

# Language policy and political philosophy

## On the emerging linguistic justice debate

Helder De Schutter

University of Leuven

This paper provides an overview of the emerging debates over language policy and linguistic diversity within political philosophy. It outlines the larger context of this debate and identifies its protagonists and the main issues at stake in it. In addition, it presents an interpretive scheme for the analysis of the variety of approaches that have so far been developed within this field. This scheme relates these approaches back to two clashes of different language ideologies. The first clash is between instrumentalism and constitutivism. The second clash is between transparency and hybridity. Finally, the paper explains why the sociolinguistic literature on language policy should interest political philosophers, and vice versa: why sociolinguists should engage with political philosophy.

**Keywords:** linguistic justice, language policy, language rights, language ideologies, hybridity, nationalism

In the past several years political philosophy has seen a remarkable rise in interest in issues related to language policy. It is the goal of this essay to acquaint specialists in language policy engaged in more traditional fields of language policy research, like sociolinguistics, with what is going on within political philosophy about these issues. At the same time, this essay is a call for bridging the fields, an attempt to prevent the new philosophical debate from steering its own independent course apart from existing debates over language policy.

Political philosophers have only recently become interested in language policy. Typically, they have not directly and explicitly approached this subject; rather, language policy was considered as an often implicit subset of more general theories of multiculturalism and cultural recognition. Such theories were developed mainly in the 1990s, by philosophers like Charles Taylor (1994), Jürgen Habermas (1994), Will Kymlicka (1995) and Seyla Benhabib (2002).

Even more recently, only in the past few years, various theorists have started to tackle linguistic diversity and language policy as a topic of its own, which has culminated in the publication of a collection of papers on language rights and political philosophy (Kymlicka & Patten 2003), apart from numerous other articles (Boran 2001; Kymlicka 2001; Réaume 2000; Patten 2001, 2003; Van Parijs 2000a, 2000b, 2007).

In this paper, I provide an overview of the existing and emerging debate and its importance to the study of language policy and language planning. In a first section, I outline the context of the debate, situating it within its origins and clarifying the explicit normative approach that characterizes it. In the second section I develop a framework for the interpretation of the variety of normative language policy approaches that have been formulated so far. This framework consists of a taxonomy of the issues at stake in the debate, as well as of an interpretive scheme, which relates the existing theories in the field back to two clashes of different language ideologies.<sup>1</sup> The first clash is between an instrumental and a constitutive understanding of the nature of *membership in a linguistic community*; the second is between a transparent and a hybrid *concept of language* on which the various language policy approaches are based. In a third section I explain, first, why this new and emerging debate could enlighten sociolinguists and language policy theorists, and, second, why political philosophers should take an active interest in the sociolinguistic debate over these issues.

I should add the methodological note that, given the nature of this exercise, I will limit myself in what follows to arguments made within this recent debate in political philosophy, thereby abstracting them from already existing arguments and theories of language policy in other fields.

## Context

There are two important peculiarities of this debate that are essential to an adequate understanding of it. The first is that it is a *normative* debate about political justice. The political theorists engaged in this field all set out to develop a view of what is the *just* state involvement with languages and language diversity. So this debate is not concerned with the study of actual language policies or with empirical research on linguistic diversity. It deals uniquely with the just political reaction toward languages. One recently emerging and appropriate way to refer to the debate is therefore to term it the *linguistic justice* field, which is analogous to the names of other contemporary fields of interest

in political philosophy, such as the *socio-economic justice* or the *environmental justice* debates.

As an immediate result of this normative thrust, political philosophers interested in linguistic justice approach language primarily as an “object” of their justice-related research. Let me explain this. The primary expertise of normative political philosophers today consists of analyzing and conceptualizing what *justice* amounts to. Thus, *linguistic justice* theorists start with getting clear on normative principles of justice, and then, in a second step, approach the issue of language as one case-study among others.

This focus on justice explains both the strengths and the weaknesses of this debate in its contribution to the study of language policy. While these philosophers usually do an excellent job in clarifying the normative principles, they run the risk of building valid syllogisms on unfounded premises. Indeed, as I will explain in the next section, I believe the main flaw in the debate as it has developed so far is an inappropriate reliance on a very “Westphalian” and outdated empirical understanding of the concept of language itself. I will call this a *linguistic distinctness* understanding. This notion of *linguistic distinctness* takes the world to be a neat patchwork of separate monolingual geographical areas almost exclusively populated by monolingual speakers. As a result, many of these philosophers, often unaware of important sociolinguistic and other research on these matters, endorse an ill-conceived notion of the concept of language on which they build their theories.

However, what linguistic justice theorists are good at is getting the principles straight, and in this they can constitute a true asset to the larger field of language policy research. Essential in this linguistic justice debate are questions such as: “Is political protection of languages a requirement of justice?”, “Is language loss also moral loss?”, “Why and under which circumstances would language loss call for political action?”, and: “If the normative goal of ‘equality’ makes sense, what does it amount to in the domain of language” (see also Patten 2001).

As the principles in a sense come first for these philosophers, what we see is that many of the traditional normative positions in political philosophy re-emerge as normative language policy approaches, and that many theorists who now turn to language apply their larger theories to this linguistic field. As a result, a whole gamut of language policy positions is now being developed, ranging from egalitarian (Pogge 2003) to democratic (Laitin & Reich 2003), to nationalist (Tamir 1995, Kymlicka 2001) and finally to libertarian (Kukathas 2003) theories of linguistic justice.

However, despite this overt reliance on existing normative political theories, the applied field of linguistic justice also posits problems of its own, which cannot simply be related back to long-standing mainstream positions, and which gives this debate a particular interest. The most important point of cleavage in all these debates centers around the answer to the question what the value of linguistic membership — the value of being part of a linguistic community — amounts to on a political level. The position one takes in answering this question will determine whether or not one is inclined to see linguistic assimilation as a serious problem, an injustice even (Kymlicka 2001, Tamir 1995, Van Parijs 2007), as a neutral affair (Kukathas 2003) or rather as an often worthwhile goal, based on the argument that in many cases linguistic inequality and assimilation may end up in greater equality along a non-linguistic dimension, such as equality of opportunity (see Barry 2001, Pogge 2003, Weinstock 2003). So the answer to this question sharply divides the traditional ideological camps internally,<sup>2</sup> and we find, for instance, some left-wing philosophers arguing for and other leftists manifestly against linguistic protection of language minorities (see, respectively, Kymlicka 2001 versus Barry 2001).

The second fact to note before we actually embark on an overview of the field itself is the peculiar *origin* of this linguistic justice debate. As mentioned above, this is a very recent and still emerging field. It has two important sources of influence.

First, it certainly derives a large part of its impetus from the liberalism-communitarianism debate that dominated the 1980's. Communitarians like Michael Sandel and Charles Taylor mainly questioned the individualistic and a-cultural atomism of the standard liberal theories of philosophers like John Rawls. In response to this liberal atomism, they developed a much more culturally embedded picture of the self, whose identity is not taken to be autonomously constructed but largely derived from cultural and linguistic media.

Interestingly, in the beginning of the 1990's, important attempts were made to bridge the gap between liberal thought and communitarian concerns, and to make the liberal premises of individual autonomy compatible with the idea of cultural embeddedness. A crucial figure in this second source of influence for the linguistic justice debate is Will Kymlicka, whose crucial argument is, in a nutshell, that (the liberal ideal of) individual autonomy requires a cultural context of choice (Kymlicka 1995:83). This thesis is also present in the accounts of other liberal nationalists (e.g. David Miller 1995, Yael Tamir 1995, Margaret Moore 2001) and liberal multiculturalists (e.g. Joseph Raz 1995, Joseph Carens 2000, Amy Gutmann 2003). Liberal nationalists and multiculturalists are united in defending the moral and political importance of cultural

membership, as well as what they see as the political result of this view, the idea that the just accommodation of cultural difference implies granting cultural minority groups minority (or group-differentiated) rights to state support.

Both ideas are contested and vehemently rejected by a wide group of theorists who wish to defend the traditionally liberal idea of “culturally blind” political regimes and reject the idea of minority rights (Brian Barry 2001, Chandran Kukathas 2003). The traditional liberal accommodation of diversity and identity pluralism is neutrality. Liberals, these philosophers argue, do not want the state to publicly prioritize some conceptions of identity or the good life, say the Catholic view, over others that are thereby subordinated. Therefore, what the state has to do is to remain silent on these issues, by not adopting or publicly endorsing any such position at all.

It is this context of multiculturalism and nationalism that forms the immediate background for the linguistic justice debate. Both the multiculturalism/nationalism and the linguistic justice fields also have the same protagonists, as the theorists of the multiculturalism and nationalism debate have started to shift their attention from “culture” and “nation” in general, to language as a crucial aspect of national and cultural communities.

The story of the origin of the linguistic justice debate has important consequences. For one thing, we can see the same patterns and positions emerging in a new and somewhat more focused form. But secondly, and crucially, this particular feature explains a central focus of the debate on the issue of *group identity*. Its two sources of influence, (1) communitarianism/liberalism and (2) multiculturalism/nationalism, were essentially debates about the importance of groups and group identities for politics. Linguistic justice theorists consequently frame the value of language for individuals essentially as a question of identity, and many discussions focus on the question whether language is a special type of identity, requiring special normative attention because it is normatively different from other (such as political, religious or gender-related) sorts of identities. As a result of this, the linguistic justice debate very much lives up to John Edwards’ plea, directed to sociolinguists, “to remember that what is really under discussion here is not so much language *per se*: it is, rather, a question of *group identity*” (Edwards 2003:44–45; see also Pool 1979).

This brings us to a third and related point. The anti-position in many of these debates, the view against which group rights theorists have to position themselves, is still the standard liberal reaction to identities, against which the communitarian critiques of the 1980s started to develop an alternative. The result is that the burden of proof is generally felt to fall upon positions that wish to deviate from this standard liberal neutrality approach.

However, several theorists have recently argued that to frame the linguistic justice debate in these terms is misleading. It is true that communitarian thinkers did indeed base their case on showing why it is not appropriate to take individuals in their (atomistic) individuality as the basic constituents of a theory of justice, and why individual selves are embedded in supra-individual contexts. In the liberalism-communitarianism debate, there was a well-defined liberal position (often identified with the work of Rawls), against which contending doctrines had to justify themselves. But this is no longer the case for the debate over linguistic justice. The reason for this is that, in the field of language, it is impossible to establish what this “standard liberal” answer might be. What might it mean not to interfere at all with language? How can states remain purely neutral in the domain of language? Kymlicka (1995:111) has argued this point most forcefully:

Many liberals say that just as the state should not recognize, endorse, or support any particular church, so it should not recognize, endorse, or support any particular cultural group or identity. But the analogy does not work. It is quite possible for a state not to have an established church. But the state cannot help but give at least partial establishment to a culture when it decides which language is to be used in public schooling, or in the provision of state services. The state can (and should) replace religious oaths in courts with secular oaths, but it cannot replace the use of English in courts with no language.

But what is the alternative? If the liberal answer does not work, what *is* the appropriate and just state reaction to linguistic diversity? That is the question over which the linguistic justice wars are now being fought within the field of political philosophy.

### **The debate: taxonomy**

The existing theories of linguistic justice can be divided into three subdomains. First, the subdomain of *multilingual settings* deals with linguistic justice in regions with more than one language. In monolingual areas with monolingual speakers, political recognition will normally be limited to just one language, the language of the territory in question. But in situations of linguistic diversity things are very different. In the linguistic justice debate four dominant positions have been developed for such multilingual settings (see Patten 2001): (1) guaranteeing the equal success of each of the languages, (2) giving equal support to any of the existing languages with a per-capita prorating (the biggest language groups get more state support), (3) giving equal support with an

inverse per-capita rating (prioritizing the smaller or weaker languages) and (4) realizing equalization along non-linguistic (such as socio-economic) lines. These positions still differ with regard to which languages are to be treated as full-standing members: should the protection of immigrant languages be less rigorous than the support for “native languages”? Are “native languages” in multilingual federal countries like Belgium, Canada or Spain entitled to equal support regardless of *where* they occur within the country or only within restricted areas?

The second subdomain of *interlingual settings* deals not with domestic linguistic diversity but with linguistic justice across linguistic borders, in translinguistic constellations. The crucial question here is: what does linguistic justice amount to in transnational constellations, such as the EU or the UN? The positions here situate themselves somewhere on the line between linguistic pluralism (each member speaks its own language) and linguistic homogenization (each member switches to a lingua franca, with or without compensation for those people for whom the lingua franca is a second language).

The third subdomain might be termed *global linguistic justice* and deals with issues surrounding language death and linguistic globalization. The main positions here diverge between the view that *any* instance of language loss calls for urgent political action and the view that there is nothing wrong with language death — with many intermediate positions (such as the view that the language loss calls for political action only when the causes for the loss were unjust<sup>3</sup>).

Of course, these are interdependent fields and one’s position in one domain will largely determine one’s position in another. So a strong egalitarian position that calls for political action to reverse instances of language loss in the global linguistic justice field will easily correlate with an “equal success” position in the “multilingual settings” domain.

But still there is a lot of potential for combining positions. Take for instance the ingenious theory developed by Philippe Van Parijs (2000a, 2000b, 2007), who combines a very coercive linguistic territoriality regime within the domestic “multilingual settings” domain with an equally radical normative endorsement of English as the lingua franca of the world in the “interlingual settings” field.

While other fields of state preoccupation with linguistic issues are imaginable, such as the justice involved in political initiatives regarding dictionaries or standardization (corpus planning initiatives), these issues are still absent in this linguistic justice debate. So far, the linguistic justice debate has dealt more or less uniquely with these three domains, which fall within what sociolinguists

(see Cooper 1989) call status planning, with occasional spillovers into issues related to education or acquisition planning.

### **Instrumentalism versus constitutivism**

No normative theory of justice can avoid taking at least some understanding of the “facts of the world” as given (see Levy 2000:3–5). This is certainly the case in the field of language policy. Any theory that stipulates the way in which language and linguistic diversity ought to be regulated in a just way, has to be based, to some extent, on the way in which we understand language and membership in a linguistic community.

It is possible to relate many contemporary language policy approaches back to two different ways of understanding our embeddedness within a language, more specifically an instrumental versus a constitutive understanding. Several early modern and modern theories of language have focused predominantly on the instrumental function of language to communicate thought. Language was believed to be a collection of words that we can use as tools to name objects or thoughts. This representational point of view has been criticized by people like Herder and Fichte, who have replaced instrumentalism with constitutivism. The constitutive view says that language constitutes who I am, that my language and my identity are inextricably intertwined, that I cannot have concepts or views for which I do not have language, and that language allows me to express or articulate things that I could not have without having language.

This distinction is still very much alive in contemporary debates over language policy. Take the constitutivist case first. Contemporary constitutivists will rely on the idea that language is important for my identity, and argue, based on this idea, that language groups are therefore entitled to receive language rights and language protection. This is possible in two ways: the first, *objectivist* way is to argue that language is important for the constitution of the self. The second, however, is a *subjectivist* argument which says that, regardless of why a given group of people believes its language to be important, if the group claims language rights, these ought to be granted.

Merely basing an identity-argument on the objectivist understanding could lead to a form of linguistic paternalism, whereby elites could decide where people’s identities really lie — say, in Spanish instead of Catalan. But merely relying on the subjectivist view cannot show why my linguistic identity and preferences are more important, than, say, my preference to have a specific government building painted red instead of yellow, which might equally be said to be important

for my identity. So while objectivism without subjectivism turns undemocratic, subjectivism without objectivism cannot ground the legitimacy of its claim.

Instrumentalists, in contrast, typically defend the idea that languages should be primarily seen as tools to perform non-linguistically defined things. They will develop this idea into a theory of linguistic justice that states that government interference in the domain of language is only legitimate in so far as it attempts to bring about these non-linguistic goals.

There are very few theorists in this debate who interpret instrumentalism as a view that language, instead of being an important part of people's identity, is merely a conventional tool, an instrument people use only for nonlinguistic ends — though some do take such a position. Take, for instance, the linguistic underpinnings of the sharp critique of multiculturalism developed by Brian Barry. Barry writes that “it can be said of language as of no other cultural trait that it is a matter of convention” (Barry 2001:107). Our language is therefore not a constitutive aspect of who we are: it is a “local convention.” Language belongs to the category of things of which we can just say, “This is how we do things here” (Barry 2001:107).

Barry's understanding of the nature of our linguistic embeddedness is thus very instrumental. For him, language is essentially an arbitrary tool for communication. Consequently, when the goal of communication is impeded by the presence of linguistic diversity, we are facing a genuine problem. Therefore, “democratic states that still have an open future [with regard to the possible development of distinct linguistic communities] have every reason for pursuing the course that leads to a linguistically homogeneous polity” (Barry 2001:228). Barry also endorses the argument that instruction in Welsh in schools reduces the time students might devote to learning a major foreign language, which may be of greater practical use (Barry 2001:106–107).

But, although Barry's instrumental view has a very substantial pedigree in the history of the philosophy of language, today his view is an exception, both in the philosophy of language and in the field of linguistic justice. Most theorists today accept as a fact that many people feel deeply attached to their native tongues. They also accept that many people derive intrinsic value from membership in their linguistic community and from being able to communicate, participate and live in their own linguistic context.<sup>4</sup>

But that does not mean that the instrumentalist case is no longer a viable option. Some version of it is still very popular, although it is now being defended on different grounds. Many theorists of linguistic justice — such as Levy 2000, Pogge 2003 and Weinstock 2003 — argue for a version of instrumentalism that accepts people's constitutive attachments to linguistic contexts but at the same

time argues that languages also have instrumental functions and that, when it comes to policy-making, these functions should be given priority over the identity function of language. So, far from arguing that one's linguistic belonging is merely accidental and external to one's identity, most instrumental views of linguistic justice do argue that, on the level of policy, non-identity-related ends (such as opportunity maximation) override the identity interest. They understand that many people have an identity the interest, but they abstain from using public policy measures to accommodate it. The normative conclusion they reach is that we should regulate language(s) in such a way that (only or primarily) the non-identity-related goals are realized.

Once instrumentalism is understood in this way, then the difference between the instrumentalist and the constitutivist case is no longer a disagreement over the identity value of language but rather one over the normative conclusions to be drawn from it. In contrast to the instrumentalist view, constitutivists then argue that, apart from realizing people's communicative or opportunity-related interests, we should accord an important normative standing to their intrinsic interest in using their own language (see Réaume 2003:283 and also Grin 2004:197–200). They argue that a just theory of language policy will accommodate linguistic groups and grant language rights to linguistic minorities. The justification for doing so is remedial: language rights remedy the injustice that arises when minorities are forced to live their life in the language of majorities, who happen to possess the prerogatives of linguistic power.

This gives rise to the following scheme (see Table 1), where it is possible to infer both C and D from B, although proponents of A will normally only infer C as a normative position.

Before explaining this table in more detail, I should add two remarks. Note first that the distinction between instrumental and constitutive language ideologies is not equivalent to the one between instrumental and intrinsic approaches (see Kymlicka 1995 for the former and Musschenga 1998 for the latter). Musschenga attributes intrinsic value to languages and cultures, claiming that languages are morally valuable in themselves, independently of the value their speakers attach to them. This intrinsic argument stands opposed to instrumental accounts, which consider only the individual to be the bearer of rights.

The vast majority of existing political philosophies of linguistic justice, however, explicitly reject the idea of intrinsic value. Most theorists take only individuals to be the bearers of rights. The upshot of this is that languages and cultures matter only in so far as they are desired by individuals. In fact, both the instrumental and the constitutive language ideologies discussed here present distinctive accounts of the value of linguistic membership, of what it means

**Table 1.** Constitutive versus instrumental language ideologies and language policies

	<b>Instrumental Language Ideology</b>	<b>Constitutive Language Ideology</b>
<b>Underlying view of linguistic membership (linguistic ontology)</b>	(A) Language as external to who I am (language is a tool or convention for the individual)	(B) Language is intrinsic to who I am (linguistically embodied subject)
<b>Normative conclusion (language policy)</b>	(C) Regulate language(s) in such a way that non-identity related goals are realized: 1. communication: democratic deliberation 2. efficiency 3. equality of opportunity 4. mobility (or reduction of mobility) 5. cohesion and solidarity Further subdivision: 1. Outcome-oriented: language maintenance/ language homogenization 2. Procedural	(D) Organize language in such a way that the identity interest of language is taken into account  Further subdivision: 1. Outcome-oriented: language maintenance 2. Procedural

for individuals to have a language, and thereby already assume that languages are there for the benefit of their speakers. Typically, however, proponents of the intrinsic argument will side with the constitutivist stance, resolving the apparent problem that preserving languages might be opposed to individual interests by claiming that individuals have intrinsic interests in their languages.

Secondly, we should observe that there is a different distinction that lies somewhat at the background of this pair of concepts. This is the idea that linguistic preferences are not on equal footing with individual preferences. Following Dworkin and Kymlicka (in Kymlicka 1995:83, 2001:210) and Tamir (1993), we can say that culture and language provide us not only with options but also with the spectacles through which we view and identify options as valuable. Language can be seen as the medium through which the individual preferences we have can be experienced as meaningful. Linguistic preferences are thus, in a sense, prior to the individual preferences we make on the basis of such linguistic preferences. Now, what is under dispute in the instrumental/constitutive discussion on the ontological level is not so much the idea that language is a pair of spectacles, a medium. Even the instrumental side assumes

that. What is at stake here is rather the importance of particular languages, the question which spectacles we should give to people.

The constitutive view, then, argues that, in principle, there is a right not to be assimilated, that people should be granted their own linguistic medium, because of the fact that the medium is believed to be situated and not neutral (see table). The instrumental view says that the particular language that is to be privileged by the policy is the one that best maximizes the favored non-identity related outcome.

The concrete goals that are to be maximized according to an instrumental theory of language policy vary from author to author. Barry emphasizes equality of opportunity, which is also Pogge's main concern (Pogge 2003). Other authors will highlight the importance of the absence of violence (Levy 2000<sup>5</sup>) or stress the requirement of a common language for an adequate democratic deliberation process (John Stuart Mill is one of the main proponents of this view, which is shared to a large extent by, among others, Barry 2001, Van Parijs 2007, and Weinstock 2003).

In the debate as I frame it here, then, the two positions are not symmetrical: whereas the instrumentalist picture only takes non-identity-related justifications for language policy into account, the constitutive view also admits identity concerns for language policy apart from concerns not related to the identity function of language.<sup>6</sup> Note that there is an important difficulty here for the constitutivist that the instrumentalist, by refusing to recognize the identity interest, does not have to cope with. Since the constitutive view also admits identity concerns as a ground for language planning apart from instrumental interests, difficult trade-off decisions will have to be made. The smaller the language group whose language receives state support, the greater the costs involved along the non-identity-related axis. Ideally, many constitutivists argue, the instrumental goals of communication, efficiency, equality of opportunity, mobility and cohesion, are to be realized in one's own language, within one's own language group. But surely this ideal principle will run up against many counter-examples. Barry's concern, cited above, about devoting time to the study of Welsh is a case in point. But much worse clashes between linguistic identity and (non-linguistic forms of) equality of opportunity can be perceived if we shift our focus from rich Western industrialized countries to regions with smaller indigenous peoples with "moribund languages." These peoples have to choose whether they wish to maintain their own mother-tongue and organize, say, their education system, in that language, or whether they will opt for more widespread languages such as Spanish, Swahili or French (which Abram de Swaan 2001 has called "supercentral" languages), thereby foregoing important

instrumental benefits (see also Maffi 2003:70–71). It is from such examples that instrumentalists, who argue that instrumental concerns override identity concerns, derive their normative impetus.

Note that both theories may be further subdivided by distinguishing between an outcome-oriented approach and a procedural approach (see Patten 2001; Patten and Kymlicka 2003:48–51). An outcome-oriented approach aims at the full realization of a definite state of affairs, such as the distribution of a common language (*language homogenization*), or the equal success or survival rate of all languages within a certain territory (*language maintenance*). In opposition to this, the procedural approach seeks to guarantee that all language groups have equal resources rather than ensuring the realization of a certain state of affairs.<sup>7</sup> It will focus on fair procedures and give all groups equal recognition, no matter what the outcome will be.<sup>8</sup>

Although a policy of language maintenance will often be justified as an outcome-oriented subset of the constitutive ideology, I think it is relevant to see that it can also be defended on an instrumental basis. One of the reasons that Van Parijs gives for the maintenance of languages, for instance, is the fact that linguistic diversity is the only serious brake on the mobility of people and thus functions as a welcome population-stabilizer (Van Parijs 2000a:240). Theorists like Stephen May (2003), Dénise Réaume (2000, 2003) or Tove Skutnabb-Kangas (2000) defend language maintenance from a more constitutive point of view.

### Discreteness versus hybridity

Despite the diversity concerning ideologies of linguistic membership, many of these linguistic justice theories, from both instrumental and constitutive sides, do seem to take a *discreteness* concept of language as an unquestioned and standard starting-point.

The discreteness concept consists of three united assumptions. First, it understands a language to be spoken by exclusively monolingual speakers. Monolingualism is therefore taken as the normal case. Second, languages are believed to have transparent boundaries, both linguistically and territorially, which gives rise to a mosaic picture of our linguistic world, with neatly juxtaposed languages marked off by sharp lines. Third, it is assumed that members of a linguistic community are undivided with regard to the issue of identity: individual linguistic identity variation is believed to be very low. That is what justifies speaking about a *group's desire* to have its own territory and to maintain its own linguistic context.

This discreteness view is the premise on which two of the most prominent theories in the field, the ones developed by Philippe Van Parijs and Will Kymlicka, rely. In several of his recent publications, Van Parijs defends a territorial theory of language planning, largely on instrumental grounds.<sup>9</sup> “To protect vulnerable languages, there is, under circumstances of high mobility, at best one effective strategy, the firm application of the linguistic territoriality principle: *Cuius regio, eius lingua*” (Van Parijs 2000b:219). This principle makes the language of a particular territory the only admissible one in that territory as regards public administration, political life, judicial procedures and publicly-funded compulsory education. And when people settle in that territory, we should “kindly ask them to have the humility to learn the local language” (Van Parijs: 2000b:219).

Kymlicka’s normative policy recommendations, though less grounded in instrumental considerations, are roughly similar to those of Van Parijs. Kymlicka (1995) starts from the assumption that people live in national cultures which can be understood as providing the spectacles that make our life choices and options meaningful to us. These spectacles are worthy of protection, since, by providing us with meaningful contexts of choice, they enable individual choice, and also because they support their members’ identity. Kymlicka understands national cultures to be territorially concentrated, more or less constitutionally complete communities, sharing a distinct language and history (see Kymlicka 1995:49–68, 2001:25).

Kymlicka’s central normative conclusion is that justice entails giving each national group self-government rights in order to enable its members to maintain their own language and culture. These national groups thus get linguistic, territorial and political autonomy. For instance, one of the strategies Kymlicka advocates is the drawing and redrawing of internal boundaries in a multinational state in such a way as to make political and territorial boundaries coincide with cultural and linguistic ones (Kymlicka 2001:210).

However, it seems that Kymlicka’s normative defense of linguistic and cultural rights is grounded in an unrealistically homogeneous concept of language and culture, which closely parallels the discreteness concept of language. Kymlicka seems to believe that we live in a transparently mosaic cultural and linguistic world, where clear and stable boundaries mark off monolingual cultures. If this starting-point were correct, then a normative monolingual nation-state theory would perhaps not be inappropriate. In other words, invoking a monolingual nation-state logic (one language/one nation/one state) may be appropriate as long as the monolingual and monocultural assumption is true of our linguistic and cultural reality. The same may be said with regard

to the proposal of Van Parijs: the guideline to make “the language of a particular territory the only admissible one in that territory” proceeds on the assumption that there actually is one language in that territory, and that linguistic and territorial boundaries do coincide.

However, this convergence is an exception. The cultural world we inhabit is imbued with multiculturalism, multilingualism, and linguistic opacity. It is always characterized by vague boundaries, grey zones, minorities within minorities, bi- and multilingualism, and so on. Consequently, basing a normative theory on a monolingual empirical understanding of languages and cultures will result in the inability to provide room for such instances of linguistic hybridity. This, in turn, will lead to an inappropriate reduction of linguistic reality and will squeeze each instance of hybridity into a monolingual frame. Things that do not fit very well into this frame (such as cultural overlap, bilingualism, cultural diffusion, diglossia, minorities within minorities) are then treated as insignificant and vague details, which are to be smoothed away, again by monocultural and monolingual solutions (self-government rights, territoriality, or monolingual politics).

This results in a certain *inability* to handle situations adequately in which two or more ethnolinguistic or national groups lay claim to the same land, as has been illustrated by the Aboriginal claim to territory currently in the hands of the authorities (Kukathas 1997:423), and also by what lies at the heart of, among many others, the conflicts in Jerusalem, Cyprus, and, to a lesser extent, Brussels. Or take situations in which two or more language groups live intermixed in such a way that it is often impossible to draw consistent borders around monolingual groups, such as in Brussels and such as in regions where Welsh, Russian (in the Baltic states), Catalan or Basque are spoken.

Simultaneously and consequently, maintaining the discreteness view in hybrid contexts results in a certain *injustice*, since it tends to neglect instances of linguistic pluralism and linguistic hybridity. This injustice is done to anyone who finds himself or herself in such a hybrid cultural situation, for example bi-cultural bilinguals who do not consider themselves to be rooted predominantly in one group or another. However, it is not clear why monolingual speakers of monolingual languages are to be picked out as the standard case. Why would it be preferable to expect everyone to converge linguistically on a shared preference for monolingual identity feelings? So, the underlying concept of language is therefore not only “mistaken” but also results in a form of “injustice”: it tends to make certain linguistic preferences less legitimate than others. People with a more cosmopolitan linguistic attitude or simply bilingual speak-

**Table 2.** Transparent versus hybrid language ideologies and language policies

	<b>Discreteness (Language Ideology)</b>	<b>Hybridity (Language Ideology)</b>
<b>Underlying concept of language</b>	Discreteness (our linguistic world is characterized by monolingualism, sharp boundaries, shared linguistic identities)	Hybridity (our linguistic world is full of instances of bi-and multilingualism, vague boundaries, linguistic pluralism)
<b>Normative conclusion (language policy)</b>	Monolingual language planning (territoriality, self-government rights in one's own language, etc.)	Regulate language in a way that respects hybrid linguistic identities (bilingual rights, shared public spaces, etc.)

ers who do not wish to identify uniquely with one of their linguistic domains are thereby treated as a sort of “free riders” with illegitimate preferences.

Rather than selecting one group of people and one linguistic identity as the core-group, the standard case, in my view any concern for linguistic autonomy will allow and legitimize instances of linguistic pluralism, now understood as diversity with respect to how individuals are linguistically embedded and how they experience their linguistic identity. A just theory of language planning will thus try to avoid basing itself on certain forms of linguistic identity, in order to provide ample room for linguistic diversity, with due respect for instances of linguistic hybridity.<sup>10</sup>

### **Mutual enlightenment?**

Are there any lessons to be drawn from this exercise? I believe there are, and they come down to an interdisciplinary call for reconciliation of language planning practices and theories with their normative ideals (see Edwards 2003 and Grin 2003 for very equivalent pleas for interdisciplinarity).

There are definitely dimensions within the recent debate on linguistic justice which might benefit language policy research in its more traditional fields (such as sociolinguistics and political science). By far the most outstanding point here is that these traditional language policy fields do operate with many normative ideals which, however, are often only vaguely articulated and remain largely implicit. Here is where attention to the normative ideals underlying these operating assumptions might help give the field a more robust normative grounding which may also lead to more legitimacy. Against

this background context, four further lessons from the linguistic justice debate deserve mentioning.

First, their “turning to philosophy” might induce language planners to reconsider the value of some of the often too easily discarded instrumentalist claims explained in this paper. Taking the goal of survival as an unquestioned starting-point, for instance, may run the risk of blinding us to the fact that survival policies, in some of their realizations, may end up locking people up in equality-reducing linguistic contexts, thereby not only continuing but actually reaffirming existing non-linguistic inequalities. If language planners provide the normative background for, for instance, language NGO’s who provide support to and activate language survival initiatives in developing countries, it is at least highly desirable that they start to clarify their normative principles, and develop tools for determining the desirability as well as the justice of attempting to save a particular language in a particular context.

Second, one interesting point that has been repeated time and again in the linguistic justice debate, and which can strengthen the case for language policy, is that the standard liberal reaction to issues of diversity — employing a neutral hands-off approach — is unworkable with regard to *linguistic* diversity. As explained above, in making policies on, among other things, education or simply courtroom practices, states unavoidably have to make linguistic decisions: fully a-linguistic state policies simply do not exist. The correct opposition is therefore not one between linguistic freedom and linguistic regulation but rather between different forms of linguistic regulation. In other words, there is no zero-option in the field of language policy. We cannot not intervene. The freedom/regulation divide is to be replaced with an instrumental/constitutive divide.

Third, language planners might strengthen the moral grounds of their discipline by taking into account the distinction between intrinsic group rights (or “collective rights”) and “instrumental” group-differentiated rights, which forms part of the linguistic justice vocabulary since Kymlicka successfully introduced it (Kymlicka 1995:34–48). As explained above, the majority of the existing theories of linguistic justice propose to ground language rights not in the language of “intrinsic group rights” but rather in that of group-differentiated “minority rights,” which considers only the individual as the ultimate bearer of rights. Groups as such have no rights; only individuals do. But in cases of linguistic diversity, treating individuals equally may none the less result in differential treatment depending on their linguistic group memberships. Linguistic minority rights, then, are, in a sense, derivative individual rights.

Realizing this can help clarify the undesirability of instances where the practice of minority rights clashes with individual interests. When such clashes

appear, most linguistic justice theorists argue that we should prioritize individual interests: since minority rights are justified on reasons that appeal to the benefit *individuals* enjoy from their linguistic membership, forgoing such reasons while pleading for group or minority rights that may harm individual interests is unjust. But, at the same time, this insight may help undergird claims for *unequal* differential treatment, often called for by linguistic minorities who fear that treating people equally, by granting equal shares of recognition to all, may end up privileging the dominant languages. They argue that language groups whose language is vulnerable ought to be granted more than an equal share of available resources, to compensate for the unchosen linguistic disadvantage they face.

Finally, there are also important reasons why linguistic justice theorists should turn to the existing sociolinguistic and other research on these matters, lest they run the risk of re-inventing the wheel, or, worse, of remaining blind to invented wheels. This last danger is manifestly present, in my view, in the too unreflective assumption present in many linguistic justice theories of what I called the “concept of language” which forms the empirical input of theories of linguistic justice. By endorsing an empirically wrong and therefore normatively inappropriate *discreteness* concept of language, which appeals both to the idea of monolingual regions and monolingual individuals, linguistic justice theorists not only neglect existing research but also end up with ill-founded monolingual nation-state theories.<sup>11</sup>

## Notes

1. I use the term language ideology in a somewhat narrow sense, as an often implicit set of linguistic assumptions, imbued with social or political connotations.
2. See Kymlicka (1990:1–5) for a very equivalent picture with regard to *cultural* membership.
3. See, for instance, the view developed by Michael Blake (2003), who argues that language loss and language death become problematic only when they occur as a result of domination and discrimination. But many cases of language loss do not result from such illicit causes. In such cases, Blake argues, we should not be concerned about language loss from a normative or moral point of view.
4. Of course, we can expect that people will differ with regard to their linguistic embeddedness. A (small) number of people may experience their linguistic membership as a mere conventional or external issue. Such people, often members of majority language groups whose language is firm and successful and not a source of frustration, may claim that their

cultural membership is not a constitutive feature of who they are. Is this not a problem for the constitutivist view? Why do we not take their view of cultural membership into consideration? Why should we base our theory of justice on the constitutive view? In reply to these charges, it should be mentioned that we cannot avoid making a choice. Remaining politically neutral with regard to the issue of instrumentalism versus constitutivism is impossible. Either we grant minorities language rights (such as the right to receive mother-tongue education) on the basis of their constitutive embeddedness, or we don't, arguing that the constitutive view is wrong or unreasonable. And if we need to pick a standard case, constitutivists argue that choosing the constitutive side is the fairest option. It is true that some people are inclined to take an instrumental point of view with regard to their linguistic membership and are, consequently, willing to forgo the advantages of maintaining their own language and culture. And there is every reason to argue that they should not be forced to maintain their language and culture against their own will. But that does not mean that the claims of those who do value their language should be overridden. As Kymlicka puts it, "we should treat access to one's culture as something that people can be expected to want, whatever their more particular conception of the good. Leaving one's culture, while possible, is best seen as renouncing something to which one is reasonably entitled" (Kymlicka 1995:86).

5. See note 6.

6. It is not part of the constitutive view as I define it here that language policy has to refrain from any instrumental concern whatsoever. Most constitutivists will recognize that language plays an important role in the fulfillment of a-linguistic goals, such as equality of opportunity or mobility.

7. An example of an instrumental procedural approach is offered by Levy (2000), who argues that, above all, we should design our cultural and linguistic policies in such a way as to avoid violence, cruelty or humiliation. Patten (2003) defends a constitutive procedural approach, which treats all languages equally by giving them equal recognition (based on a per capita distribution of resources).

8. Recognizing all groups in the same way may still bring about very unequal outcomes, which is why for instance Philippe Van Parijs argues that equal recognition will still favor the majority language and is therefore not so very different from a monolingual policy (Van Parijs 2000a).

9. In the debate between instrumentalism and constitutivism as I have framed it, however, Van Parijs occupies a constitutivist position, since, apart from the fact that he predominantly exhibits instrumentalist concerns and favors language policies based on non-identity-related functions of language (such as his idea that, for reasons of communicative efficiency, English should be promoted as the only lingua franca in Europe), he ultimately does frame his defense of the linguistic territoriality principle on identity grounds (see Van Parijs 2007).

10. Though every theory of justice has to take certain facts about the world as given, what one takes as given is nonetheless important. If it is true that it is almost impossible to demarcate languages on purely linguistic grounds (Derrida 1996:23–24, Leith 1983:1–2), then the just solution will not be one that limits itself to a mere coordination of the exist-

ing linguistic state of affairs. To reflect on what is a just solution will also involve a critical examination of the ideological underpinnings of the linguistic premises of existing language policy proposals.

11. Earlier versions of this contribution were presented at the Conference on Language and the Future of Europe. Ideologies, Policies and Practices (Southampton, 8–10 July 2004) and at the Workshop on Language Rights and Linguistic Justice (Leuven, 17 February 2005). The author wishes to thank the participants of both events, and in particular François Grin, Philippe Hambye, Chris Longman, David Robichaud, Michel Seymour and Toon Vandevelde. Special thanks also to Humphrey Tonkin for his exceptionally insightful criticism and constructive help, and to two anonymous referees of *Language Problems and Language Planning*.

## References

- Barry, B. 2001. *Culture and Equality. An Egalitarian Critique of Multiculturalism*. Cambridge: Polity Press.
- Benhabib, S. 2002. *The Claims of Culture: Equality and Diversity in a Global Era*. Princeton: Princeton University Press.
- Blake, M. 2003. Language death and liberal politics. *Kymlicka & Patten* 2003:210–229.
- Boran, I. 2001. Autonomy as a remedy for language conflict: Negotiating territoriality and identity. *Language Problems and Language Planning*, 25/3, 237–257.
- Cooper, R. L. 1989. *Language Planning and Social Change*. Cambridge: Cambridge University Press.
- Derrida, J. 1996. *Le monolinguisme de l'autre*. Paris: Galilée.
- Edwards, J. 2003. Language and the future: Choices and constraints. H. Tonkin and T. Reagan, ed. *Language in the Twenty-First Century*. Amsterdam: Benjamins. 35–46.
- Grin, F. 2003. Diversity as paradigm, analytical device, and policy goal. *Kymlicka & Patten* 2003:169–188.
- Grin, F. 2004. On the costs of cultural diversity. P. Van Parijs, ed. *Cultural Diversity versus Economic Solidarity. Proceedings of the Seventh Francqui Colloquium*. Brussels: De Boeck. 189–202.
- Gutmann, A. 2003. *Identity in Democracy*. Princeton: Princeton University Press.
- Habermas, J. 1994. Struggles for recognition in the democratic constitutional state. A. Gutmann, ed. *Multiculturalism: Examining the Politics of Recognition*. Princeton: Princeton University Press. 107–148.
- Kukathas, C. 1997. Multiculturalism as fairness: Will Kymlicka's multicultural citizenship. *Journal of Political Philosophy* 5/4:406–427.
- Kukathas, C. 2003. *The Liberal Archipelago: A Theory of Diversity*. Oxford: Oxford University Press.
- Kymlicka, W. 1990. *Contemporary Political Philosophy: An Introduction*. Oxford: Oxford University Press.
- Kymlicka, W. 1995. *Multicultural Citizenship. A Liberal Theory of Minority Rights*. Oxford: Clarendon Press.

- Kymlicka, W. 2001. *Politics in the Vernacular. Nationalism, Multiculturalism and Citizenship*. Oxford: Oxford University Press.
- Kymlicka, W. & A. Patten, ed. 2003. *Language Rights and Political Theory*. Oxford: University Press.
- Laitin, D. & R. Reich. 2003. A liberal democratic approach to language justice. *Kymlicka & Patten* 2003:80–104.
- Levy, J. 2000. *The Multiculturalism of Fear*. Oxford: Oxford University Press.
- Maffi, L. 2003. The “business” of language endangerment: Saving languages or helping people keep them alive? In: H. Tonkin and T. Reagan, ed. *Language in the Twenty-First Century*. Amsterdam: Benjamins. 67–86.
- May, S. 2003. Misconceiving minority language rights: Implications for liberal political theory. *Kymlicka & Patten* 2003:123–152.
- Miller, D. 1995. *On Nationality*. Oxford: Oxford University Press.
- Musschenga, A.W. 1998. Intrinsic value as a reason for the preservation of minority cultures. *Ethical Theory & Moral Practice* 1:201–225.
- Patten, A. 2001. Political theory and language policy. *Political Theory* 29:691–715.
- Patten, A. 2003. What kind of bilingualism? *Kymlicka & Patten* 2003:296–321.
- Patten, A. & W. Kymlicka. 2003. Introduction: Language rights and political theory. *Kymlicka & Patten* 2003: 1–51.
- Pogge, T.W. 2003. Accommodation rights for Hispanics in the United States. *Kymlicka & Patten* 2003:105–122.
- Pool, J. 1979. Language planning and identity planning. *International Journal of the Sociology of Language* 20:5–21.
- Rawls, J. 1996. *Political Liberalism*. New York: Columbia University Press.
- Rawls, J. 1999. *The Law of Peoples*. Cambridge, MA & London: Harvard University Press.
- Réaume, D.G. 2000. Official-language rights: Intrinsic value and the protection of difference. W. Kymlicka & W. Norman, ed. *Citizenship in Diverse Societies*. Oxford: Oxford University Press. 245–272.
- Réaume, D.G. 2003. Beyond personality: The territorial and personal principles of language policy reconsidered. *Kymlicka & Patten* 2003:271–295.
- Skutnabb-Kangas, T. 2000. *Linguistic genocide in education — or worldwide diversity and human rights?* Mahwah, NJ & London: Erlbaum.
- de Swaan, A. 2001. *Words of the World. The Global Language System*. Cambridge: Polity Press.
- Tamir, Y. 1993. *Liberal Nationalism*. Princeton: Princeton University Press.
- Taylor, C. 1994. The politics of recognition. A. Gutmann, ed. *Multiculturalism: Examining the Politics of Recognition*. Princeton: Princeton University Press. 25–73.
- Tonkin, H. 2005. Language planning. M. J. Ball, ed. *Clinical Sociolinguistics*. Malden, MA & Oxford: Blackwell. 120–132.
- Van Parijs, P. 2000a. Must Europe be Belgian? On democratic citizenship in multilingual polities. C. McKinnon & I. Hamper-Monk, ed. *The Demands of Citizenship*. London & New York: Continuum. 235–253.
- Van Parijs, P. 2000b. The ground floor of the world. On the socio-economic consequences of linguistic globalisation. *International Political Science Review* 21/2:217–233.

Van Parijs, P. 2007 forthcoming. *Linguistic Justice for Europe and for the World*. Oxford: Oxford University Press.

Weinstock, D. 2003. The antinomy of language policy. *Kymlicka & Patten* 2003:250–270.

## Resumé

### *Taalbeleid en politieke filosofie. Over talige rechtvaardigheid*

Dit artikel biedt een overzicht over de recente debatten over taalbeleid en talige diversiteit in de politieke filosofie. Ik schets de ruimere context van dit debat en identificeer er de protagonisten en voornaamste kenmerken van. Daarnaast ontwikkel ik een raamwerk voor de analyse van de verschillende benaderingen die binnen dit recente veld ontwikkeld zijn. Dit raamwerk leidt die benaderingen terug naar twee taalideologische discussies. De eerste discussie is die tussen een instrumentalistische en een constitutieve taalideologie. In de tweede staat een transparantieopvatting van taal tegenover een hybride taalopvatting. Ten slotte argumenteer ik dat de sociolinguïstische literatuur over taalbeleid ook politieke filosofen moet interesseren, alsook dat sociolinguïsten zich moeten inlaten met het debat in de politieke filosofie.

## Resumo

### *Lingva politiko kaj politika filozofio*

La nuna referaĵo prezentas superrigardon de la kreskantaj debatoj pri lingva politiko kaj lingva diverseco ene de politika filozofio. Ĝi resumas la pli vastan kuntekston de la debato kaj identigas ĝiajn ĉefrolulojn kaj la ĉefajn kontestatajn demandojn. Krome, ĝi prezentas interpretan strukturon por analizi la diversajn alirojn, kiuj ĝis nun konstruiĝis ĉi-kampe. Tiu ĉi skemo resendas al du karamboloj de malsamaj lingvaj ideologioj: la unua tia karambolo estas tiu de instrumentismo kaj konsistigismo, kaj la dua estas tiu inter travideblo kaj hibrideco. Fine, la referaĵo klarigas kial la socilingvistika literaturo pri lingva politiko devus interesi politikajn filozofojn, kaj inverse: kial socilingvistoj devus engaĝiĝi kun politika filozofio.

### *Author's address*

Institute of Philosophy  
University of Leuven  
Kardinaal Mercierplein 2  
3000 Leuven, Belgium

Helder.DeSchutter@hiw.kuleuven.be

*About the author*

**Helder De Schutter** has studied linguistics and philosophy and holds a PhD in philosophy. He is currently a postdoctoral fellow at the Institute of Philosophy at the University of Leuven. He has published on language policy, and the politics of multiculturalism and nationalism, in journals such as *Ethical Perspectives*, *Comparative American Studies*, *Inquiry* and *Critical Review of International Social and Political Philosophy*. In 2006 the University of Kentucky awarded him its Prize in European Philosophy from Kant to the Present. He is currently editing a book volume on nationalism and global justice.

Copyright of Language Problems & Language Planning is the property of John Benjamins Publishing Co. and its content may not be copied or emailed to multiple sites or posted to a listserv without the copyright holder's express written permission. However, users may print, download, or email articles for individual use.