of the other language – may be regarded as simply too high.

The apparent contradiction between the detachability of language and identity, and the passions that particular languages may still invoke, is alluded to by Benedict Anderson in his highly influential account, *Imagined Communities*, where he avers of language:

What the eye is to the lover – that particular, ordinary eye he or she is born with – language – whatever language history has made his or her mother tongue – is to the patriot. Through that language, encountered at mother's knee and parted only at the grave, pasts are restored, fellowships are imagined, and futures dreamed. (1991: 154)

And yet Anderson is also the first to reject any suggestion of some kind of primordial status to language. It is always a mistake, he argues, to treat languages in the way that certain ethnic and nationalist ideologues treat them – 'as *emblems* of nation-ness, like flags, costumes, folk dances and the rest'. Much the more important aspect of language is 'its capacity for generating imagined communities, building in effect *particular solidarities*' (Anderson 1991: 133, emphases in original). Monica Heller makes a similar point when she discusses the interrelationship between language and ethnic identity in a French immersion school in Toronto, Canada:

Language use is . . . involved in the formation of ethnic identity in two ways. First, it constrains access to participation in activities and to formation of social relationships. *Thus at a basic level language use is central to the formation of group boundaries.* Second, as children spend more and more time together they share experience, and language is a central means of making sense out of that shared experience. (1987: 199, my emphasis)

Language, as a communally shared good, serves an important boundary-marking function (Tabouret-Keller 1997). After all, being unable to speak a particular language places immediate restrictions on one's ability to communicate – and, by extension, identify – with those who speak that language and any ethnic and/or national identities with which it is associated. This process of demarcation may be more salient for minority groups since such groups are likely to be more conscious of the need for clear linguistic boundaries in relation to a surrounding dominant language and culture. The usefulness of linguistic demarcation may also thus help to explain why language often has a heightened sense of saliency in relation to identity when its role as only one of a number of cultural markers might suggest otherwise. Moreover, to the extent that language boundaries are employed as a demarcating feature of identity, then a decreasing emphasis on, or a blurring of, these boundaries would be regarded as a threat to a group's existence (Khleif 1979).

In theory then, language may well be just one of many markers of identity. In practice, it is often much more than that. Indeed, this should not surprise us since the link between language and identity encompasses both significant cultural and political dimensions. The cultural dimension is demonstrated by the fact that one's individual and social identities, and their complex interconnections, are inevitably mediated in and through particular languages. The political dimension is significant to the extent that those languages come to be formally (and informally) associated with particular ethnic and national identities. These interconnections also help to explain why, as Fishman (1997) argues, a 'detached' scientific view of the link between language and identity may fail to capture the degree to which language is *experienced* as vital by those who speak it. It may also significantly understate the role that language plays in social organisation and mobilisation. The 'shibboleth of language', as Toynbee (1953) coined it, still holds much sway.

As for the ongoing concern over essentialism, this too can be addressed directly. Advocacy of MLR does not *necessarily* entail an essentialised, static view of the language–identity link, or a homogenous conception of the wider linguistic group, despite what MLR critics might say (although there are clearly examples where this does occur, see Patrick this issue). As the political theorist Will Kymlicka has argued in relation to minority rights more generally, advocates of such rights are rarely seeking to preserve their 'authentic' culture if that means returning to cultural practices long past. If they were, they would soon meet widespread opposition from individual members. Rather, they are concerned 'to maintain one's membership in a distinct culture, and to continue developing that culture in the same (impure) way that the members of majority cultures are able to develop theirs' (1995: 105). Cultural change, adaptation and interaction are entirely consistent with such a position. The crucial difference, however, is that members of the minority are themselves able to retain a significant degree of control over the process – something which until now has largely been the preserve of majority group members. The key issue for minority language speakers thus becomes one of cultural and linguistic *autonomy* rather than one of retrenchment, isolationism, or stasis.

Returning to the point made at the beginning of this section, the issue of greater autonomy for minority language speakers also highlights the need for greater reciprocity and accountability among majority language speakers – extending to minority language speakers the linguistic privileges that they themselves take for granted. After all, if members of dominant ethnolinguistic groups typically value their own cultural and linguistic membership(s), as they clearly do (see below), it is demonstrably unfair to prevent minority groups from continuing to value theirs.

THE PROBLEM OF (IM)MOBILITY

The third strand of intellectual criticism directed at language rights concerns the degree to which the pursuit of language rights, and the associated arguments for maintaining minority languages, actively limit the individual *mobility* of minority language speakers who might otherwise be far better served by shifting to a majority language. In effect, critics of MLR often argue that the perpetuation of minority languages is actively regressive – foreclosing the process of ‘linguistic modernisation’ for minority groups and the possibilities of social mobility for its individual members. As John Edwards pointedly asks: ‘Is the implication that stasis is the price of ethnolinguistic continuity? If so, history suggests it is a price higher than most have been willing to pay’ (2001: 237).

Many critics of MLR repeatedly return to this point. In effect, minority language advocates are criticised for consigning, or ghettoising, minority language communities within the confines of a language that does not have a wider use (see also Ladefoged 1992; Schlesinger 1992; Barry 2000). Little wonder, such critics observe, that many within the linguistic minority itself choose to ignore the pleas of minority language ‘activists’ and/or elites, and instead ‘exit’ the linguistic group by learning another (invariably, more dominant) language. It is one thing, after all, to proclaim the merits of retaining a particular language for identity purposes, quite another to have to live a life delimited by it – foreclosing the opportunity for mobility in the process. On this view, collective modernisation and individual mobility are best served – indeed, are *only* served – by access to dominant languages, particularly English (cf. Brutt-Griffler 2002).

We can broadly summarise the logic of this argument as follows:

- Majority languages are lauded for their ‘instrumental’ value, while minority languages are accorded ‘sentimental’ value, but are broadly constructed as obstacles to social mobility and progress.
- Learning a majority language will thus provide individuals with greater economic and social mobility.
- Learning a minority language, while (possibly) important for reasons of cultural continuity, delimits an individual’s mobility; in its strongest terms, this might amount to actual ‘ghettoisation’.
- If minority language speakers are ‘sensible’ they will opt for mobility and modernity via the majority language.
- Whatever decision is made, the choice between opting for a majority or minority language is constructed as oppositional, even mutually exclusive.

As critics of MLR would have it, whether we like it or not, it seems that majority languages are those (and only those) that are the most *instrumentally* useful. Simply put, we can accomplish a lot more in and by a majority language. This is a difficult argument to refute and may well explain why the social

justice arguments underlying MLR seem to be simply ignored in the Realpolitik of language shift and loss (see Patrick this issue). After all, democratic and justice sentiments are all very well, but they are not necessarily going to increase one's standard of living, or provide a useful, upwardly mobile education for one's children. Indeed, opponents of MLR have gone so far as to argue that to opt for an education in a minority language in the face of this critique is a sign of irresponsible parenthood, even a form of 'child abuse'.

While most prominently associated with the grandstanding of the English-Only movement in the U.S. (see Crawford 2001; Dicker 2000; May 2001: Ch. 6), this position has also been broadly endorsed by significant academic commentators within social and political theory. Thus, Thomas Pogge, a prominent U.S. political theorist, could argue recently that minority parents who opted for an education for their children in a minority language may be 'perpetuating a cultural community irrespective of whether this benefits the children concerned ...' (Pogge 2003: 118). In other words, it is illiberal and injurious for parents to 'consign' their children to a minority language education. Two other political theorists, David Laitin and Rob Reich argue much the same position when they assert that 'forcing' bilingual education on children will curtail 'their opportunities to learn the language of some broader societal culture' (2003: 92). Relatedly, they fret that these 'individuals have no influence over the language of their parents, yet their parents' language if it is a minority one ... constrains social mobility'. As a result, 'those who speak a minority (or dominated) language are more likely to stand *permanently* on the lower-rungs of the socio-economic ladder' (2003: 92, my emphasis). Indeed, they proceed to observe that if minority individuals are foolish enough to perpetuate the speaking of a minority language, then they can simply be regarded as 'happy slaves', having no-one else to blame but themselves for their subsequent limited social mobility.

In the light of these trenchant attitudes in both political and academic commentary, it is perhaps not surprising that arguments for MLR appear to be making so little headway. However, this 'mobility trope' employed against MLR is itself highly problematic. For a start, this position separates the instrumental and identity aspects of language. On this view, minority languages may be important for identity but have no instrumental value, while majority languages are construed as primarily instrumental with little or no identity value. We see this in the allied notions of majority languages as 'vehicles' of modernity, and minority languages as (merely) 'carriers' of identity. And yet it is clear that *all* language(s) embody and accomplish both identity and instrumental functions for those who speak them. Where particular languages – especially majority/minority languages – differ is in the *degree* to which they can accomplish each of these functions, and this in turn is dependent on the social and political (not linguistic) constraints in which they operate (Carens 2000). Thus, in the case of minority languages, their instrumental value is often constrained by wider social and political processes that have resulted in

the privileging of other language varieties in the public realm. Meanwhile, for majority languages, the identity characteristics of the language *are* clearly important for their speakers, but often become subsumed within and normalised by the instrumental functions that these languages fulfil, particularly when speakers of these languages are *monolingual*.

On this basis, we can argue that the limited instrumentality of particular minority languages at any given time need not always remain so. Indeed, if the minority position of a language is the specific product of wider historical and contemporary social and political relationships, changing these wider relationships positively with respect to a minority language should bring about both enhanced instrumentality for the language in question, and increased mobility for its speakers.

That said, convincing majority language speakers of the merits of MLR – what I have elsewhere discussed, following Grin (1995), as the problem of tolerability (May 2000a, 2002b) – remains a formidable task. A good place to start though is by pointing out some key misconceptions, as well as some obvious inconsistencies, in arguments against the utility, or lack thereof, of minority languages. Take, for example, the conclusions of Laitin and Reich, discussed earlier, that those who continue ‘to speak a minority (or dominated) language are more likely to stand *permanently* on the lower-rungs of the socio-economic ladder’ and, as such, can be regarded as nothing more than ‘happy slaves’ (2003: 92). Setting aside the offensive paternalism of these remarks, the principal problem with the construction of this general argument is that it confuses cause and effect. It is clear that a lack of knowledge of a dominant language (English, in the U.S. context) will limit the options for those who do not speak that language variety. But that is not the *only* reason why such individuals might find themselves ‘permanently on the lower-rungs of the socio-economic ladder’. This is because arguments asserting that English is the key to social mobility, and conversely that its lack is the principal cause of social and economic marginalisation, conveniently overlook the central question of the wider structural disadvantages facing minority language speakers, not least racism and discrimination. After all, in the U.S.A., African Americans have been speaking English for two hundred years and yet many still find themselves relegated to urban ghettos (Macedo 1994). Likewise English is almost as inoperative with respect to Hispanic social mobility in the U.S.A. as it is with respect to black social mobility. Twenty-five percent of Hispanics currently live at or below the poverty line, a rate that is at least twice as high as the proportion of Hispanics who are not English-speaking (Garcia 1995; San Miguel and Valencia 1998). Even when language is a factor, it may have as much, or more to do with the linguistic intolerance of the state, judiciary, or the workplace, than with the individuals concerned.

Then there is the problem of consistency. On the one hand, we have the construction of minority languages in these accounts as essentially anti-instrumental, as merely ‘carriers’ of ‘identity’, and yet on the other hand, when

such languages do become useful instrumentally in the public realm, this is held against them as well! This overt double standard clearly applies to recent discussions of the re-emergence of Welsh within Wales, as a public language of administration (see May 2000b). For example, another prominent political theorist, Brian Barry, a trenchant critic of MLR and of multiculturalism more generally, specifically bemoans the labour market advantages of those with an educational qualification in the Welsh language because local authorities increasingly require knowledge of Welsh as a condition of employment (see 2000: 105–106). This is rich indeed, given that these exact same arguments are made without apology by Barry, and other MLR critics, on behalf of majority languages, particularly English. They simply can't have it both ways – deriding minority languages for their lack of utility, and then opposing their utility when it proves to be politically inconvenient.

Barry also complains that Welsh language requirements in education may amount to 'discrimination' against (monolingual) English speakers, delimiting their individual language rights. As he laments:

... it has to be recognized that the great majority of the people of Wales do not speak Welsh at home, and for them learning Welsh in school from scratch is in direct competition for time with learning a *major foreign* language. It is therefore scarcely surprising that compulsory instruction in Welsh schools has aroused opposition from English-speaking parents. ... (2000: 105, my emphasis)

However, cries of discrimination on this basis are similarly spurious, since the assertion is not based on any perceived threat to the majority language, but rather upon the implicit, sometimes explicit, wish of majority language speakers to remain monolingual (May 2000b). Certainly, the requirement to be bilingual in English and Welsh does not at any point threaten the individual's ability and scope to use English within Wales; quite the reverse, in fact, since English remains dominant in all language domains. Indeed, this is true in almost all cases where a minority language is formalised in the public realm, since what is being promoted is not a new monolingualism in the minority language – indeed, this is usually neither politically nor practically sustainable – but merely the *possibility* of public bilingualism or multilingualism. In other words, the majority language is not generally being precluded from the public realm, nor proscribed at the individual level, nor are majority language speakers actually penalised for speaking their language.¹⁰ Rather, monolingual majority language speakers are being asked to *accommodate* to the ongoing presence of a minority language and to recognise its status as an additional language of the state – a process that I have elsewhere described as 'mutual accommodation' (May 2001).

Dismantling the identity–instrumental opposition between minority and majority languages also immediately brings into question the idea of incommensurate linguistic identities on which it is based. In other words, the distinctions often made by MLR opponents with respect to majority and minority

languages are themselves predicated on a singular, exclusive and oppositional notion of linguistic identity – we must have one linguistic identity *or* the other, we cannot have both.

In contrast, MLR actually provides for a far more pluralistic, open-ended interpretation of language and identity – that is, the opportunity or potential for holding multiple, complementary, cultural and linguistic identities at both individual and collective levels. On this view, maintaining one's minority ethnically affiliated language – or a dominant language, for that matter – avoids 'freezing' the development of particular languages in the roles they have historically, or perhaps still currently, occupy.¹¹ Equally importantly, it questions and discards the requirement of a singular and/or replacement approach to the issue of other linguistic identities. As Canagarajah (this issue) comments:

One interest that might motivate individuals to go against group interests is social and economic mobility. When the imposition of mother tongue is perceived as being motivated by sentimental and symbolic interests, and limiting one's mobility, individuals will diverge from their group's interests and seek to learn the dominant languages to advance their personal socio-economic prospects. From this perspective, individuals make their decisions based on rational choices, against which sentimental or symbolic group interests are futile. . . . However, individuals are not always suppressed by group interests. Both interests can be complementary. (p. 435)

Linguistic identities – and social and cultural identities more broadly – need not be constructed as irredeemably oppositional. Narrower identities do not necessarily need to be traded in for broader ones. One can clearly remain, for example, both Spanish-speaking and American, Catalan-speaking and Spanish, or Welsh-speaking and British. The same process applies to national and international language identities, where these differ. To insist otherwise, as many critics of MLR do, betrays, ironically, both a reductionist and an essentialist approach to language and identity. In other words, a key challenge for MLR critics is to start applying the constructivist critique that they regularly employ against MLR far more closely and critically to their own analyses. In so doing, the question they have to address, and have yet to answer adequately, is: 'what exactly is wrong with linguistic complementarity'?'¹²

In similar vein, however, MLR advocates also need to acknowledge and address the indisputable fact that many minority language speakers appropriate English, or at least particular varieties of it, to their own material ends as well, often highly successfully, at least within their own local milieux (see Blommaert this issue; Canagarajah this issue; Patrick this issue).

LINKING THE MACRO AND THE MICRO

The above discussion addresses the three intellectual criticisms most often directed at MLR, as outlined at the start of the paper. Of the three practical

difficulties also outlined there, I want to address here briefly only one – since it relates closely to debates around essentialism and contingency. This is the emerging critique, particularly from within critical sociolinguistics, concerning the limits of applying macro principles of language rights, which necessarily involve the codification of languages and language groups, to complex, mixed, and fluid microlinguistic contexts. A key weakness of MLR in this regard is a tendency still to discuss language rights in collective, and often uniform, terms, assuming in so doing that languages, and language groups, can be easily demarcated in the first instance (see Blommaert this issue; cf. the earlier discussion on contingency).

What is needed to counteract this ongoing tendency in the articulation of MLR are more ethnographic accounts which specifically explore the connections between the broader principles of the MLR paradigm and actual, multifaceted, language values and use ‘on the ground’ in complex multilingual contexts. Or, as Donna Patrick (this issue) asserts, there is a need to develop ‘a sociolinguistic framework that serves to link macro-level rights, legal and political discourse, and socio-cultural and economic processes to actual patterns of language use’ (p. 371). Indeed, given that so much time to date has been spent on the development of generic principles for MLR – necessarily so, perhaps, in establishing key theoretical tenets – it would seem appropriate at this point in the development of MLR to adopt, as language policy and planning has for example, a more ‘bottom up’ approach to issues of language rights (cf. Hornberger 1997). This is important because, as Canagarajah (this issue) observes, ‘[p]eople negotiate language policies in their favor in their everyday lives in micro-social domains’ (p. 427). Consequently, there is always considerable potential for disjuncture between macro sociolinguistic policies such as MLR and microlinguistic contexts of use.

A key arena to explore further here is language use among and across domains, particularly, what might be said to comprise formal and informal language economies (cf. Rampton 1995; Heller 1999), and their implications for MLR. Patrick (this issue), for example, examines this issue in relation to the, by now, well-established use of school-language curricula in Inuktitut in Northern Quebec and the apparent disjuncture between this – a key domain for indigenous Inuit language revitalisation in this context – and wider community language use. As she comments:

... even once Indigenous groups win minority language education rights, the effectiveness of school-based language maintenance can be assessed only through the examination of communicative interactions in a variety of contexts. In many cases, these contexts – and the sociolinguistic constraints associated with them, and more specifically with the status of interlocutors and others present in the interaction and with expected patterns of use – are beyond the control of the makers and enforcers of language policy. (p. 382)

Or more broadly, as Blommaert (this issue) concludes:

This, I would argue, is the level at which we have to look if we want to understand what people actually do with language, what language does to them, and what language means to them, in what particular ways it matters to them. And if we want to make linguistic rights more than just a trope in political-linguistic discourse, this is where we should start. (p. 403)

CONCLUSION

The development of arguments in support of MLR has provided a major impetus for rethinking processes of linguistic modernisation, via the ascendancy of majority languages, as inevitable, apolitical and unproblematic. In contrast, MLR highlights centrally and critically the wider social and political conditions – and, crucially, their historical antecedents – that have *invariably* framed and shaped these processes of linguistic modernisation, particularly with respect to the privileging and normalising of majority languages within existing social and political contexts – often at the specific *expense* of minority languages. As Jan Blommaert argues, a sociolinguistic approach that fails to take cognisance of these wider socio-political and socio-historical factors takes no account of human agency, political intervention, power and authority in the formation of particular (national) language ideologies. Nor, by definition, is it able to identify the establishment and maintenance of majority languages as a specific ‘form of practice, historically contingent and socially embedded’ (1999: 7). And yet, as MLR advocates quite clearly highlight, it is exactly these contingent, socially embedded, and often highly unequal practices, that have so disadvantaged minority languages, and their speakers, in the first place.¹³

Moreover, if one can hold onto the fact that the MLR movement has so usefully highlighted – that processes of linguistic change are often, if not always, the result of wider social and political processes – then this provides a useful basis from which to mount an effective political challenge on behalf of minority languages. From this, one can also question and critique the apparently ineluctable link between majority languages, mobility and ‘progress’, and in turn look to ways in which minority languages may be reconstituted not simply as ‘carriers’ of identity but also as instrumentally useful.¹⁴

However, it is also apparent from this overview, and from the articles that follow in this special issue, that many challenges for MLR still remain. There is, for example, an ongoing tension between recognizing any form of group-based minority language rights when juxtaposed with the often-complex linguistic repertoires of individual multilingual speakers (although this does not stop majority languages from being so recognized). There has also been a tendency within the MLR literature to argue for the recognition of multiplicity in relation to minority languages, but a reluctance to address the burgeoning multiplicity of value and use with respect to varieties of English.

Accordingly, in the articles that comprise this special issue, more questions are raised than answers given in exploring the ongoing complexities of applying MLR, particularly in multilingual contexts. This, of course, is also as it should be. In so doing, ongoing tensions are not necessarily resolved, nor perhaps are some actually resolvable. However, we hope that future academic discussions of MLR might be enhanced, rather than subverted, by these interventions, and that, as a result, the MLR paradigm might continue to develop a more nuanced sociolinguistic, and wider socio-political, approach to the issues of language, inequality, and social justice with which it is centrally concerned.

NOTES

1. This article is developed from a paper that I presented to the AAAL 2003 Conference in Virginia, U.S.A. The paper was part of a colloquium that I organised, and chaired, on language rights. Contributions from Ricento, Grin, and Blommaert in this special issue also stem from this colloquium, with subsequent additional contributions from Patrick and Canagarajah.
2. Linguistic human rights (LHR) are often used synonymously with minority language rights (MLR) in the relevant literature. However, I prefer to distinguish between them, since LHR is associated with one particular articulation of MLR and does not necessarily include alternative perspectives. As such, I use MLR as the broader, more inclusive, term, and LHR only when referring specifically to this particular articulation of it.
3. In what follows, I employ the usual distinction between so-called 'minority' and 'majority' languages in the language rights literature; a distinction that is based not on numerical size, but on clearly observable differences among language varieties in relation to power, status and entitlement. That said, such a distinction needs to be treated with some caution since the dichotomy inevitably understates the complex *situatedness* of particular language varieties with respect to power relations (Coulmas 1998; Pennycook 1998). Indeed, the situatedness of language varieties, and the complex social and political consequences of their (varied) use, is a prominent focus of this special issue (see, especially, Blommaert this issue; Canagarajah this issue; Patrick this issue) – taking the existing language rights literature further in addressing directly these complexities.
4. Note here, the deliberate relegation of Native American language varieties to mere 'dialects' in contradistinction to the English 'language', along with all this implies about language hierarchy.
5. In the 1990 census, 1,878,275 people identified as Native Americans of whom 331,600 over the age of five years reported speaking a Native American language. Altogether, 26 such languages were identified in the 1990 census as having at least 1000 speakers (Ricento 1996).
6. In his article, Grin takes an economic and policy view of MLR, rather than a sociolinguistic one. His contribution highlights the importance of extending discussion of MLR beyond traditional sociolinguistic borders, in order to address questions that have not often been asked as yet within them.
7. Essentialism is taken to mean here the process by which particular groups come to be described in terms of fundamental, immutable characteristics – as, for example, *via* a particular language–identity link. In so doing, the relational and fluid aspects of

identity formation are ignored and the group itself comes to be seen as autonomous, separate, and *static*, as impervious to context, time, and historical processes of change, as well as to ongoing processes of internal and external differentiation (Werbner 1997).

8. These arguments with regard to hybridity theory are strongly echoed in debates within liberal political theory around the closely allied notion of the 'cosmopolitan alternative' (Waldron 1993, 1995; for an extended overview and critique, see May 2001: Ch. 3; see also Calhoun 2003, 2004).
9. Where language is regarded as central to identity – or, as Smolicz (1979, 1993, 1995) terms it, where language is a 'core cultural value' – the *sharing* of that language may engender particular solidarities. Certainly, ethnic and nationalist movements have seen the potential this connection offers – often choosing language as a rallying point for the alternative histories, and associated cultural and political rights, that they wish to promote.
10. The examples where this has occurred as the result of a minority language policy remain extremely rare. The post-Soviet language policies of Latvia and Estonia, however, may be said to fall into this category. This is because the significant majority Russian-speaking population in these areas have been denied citizenship rights since independence unless they can demonstrate a conversational ability in Latvian or Estonian (see de Varennes 1996a).
11. For example, Welsh was historically regarded as the language of 'the chapel' – indeed, this is primarily what kept the language alive over time – but this is diminishing rapidly now, as a result of the church's own diminishing influence in Wales. Likewise, while Welsh was excluded for over four centuries as a language of the state and government, it is clearly in the process now of being reinstated in the public domain (for further discussion, see May 2000b, 2001: Ch. 7).
12. Bearing in mind the inevitable impact of unequal power relations on such an aim.
13. These MLR arguments also resonate closely with important related research on the ideological influences of language policy (Schiffman 1996; Woolard 1998; Blommaert 1999; Ricento 2000; May 2001; Schmid 2001).
14. Establishing this increased instrumentality for minority languages does not necessarily require their full re-integration into the public domain, as in the case of Wales (or Catalunya, or Quebec). There is clearly a continua of use here, depending on the status and reach of particular minority languages, along with the number of speakers. Education is one alternative – or, more accurately, allied – arena where the linguistic instrumentality of minority languages can be re-established (see May 2001). Many community-based indigenous language education initiatives, for example, often involve small-scale, local community-based initiatives (see McCarty and Zepeda 1995; May 1999; May and Aikman 2003). Even here though, there can be considerable differences of scale and influence, depending on the wider political context. In New Zealand, Finnmark in Norway, and Nunavut in Canada, for example, there are significant indigenous education initiatives that have been recognised at national or regional level (see May 2001: Ch. 8).

REFERENCES

Anderson, Benedict. 1991. *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (revised edition). London: Verso.

- Banton, Michael. 1980. Ethnic groups and the theory of rational choice. In *Sociological Theories: Race and Colonialism*. Paris: UNESCO. 475–483.
- Banton, Michael. 1987. *Racial Theories*. Cambridge, U.K.: Cambridge University Press.
- Barry, Brian. 2000. *Culture and Equality: An Egalitarian Critique of Multiculturalism*. Cambridge, Massachusetts: Harvard University Press.
- Bentahila, Abdelâli and Eirlys Davies. 1993. Language revival: Restoration or transformation? *Journal of Multilingual and Multicultural Development* 14: 355–374.
- Bhabha, Homi. 1994. *The Location of Culture*. London: Routledge.
- Blommaert, Jan. 1996. Language and nationalism: Comparing Flanders and Tanzania. *Nations and Nationalism* 2: 235–256.
- Blommaert, Jan (ed.). 1999. *Language Ideological Debates*. Berlin, Germany: Mouton de Gruyter.
- Bourdieu, Pierre. 1991. *Language and Symbolic Power*. Cambridge, U.K.: Polity Press.
- Brutt-Griffler, Janina. 2002. Class, ethnicity and language rights: An analysis of British colonial policy in Lesotho and Sri Lanka and some implications for language policy. *Journal of Language, Identity and Education* 1: 207–234.
- Calhoun, Craig. 2003. 'Belonging' in the cosmopolitan imaginary. *Ethnicities* 3: 531–553.
- Calhoun, Craig. 2004. Is it time to be post-colonial? In Stephen May, Tariq Modood and Judith Squires (eds.) *Ethnicity, National and Minority Rights*. Cambridge, U.K.: Cambridge University Press. 231–256.
- Capotorti, Francesco. 1979. *Study on the Rights of Persons Belonging to Ethnic, Religious and Linguistic Minorities*. New York: United Nations.
- Carens, Joseph. 2000. *Culture, Citizenship and Community: A Contextual Exploration of Justice as Evenhandedness*. Oxford, U.K.: Oxford University Press.
- Corson, David. 1995. Norway's 'Sámi Language Act': Emancipatory implications for the world's indigenous peoples. *Language in Society* 24: 493–514.
- Corson, David. 2001. *Qulliq Quvvariarlugu: Policy Options for Bilingual Education in the Territory of Nunavut. A Report to the Government of Nunavut*. Iqaluit, Nunavut, Canada: Government of Nunavut.
- Coulmas, Florian. 1992. *Language and Economy*. Oxford, U.K.: Blackwell.
- Coulmas, Florian. 1998. Language rights: Interests of states, language groups and the individual. *Language Sciences* 20: 63–72.
- Crawford, James. 1989. *Bilingual Education: History, Politics, Theory and Practice*. Trenton, New Jersey: Crane Publishing Co.
- Crawford, James (ed.). 1992. *Language Loyalties: A Source Book on the Official English Controversy*. Chicago, Illinois: University of Chicago Press.
- Crawford, James. 1994. Endangered Native American languages: What is to be done and why? *Journal of Navajo Education* 11: 3–11.
- Crawford, James. 2001. *At War with Diversity. U.S. Language Policy in an Age of Anxiety*. Clevedon, U.K.: Multilingual Matters.
- de Varennes, Fernand. 1996a. *Language, Minorities and Human Rights*. The Hague, The Netherlands: Kluwer Law International.
- de Varennes, Fernand. 1996b. Minority aspirations and the revival of indigenous peoples. *International Review of Education* 42: 309–325.
- Dicker, Susan. 1996. *Languages in America*. Clevedon, U.K.: Multilingual Matters.
- Dicker, Susan. 2000. Official English and bilingual education: The controversy over language pluralism in U.S. society. In Joan Kelly Hall and William Egginton (eds.)

- The Socio-politics of English Language Teaching*. Clevedon, U.K.: Multilingual Matters. 45–66.
- Dorian, Nancy. 1981. *Language Death*. Philadelphia, Pennsylvania: University of Pennsylvania Press.
- Dorian, Nancy. 1982. Language loss and maintenance in language contact situations. In Richard Lambert and Barbara Freed (eds.) *The Loss of Language Skills*. Rowley, Massachusetts: Newbury House. 44–59.
- Eastman, Carol. 1984. Language, ethnic identity and change. In John Edwards (ed.) *Linguistic Minorities, Policies and Pluralism*. London: Academic Press. 259–276.
- Edwards, John. 1984. Language, diversity and identity. In John Edwards (ed.) *Linguistic Minorities, Policies and Pluralism*. London: Academic Press. 277–310.
- Edwards, John. 1985. *Language, Society and Identity*. Oxford, U.K.: Basil Blackwell.
- Edwards, John. 1994. *Multilingualism*. London: Routledge.
- Edwards, John. 2001. The ecology of language revival. *Current Issues in Language Planning* 2: 231–241.
- Fishman, Joshua. 1997. Language and ethnicity: The view from within. In Florian Coulmas (ed.) *The Handbook of Sociolinguistics*. London: Blackwell. 327–343.
- Garcia, Ofelia. 1995. Spanish language loss as a determinant of income among Latinos in the United States: Implications for language policies in schools. In James Tollefson (ed.) *Power and Inequality in Language Education*. Cambridge, U.K.: Cambridge University Press. 142–160.
- Gilroy, Paul. 1993. *The Black Atlantic: Modernity and Double Consciousness*. London: Verso.
- Gilroy, Paul. 2000. *Between Camps*. London: Penguin.
- Grin, François. 1995. Combining immigrant and autochthonous language rights: A territorial approach to multilingualism. In Tove Skutnabb-Kangas and Robert Phillipson (eds.) *Linguistic Human Rights: Overcoming Linguistic Discrimination*. Berlin, Germany: Mouton de Gruyter. 31–48.
- Hall, Stuart. 1992. The questions of cultural identity. In Stuart Hall, David Held, and Tony McGrew (eds.) *Modernity and its Futures*. Cambridge, U.K.: Polity Press. 274–325.
- Harmon, David. 1995. The status of the world's languages as reported in the *Ethnologue*. *Southwest Journal of Linguistics* 14: 1–28.
- Hechter, Michael. 1986. Rational choice theory and the study of race and ethnic relations. In John Rex and David Mason (eds.) *Theories of Race and Race Relations*. Cambridge, U.K.: Cambridge University Press. 264–279.
- Hechter, Michael. 1987. *Principles of Group Solidarity*. Berkeley, California: University of California Press.
- Heller, Monica. 1987. The role of language in the formation of ethnic identity. In Jean Phinney and Mary Jane Rotheram (eds.) *Children's Ethnic Socialisation: Pluralism and Development*. Newbury Park, California: Sage. 180–200.
- Heller, Monica. 1999. *Linguistic Minorities and Modernity: A Sociolinguistic Ethnography*. London: Longman.
- Henrard, Kristin. 2000. *Devising an Adequate System of Minority Protection*. The Hague, The Netherlands: Kluwer Law.
- Hornberger, Nancy (ed.). 1997. *Indigenous Literacies in the Americas: Language Planning from the Bottom Up*. Berlin, Germany: Mouton de Gruyter.

- Khleif, Bud. 1979. Insiders, outsiders and renegades: Towards a classification of ethno-linguistic labels. In Howard Giles and Bernard Saint-Jacques (eds.) *Language and Ethnic Relations*. Oxford, U.K.: Pergamon Press. 159–172.
- Kontra, Miklós, Tove Skutnabb-Kangas, Robert Phillipson and Tibor Várady (eds.). 1999. *Language: A Right and a Resource. Approaches to Linguistic Human Rights*. Budapest, Hungary: Central European University Press.
- Kymlicka, Will. 1995. *Multicultural Citizenship: A Liberal Theory of Minority Rights*. Oxford, U.K.: Clarendon Press.
- Ladefoged, Peter. 1992. Another view of endangered languages. *Language* 68: 809–811.
- Laitin, David and Robert Reich. 2003. A liberal democratic approach to language justice. In Will Kymlicka and Alan Patten (eds.) *Language Rights and Political Theory*. Oxford, U.K.: Oxford University Press. 80–104.
- Leap, William. 1981. American Indian languages. In Charles Ferguson and Shirley Brice Heath (eds.) *Language in the U.S.A.* Cambridge, U.K.: Cambridge University Press. 116–144.
- Macedo, Donald. 1994. *Literacies of Power: What Americans are Not Allowed to Know*. Boulder, Colorado: Westview Press.
- Maffi, Luisa (ed.). 2000. *Language, Knowledge and the Environment: The Interdependence of Biological and Cultural Diversity*. Washington, D.C.: Smithsonian Institution Press.
- Maffi, Luisa. 2001. *On Biocultural Diversity: Linking Language, Knowledge, and the Environment*. Washington, D.C.: Smithsonian Institution Press.
- May, Stephen (ed.). 1999. *Indigenous Community-based Education*. Clevedon, U.K.: Multilingual Matters.
- May, Stephen. 2000a. Uncommon languages: The challenges and possibilities of minority language rights. *Journal of Multilingual and Multicultural Development* 21: 366–385.
- May, Stephen. 2000b. Accommodating and resisting minority language policy: The case of Wales. *International Journal of Bilingual Education and Bilingualism* 3: 101–128.
- May, Stephen. 2001. *Language and Minority Rights: Ethnicity, Nationalism and the Politics of Language*. London: Longman.
- May, Stephen. 2002a. Indigenous rights and the politics of self-determination: The case of Aotearoa/New Zealand. In Steve Fenton and Stephen May (eds.) *Ethnonational Identities*. London: Palgrave Macmillan. 84–108.
- May, Stephen. 2002b. Developing greater ethnolinguistic democracy in Europe: Minority language policies, nation-states, and the question of tolerability. *Sociolinguistica* 16: 1–13.
- May, Stephen. 2003a. Misconceiving minority language rights: Implications for liberal political theory. In Will Kymlicka and Alan Patten (eds.) *Language Rights and Political Theory*. Oxford, U.K.: Oxford University Press. 123–152.
- May, Stephen. 2003b. Rearticulating the case for minority language rights. *Current Issues in Language Planning* 4: 95–125.
- May, Stephen. 2004a. Rethinking linguistic human rights: Answering questions of identity, essentialism and mobility. In Donna Patrick and Jane Freeland (eds.) *Language Rights and Language 'Survival': A Sociolinguistic Exploration*. Manchester, U.K.: St Jerome Publishing. 35–53.
- May, Stephen. 2004b. Medium of instruction policy in New Zealand. In James Tollefson and Amy Tsui (eds.) *Medium of Instruction Policies: Which Agenda? Whose Agenda?* Mahwah, New Jersey: Lawrence Erlbaum Associates. 21–41.

- May, Stephen and Sheila Aikman. 2003. Indigenous education: New possibilities, ongoing restraints. Special issue of *Comparative Education* 39: 2.
- McCarty, Teresa. 2002. *A Place to be Navajo: Rough Rock and the Struggle for Self-determination in Indigenous Schooling*. Mahwah, New Jersey: Lawrence Erlbaum.
- McCarty, Teresa and Ofelia Zepeda (eds.). 1995. Special issue: *Indigenous Language Education and Literacy*. *Bilingual Research Journal* 19(1).
- McKay, Sandra and Sau-ling Wong. 1988. *Language Diversity: Problem or Resource?* Boston, Massachusetts: Heinle and Heinle.
- Mühlhäusler, Peter. 1996. *Linguistic Ecology: Language Change and Linguistic Imperialism in the Pacific Region*. London: Routledge.
- Mühlhäusler, Peter. 2000. Language planning and language ecology. *Current Issues in Language Planning* 1: 306–367.
- Nelde, Peter. 1997. Language conflict. In Florian Coulmas (ed.) *The Handbook of Sociolinguistics*. London: Blackwell. 285–300.
- Nettle, Daniel and Suzanne Romaine. 2000. *Vanishing Voices: The Extinction of the World's Languages*. Oxford, U.K.: Oxford University Press.
- Pennycook, Alastair. 1998. The right to language: Towards a situated ethics of language possibilities. *Language Sciences* 20: 73–87.
- Phillipson, Robert. 2003. *English-Only Europe: Challenging Language Policy*. London: Routledge.
- Pogge, Thomas. 2003. Accommodation rights for Hispanics in the U.S. In Will Kymlicka and Alan Patten (eds.) *Language Rights and Political Theory*. Oxford, U.K.: Oxford University Press. 105–122.
- Rampton, Ben. 1995. *Crossing: Language and Ethnicity among Adolescents*. London: Longman.
- Rattansi, Ali. 1999. Racism, 'postmodernism' and reflexive multiculturalism. In Stephen May (ed.) *Critical Multiculturalism: Rethinking Multicultural and Antiracist Education*. London and New York: RoutledgeFalmer. 77–112.
- Ricento, Thomas. 1996. Language policy in the United States. In Michael Herriman and Barbara Burnaby (eds.) *Language Policies in English-Dominant Countries*. Clevedon, U.K.: Multilingual Matters. 122–158.
- Ricento, Thomas. 2000. Historical and theoretical perspectives in language policy and planning. In Thomas Ricento (ed.) *Ideology, Politics and Language Policies: Focus on English*. Amsterdam, The Netherlands: John Benjamins. 9–24.
- San Miguel, Guadalupe and Richard Valencia. 1998. From the Treaty of Guadalupe Hidalgo to Hopwood: The educational plight and struggle of Mexican Americans in the Southwest. *Harvard Educational Review* 68: 353–412.
- Schiffman, Harold. 1996. *Linguistic Culture and Language Policy*. London: Routledge.
- Schlesinger, Arthur. 1992. *The Disuniting of America: Reflections on a Multicultural Society*. New York: W. W. Norton and Co.
- Schmid, Carol. 2001. *The Politics of Language: Conflict, Identity, and Cultural Pluralism in Comparative Perspective*. Oxford, U.K.: Oxford University Press.
- Skutnabb-Kangas, Tove. 1998. Human rights and language wrongs – a future for diversity? *Language Sciences* 20: 5–27.
- Skutnabb-Kangas, Tove. 2000. *Linguistic Genocide in Education – or Worldwide Diversity and Human Rights?* Mahwah, New Jersey: Lawrence Erlbaum.
- Skutnabb-Kangas, Tove. 2002. Marvellous human rights rhetoric and grim realities: Language rights in education. *Journal of Language, Identity and Education* 1: 179–206.

- Skutnabb-Kangas, Tove. 2005. Can a linguistic human rights approach deliver? Reflections on complementarities, tensions and misconceptions in attempts at multidisciplinaryities. In Stephen May, Margaret Franken and Roger Barnard (eds.) *LED2003: Proceedings of the Inaugural International Conference on Language, Education and Diversity*. Hamilton, New Zealand: Wilf Malcolm Institute of Educational Research, University of Waikato.
- Skutnabb-Kangas, Tove and Robert Phillipson. 1995. Linguistic human rights, past and present. In Tove Skutnabb-Kangas and Robert Phillipson (eds.) *Linguistic Human Rights: Overcoming Linguistic Discrimination*. Berlin, Germany: Mouton de Gruyter. 71–110.
- Smolicz, Jerzy. 1979. *Culture and Education in a Plural Society*. Canberra, Australia: Curriculum Development Centre.
- Smolicz, Jerzy. 1993. The monolingual myopia and minority rights: Australia's language policies from an international perspective. *Muslim Education Quarterly* 10: 44–61.
- Smolicz, Jerzy. 1995. Australia's language policies and minority rights. In Tove Skutnabb-Kangas and Robert Phillipson (eds.) *Linguistic Human Rights: Overcoming Linguistic Discrimination*. Berlin, Germany: Mouton de Gruyter. 235–252.
- Tabouret-Keller, Andrée. 1997. Language and identity. In Florian Coulmas (ed.) *The Handbook of Sociolinguistics*. Oxford, U.K.: Blackwell. 315–326.
- Thornberry, Patrick. 1991a. *International Law and the Rights of Minorities*. Oxford, U.K.: Clarendon Press.
- Thornberry, Patrick. 1991b. *Minorities and Human Rights Law*. London: Minority Rights Group.
- Todal, Jon. 1999. Minorities within a minority: Language and the school in the Sámi areas of Norway. In Stephen May (ed.) *Indigenous Community-based Education*. Clevedon, U.K.: Multilingual Matters. 124–136.
- Todal, Jon. 2003. The Sámi school system in Norway and international cooperation. *Comparative Education* 39: 185–192.
- Toynbee, Arnold. 1953. *A Study of History* (Volumes VII–IX). London: Oxford University Press.
- Tully, James. 1995. *Strange Multiplicity: Constitutionalism in an Age of Diversity*. Cambridge, U.K.: Cambridge University Press.
- Waldron, Jeremy. 1993. *Liberal Rights*. Cambridge, U.K.: Cambridge University Press.
- Waldron, Jeremy. 1995. Minority cultures and the cosmopolitan alternative. In Will Kymlicka (ed.) *The Rights of Minority Cultures*. Oxford, U.K.: Oxford University Press. 93–119.
- Weinstein, Brian. 1983. *The Civic Tongue: Political Consequences of Language Choices*. New York: Longman.
- Weinstein, Brian. 1990. *Language Policy and Political Development*. Norwood, New Jersey: Ablex.
- Werbner, Pnina. 1997. Essentialising essentialism, essentialising silence: Ambivalence and multiplicity in the constructions of racism and ethnicity. In Pnina Werbner and Tariq Modood (eds.) *Debating Cultural Hybridity: Multicultural Identities and the Politics of Antiracism*. London: Zed Books. 226–254.

Woolard, Kathryn. 1998. Introduction: Language ideology as a field of inquiry. In Bambi Schieffelin, Kathryn Woolard and Paul Kroskrity (eds.) *Language Ideologies: Practice and Theory*. New York: Oxford University Press. 3–47.

Address correspondence to:

Stephen May
School of Education
University of Waikato
Private Bag 3105
Hamilton
New Zealand
s.may@waikato.ac.nz