

ABSTRACTS

Rainer Enrique Hamel. *Introduction. Linguistic rights as human rights: debates and perspectives.*

The article introduces the volume and reviews the present debate about linguistic human rights. Starting with some basic definitions, it traces the development of the concept and locates it within the framework of fundamental human rights in their second and third generation. The author sustains that international covenant have had relatively little impact on the defense of minority languages in the past, which is in part due to the ambiguous status of linguistic rights—as the right of expression and the right of communication. Although the issue is controversial, the article states that there is a growing consciousness that linguistic rights can only be fully granted if their collective (in addition to their individual) dimension is acknowledged. The right to communicate in one's own language can only be enjoyed by a community of speakers, not by an isolated individual. The acceptance of collective rights, however, runs counter the traditional concept of a homogeneous nation state, and can only be based on a pluriethnic, pluralistic concept of society which recognizes ethnolinguistic minorities as at least partially autonomous peoples inside the state.

The article then revises the development of sociolinguistics and concludes that—until recently—there has been little interest in legal questions within the discipline. Language politics and planning have rarely taken up a language rights perspective, and have limited their scope to explicit interventions by the state. Therefore more interdisciplinary research is needed in order to understand the nature of linguistic conflicts, to identify specific needs of linguistic minorities, and to point out the violation of linguistic human rights, as well as 'perverse' effects of language planning. The author suggests that a broad sociolinguistic approach which encompasses both planned and unplanned interventions on languages could set the stage to arrive at a better understanding of how linguistic human rights operate, how they are enjoyed or violated.

Guadalupe Valdés. *Bilinguals and Bilingualism: Language Policy in an Anti-Immigrant Age.*

In monolingual nation-states, problems do not end for members of linguistic minority groups when they become speakers of the societal language. This is

especially the case in immigrant nations during those periods in which anti-immigrant sentiment is on the rise. This paper examines the policy problems that confront members of such immigrant groups by examining the case of Latinos in the United States. It argues that this population's well-being is almost exclusively in the hands of English-speaking monolingual individuals who as recent legal decisions illustrate (e. g., *Cota v. Tucson Police Department*, *Perez v. F.B.I.*, *Hernandez v. New York*) - have little or no understanding of the condition of bilingualism and little sympathy for the problems encountered by immigrant populations. The paper includes a discussion of a number of different language issues that have been encountered by the Latino population in this country within the legal, employment, and educational domains, as well as an outline of concerns and questions that need to be examined by those who are concerned about the language rights of minority populations.

Reynaldo F. Macías. *Bilingual workers and language use rules in the workplace: a case study of a non-discriminatory language policy.*

Language diversity has been increasing again throughout the United States since 1965, partly the result of major changes in immigration, foreign language and civil rights laws. As a result of this diversity, language issues have arisen in the workplace requiring policy attention. The Equal Employment Opportunity Commission adopted rules in 1979 governing when and under what conditions these workplace policies could require that only English be spoken by employees. Consent agreements and litigation brought under this "English-only" rule have resulted in a number of decisions that have assumed certain things about bilingualism and bilinguals, as well as about language attitudes and monolinguals. While not all of these decisions have been uniform, some of these assumptions have raised the following questions: (1) How does bilingual speech affect work performance? and (2) To what extent do English monolinguals need "protection" from hearing non-English languages around them (whether as clients or employees in a work situation)?

This paper reviews a selected case of an urban, university based hospital, which successfully solved a conflict over an English-only rule, to look at some of these questions. It found, among other things, that language attitudes were a key component to inter

group relations and language status. Non-English languages were the focus of unfounded English monolingual “fears” and “paranoia.” A workshop taking many cross-cultural communication strategies can be successful in improving these relationships.

Ana Celia Zentella. *The Hispanophobia of the Official English Movement in the US.*

The greatest efforts ever made to restrict language in the US since the post W.W.I period have been taking place since 1980. Language policy in three areas—the language of government, the language of employment and the language of the schools— affect the human rights of 32 million members of language minority families, but they are targeted most specifically at the group that represents the majority: Spanish speakers. In response, defense of Spanish has served to unite diverse groups of Latinos despite differences in migration history, socio-economic profiles, and political affiliations. Of particular interest is the relationship between the positions that a group takes on the issue of making English the official language of the US and on the issue of eliminating the services that might be affected by English-only legislation. This paper reports on the views of more than 300 Latinos in New York City, and compares them with those of Euro-American, African Americans, Afro-Caribbeans, and others.

Nancy H. Hornberger. *Literacy, language maintenance, and linguistic human rights: some telling cases.*

Drawing on multi-year ethnographic research in Quechua-speaking communities of highland Peru and in Cambodian and Puerto Rican communities in inner city Philadelphia, this paper explores the degree to which the development of literacy in minority languages does or does not contribute to minority linguistic human rights and to minority language maintenance. The cases of the cyclical immigrant / citizen Puerto Rican population in the US, of the newly arrived Southeast Asian refugee populations in the US, and of a long-oppressed indigenous population in Peru provide three unique and different contexts in which to explore these issues, so central to local and national identities in an increasingly mobile and ethnically jigsawed world. The cases confirm that the relationship between literacy and language and culture maintenance is a complicated one, in which empowerment plays a significant role. They also highlight questions about various counterpoised dimensions of linguistic human rights - tolerance and promotion, individual and communal freedoms, freedom from discrimination and

freedom for use, claims-to and claims-against. The paper concludes by suggesting that the promotion of linguistic human rights will have to continually confront difficult ethical choices and that the guiding principles in those choices must be to balance the counterpoints of those dimensions for the mutual protection of all.

Rainer Enrique Hamel. *Language conflict and linguistic human rights: a sociolinguistic framework.*

Based on ongoing research in an indigenous area of Mexico, this article analyses how language conflict between Spanish and indigenous languages, and minority shift operate on the levels of cultural models, discourse, and language use. In such processes, ruptures between them, and between the social production of experience and its discursive appropriation. The analysis shows in which ways these processes affect linguistic human rights in two key areas of social organization: in bilingual education and the administration of justice.

This comprehensive sociolinguistic perspective allows the author to relate the Mexican experience to other cases, and to sketch some general principles for research on the topic. As a conclusion the article sustains that a sociolinguistic framework which broadens the concepts of language and communication underlying existing models for language planning will best be suited to describe language conflict situations, and to establish an adequate basis for the definition and implementation of linguistic human rights. Such a framework will have to take into account at least three levels of sociolinguistic analysis: linguistic structure, discourse structure, and cultural models.

Jacques Maurais. *Regional majority languages, language planning, and linguistic rights.*

This paper analyses the legal protection of languages from the point of view of “regional majority languages”, i.e. languages of populations which, though a majority in their historic territory (where they may nevertheless be experiencing some form of assimilation), are minorities at the national level (French in Quebec, Catalan in Catalonia, and many languages in the pre-1991 Soviet Union). Only the protection of aboriginal linguistic minorities seems to have been considered so far at the international level. The paper proposes some sociolinguistic principles related to the legal protection of languages which can be gathered from the Canadian experience: the present situation of aboriginal languages and the Quebec’s experience of language planning. Some recent foreign experiences of

legal language planning are also taken into account (mainly Spain and the countries of the former USSR). Comments are also made on a draft Universal Declaration of Linguistic Rights that is currently circulating. The new linguistic situation arising from the suppression of barriers to free trade is briefly considered as in some cases language can be considered as a non-tariff barrier to free trade: minority languages would be most vulnerable to such legal interpretations.

Ina Druviete. *Linguistic human rights in the Baltic states.*

The Baltic States - Latvia, Lithuania, Estonia - have regained their independence in 1991. During their 50-year period of incorporation into the USSR great ethnodemographic changes have taken place. The percentage of members of the titular nations diminished significantly in relation to the total population. And a de-

crease in the use of Latvian, Lithuanian and Estonian, as well as asymmetric bilingualism, were observed.

All three states adopted Language Laws in 1988 which determined that the respective titular languages were to be the only official state languages. Nowadays the related changes in the language hierarchies are slowly taking place; the new state languages are step-by-step replacing the Russian language, which previously covered all important sociolinguistic functions.

The main goal of language policy in the Baltic states is to create a linguistically normalized society, where the titular languages function as the real state languages, and where loyal minorities live within a legal framework of cultural autonomy. This article analyzes the concept of collective linguistic rights for the Russian-speaking population, as well as the individual's linguistic human rights in the Baltic states, against their political, ethnodemographic, and psychological background.