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LINGUISTIC AND BIOLOGICAL DIVERSITY, THE 'FREE MARKET' AND THE FUTURE OF THE PLANET - DO LINGUISTIC HUMAN RIGHTS IN EDUCATION HAVE ANY POWER?¹

Tove SKUTNABB-KANGAS

Roskilde Universitetscenter, DK-4000 Roskilde, Postboks 260

ABSTRACT

Languages are today being killed faster than ever before in human history. Biodiversity on the one hand and linguistic and cultural diversity on the other hand are correlated, and there is mounting evidence that there might be a casual relationship, a human-environment coevolution. An active agent is killing languages faster than ever is the triumphalist proclamation of the "free" market system as a necessary and positive concomitant of globalisation. Homogenisation and monocultural efficiency cause stress on both nature and people and participate in killing diversity. The consciousness industry, schools and media, are the main direct agents of linguistic genocide in education.

The purpose of international human rights law is to act as correctives to the free market, to overrule the law of supply and demand and remove price-tags from people and from necessities for their survival. These include not only basic food and housing, but also basic civil, political and cultural rights. Linguistic human rights, especially in education, a necessary precondition for preservation of linguistic diversity, are at present completely insufficient for protecting and maintaining linguistic diversity, despite some recent positive developments.

Key words: linguistic diversity, linguistic human rights, economic globalisation, redistribution of resources, civil society, linguistic genocide, linguisticism

DIVERSITÀ LINGUISTICA E BIOLOGICA, LIBERO MERCATO E FUTURO DELLA TERRA - I DIRITTI LINGUISTICI DELL'UOMO HANNO UN MINIMO D'INFLUENZA NEL SETTORE DELL'ISTRUZIONE?

SINTESI

Oggi le lingue spariscono più velocemente che in qualsiasi altro periodo della storia umana. La varietà biologica da una parte e quella linguistica e culturale dall'altra sono interdipendenti, come dimostrato da molti esempi relativi ad un rapporto esemplare, la coevoluzione uomo-ambiente. L'affermazione trionfale del sistema di "libero" mercato, accompagnatore indispensabile e positivo della globalizzazione, fa sparire le lingue molto più in fretta di un tempo. L'omogeneizzazione e la monocultura incidono sulla natura e sugli uomini e contribuiscono all'eliminazione delle differenze. La coscienza, le scuole e i mass media sono i responsabili diretti del genocidio linguistico nel campo dell'istruzione.

¹ Thanks are due to my husband and colleague Robert Phillipson (see Phillipson, 1992; Phillipson, 1999).

La legge internazionale sui diritti umani dovrebbe fungere da correttore nel libero mercato, avere il sopravvento sulla domanda e l'offerta ed eliminare il disvalore degli uomini e dei prodotti essenziali alla loro sopravvivenza. Non solo degli alimenti indispensabili e dell'abitazione ma anche dei fondamentali diritti civili, politici e culturali. I diritti linguistici che sono, specie nell'istruzione, condizione primaria per il mantenimento della varietà linguistica, sono attualmente, nonostante alcuni elementi positivi registrati di recente, del tutto insufficienti alla tutela e al mantenimento della varietà di lingue.

Parole chiave: diversità linguistica, diritto linguistico dell'uomo, globalizzazione economica, redistribuzione delle materie prime, società civile, genocidio linguistico, linguizzismo

LINGUISTIC, CULTURAL AND BIOLOGICAL DIVERSITY

Our environment consists of at least the following three parts, in addition to the **spiritual** environment: our **biological** environment, our **linguistic** environment and our **cultural** environment. The present diversity in all three areas is very seriously threatened by globalisation and by what is falsely called the 'free' market.

Today linguistic and cultural diversity are disappearing relatively **much much faster** than biological diversity. And languages are today being killed at a much faster pace than ever before in human history. Linguists agree that minimally 50% of today's oral languages will no longer be spoken in hundred years' time, and several linguists estimate that 90% of today's oral languages may be gone by the year 2100. And all sign languages are threatened. So what, some people could say. All linguists could give hundreds of reasons for why this should not be allowed to happen. I will present one that is less well known (for elaborations, see Maffi et al., in press; Skutnabb-Kangas, 1999, in press).

Linguistic and cultural diversity are as necessary for the existence of our planet as biodiversity. They are correlated: where one type is high, the other one is too. Languages, like all biological species, get thicker on the ground as you approach the equator. There are 'remarkable overlaps between global mappings of the world's areas of biological megadiversity and areas of high linguistic diversity', and likewise a 'correlation between low-diversity cultural systems and low biodiversity' (Maffi, 1996).

In Table 1, conservationist David Harmon (1995) compares **endemism** in language and in higher vertebrates (mammals, birds, reptiles and amphibians), taking the top 25 countries for both. Harmon has derived the figures for endemic languages from Grimes **Ethnologue** (1992)² and for species from WCMC (1992, 139-141). The countries which are on both lists are **BOLDED AND CAPITALISED**.

16 of the 25 countries are on both lists, a concurrence of 64%. According to Harmon, it is highly unlikely to be accidental, and he gives factors accounting for it which I do not have time to go into.

But the relationship between linguistic and cultural diversity on the one hand and biodiversity on the other hand is not only correlational. There seems to be mounting evidence that it might be causal. Ethnobiologists, human-ecologists and others have proposed 'theories of "human-environment coevolution"', including the assumption that 'cultural diversity might enhance biodiversity or vice versa' (Maffi, 1996). The foreseeable consequences of massive disruption of such long-standing interactions may lead the planet to a catastrophe. The United Nations Environmental Program (UNEP), one of the organisations behind the 1992 Rio Biodiversity conference, acknowledges the connection between biological resources and human resources. It has just produced a companion volume to the Rio biodiversity book, on **Cultural and Spiritual Values of Biodiversity**. In the chapter on Language Diversity (Maffi et al., in press), Luisa Maffi and I argue that the preservation of the world's linguistic diversity must be incorporated as an essential goal in any bioculturally-oriented diversity conservation program (from Executive Summary).

2 The so far most comprehensive total (and on-line searchable) listing of the world's (mostly oral) languages are in the 13th edition of *Ethnologue*, edited by Barbara F. Grimes (1996) of the Summer Institute of Linguistics; the latest estimates can be found in the updated 13th edition on the Web: <http://www.sil.org/ethnologue/>.

Tab. 1: *Endemism in language and higher vertebrates: comparison of the top 25 countries.*Tab. 1: *Endemizem v jeziku in pri višjih vretenčarjih: primerjave med vodilnimi 25 državami.*

Endemic languages	Number	Endemic higher vertebrates species	Number
1. PAPUA NEW GUINEA	847	1. AUSTRALIA	1,346
2. INDONESIA	655	2. MEXICO	761
3. Nigeria	376	3. BRAZIL	725
4. INDIA	309	4. INDONESIA	673
5. AUSTRALIA	261	5. Madagascar	537
6. MEXICO	230	6. PHILIPPINES	437
7. CAMEROON	201	7. INDIA	373
8. BRAZIL	185	8. PERU	332
9. ZAIRE	158	9. COLOMBIA	330
10. PHILIPPINES	153	10. Ecuador	294
11. USA	143	11. USA	284
12. Vanuatu	105	12. CHINA	256
13. TANZANIA	101	13. PAPUA NEW GUINEA	203
14. Sudan	97	14. Venezuela	186
15. Malaysia	92	15. Argentina	168
16. ETHIOPIA	90	16. Cuba	152
17. CHINA	77	17. South Africa	146
18. PERU	75	18. ZAIRE	134
19. Chad	74	19. Sri Lanka	126
20. Russia	71	20. New Zealand	120
21. SOLOMON ISLANDS	69	21. TANZANIA	113
22. Nepal	68	22. Japan	112
23. COLOMBIA	55	23. CAMEROON	105
24. Côte d'Ivoire	51	24. SOLOMON ISLANDS	101
25. Canada	47	25. ETHIOPIA	88
		26. Somalia	88

Source: Harmon 1995, 14. Figures for Ethiopia include Eritrea. Reptiles are not included for USA, China and Papua New Guinea.

It is interesting, then, that loss of biodiversity has had massive attention all over the world - many people are worried about it. But few people talk of loss of linguistic diversity. Still, linguistic diversity is today disappearing relatively much much faster than biological diversity, in the sense that the percentage of languages that will perish/be killed in the next century is larger than the percentage of all biological species that will be killed during the same time. As compared to the threat of languages (90% moribund, endangered, or threatened), the threat to biodiversity is 'relatively mild', according to Krauss (1992, 7). If we make a very simple calculation, estimating the rate of extinction with today's situation as the starting point, 90% of today's languages would according to Krauss be extinct in 100 years' time, whereas 20% of today's species would, according to a 'pessimistic realistic' estimate (Skutnabb-Kangas, 1999, chapter 2), and 2% according to an 'optimistic realistic' estimate. 'Preservation of the linguistic and cultural heritage of humankind' (one of Unesco's declared goals) has been seen by many researchers and politicians as a nostalgic primordialist dream (creating employment for

the world's linguists). The perpetuation of linguistic diversity is, on the contrary, a necessity for the survival of the planet, in a similar way to biodiversity.

LINGUISTIC HUMAN RIGHTS NEEDED TO MAINTAIN DIVERSITY

Some of the direct main agents for this linguistic (and cultural) genocide are parts of what we call the **consciousness industry: formal education** and the **mass media** (including television, 'cultural nerve gas' as Michael Krauss (1992, 6) has called it).

Language rights in education are central for the maintenance of languages and for prevention of linguistic and cultural genocide, regardless of whether this education happens in schools, formally, or in the homes and communities, informally, and regardless of whether and to what extent literacy is involved. Transmission of languages from the parent generation to children is **the** most vital factor for the maintenance of languages. Children must have the opportunity of learning their parents' idiom³ fully and properly so that they become (at least)

as proficient as the parents. Language learning in this sense has to continue at least into young adulthood, for many functions throughout life. When more and more children get access to formal education, much of their more formal language learning which earlier happened in the community, happens in schools. If an alien language is used in schools, i.e. if children do not have the right to learn and use their language in schools, the language is not going to survive because children educated through the medium of an alien language are not likely to pass their own language on to their children and grandchildren (as Pirjo Janulf (1998) has shown, see below). "Modernization" has accelerated the death/murder of languages which without formal education had survived for centuries or millennia. One of the main agents in killing languages is thus the linguistic genocide which happens in formal education, every time indigenous or minority children (or dominated group children even if they are a majority in terms of numbers) are educated in a dominant language.

For maintenance and development of languages, educational linguistic rights, including the right to mother tongue medium education, are absolutely vital. I would not hesitate in calling **educational language rights the most important linguistic human rights** if we are interested in maintaining linguistic and cultural diversity on our planet. One possible tool in maintaining and developing languages is to refer to linguistic human rights, when demanding mother tongue medium education. This of course presupposes that mother tongue medium education in fact IS a human right. In the following section I show what the situation is today.

My claim is that with few exceptions - and many of the exceptions are represented, for instance, in the European Bureau for Lesser Used Languages - most of the education that most indigenous peoples and most minorities in the world, including immigrant and refugee minorities, receive today, is a direct agent in murdering languages and cultures. States commit genocide in their educational systems. This happens according to two

definitions of linguistic genocide. Linguistic genocide sounds drastic. We need to define it. When the United Nations worked on the final draft of what was to become The Convention on the Prevention and Punishment of the Crime of Genocide (E 794, 1948), a definition of **linguistic genocide** was included in Article III.1:

"Prohibiting the use of the language of the group in daily intercourse or in schools, or the printing and circulation of publications in the language of the group."

In the final vote in General Assembly, Art. III was voted down, and is NOT part of the final Convention (Capotorti, 1979). Still, the definition can be used. If we accept the claim that "prohibition" can be direct or indirect, it follows that if the minority language is not used as a medium of education in the preschool/school and if there are no minority teachers in the school, the use of the language is **indirectly** prohibited in daily intercourse/ in schools, i.e. it is a question of linguistic genocide.

But when Article 3.1 in the Genocide Convention was rejected, another Article still stayed in. The UN Genocide Convention still defines it as genocide if children in a group are forcibly transferred to another group. And this is also what happens in the more sophisticated type of linguistic genocide in education that the Western states are guilty of. I will give an example.

Pirjo Janulf defended her doctorate in Stockholm in September 1998. In her longitudinal study she had several bilingual and monolingual groups in Finland and Sweden, altogether 1,389 students. 411 Finland Swedish minority students from Åbo, Finland (Group A, my designation), participated. There were a total of 560 second generation Sweden Finns from Botkyrka, Sweden. 273 of them were in Finnish medium classes (FM) (group B) and 287 in Swedish medium classes (SM) (group C). There were also 'monolingual' control groups in both Finland (group D) and Sweden (group E). Questionnaires, tests and essays were used in 1980 and 1995. Reading and writing skills in both languages were compared. Table 2 (based on information given in Janulf, 1998) presents an overview of the groups:

Tab. 2: Overview of subjects in Janulf 1998.

Tab. 2: Pregled skupin po Janulfu (1998).

N	Group	Country	Mother tongue	Medium of education	Comments
A. N=411		Finland	Swedish	Swedish	
B. N=273		Sweden	Finnish	Finnish	
C. N=287		Sweden	Finnish	Swedish	
D. N=133		Finland	Finnish	Finnish	Controls
E. N=285		Sweden	Swedish	Swedish	Controls

3 Using the term 'idiom' (rather than 'language') signals that it really means 'what the parents speak (or sign)', regardless of whether this is called a language, a dialect, a sociolect, a vernacular, or whatever - it does not need to be the standard or official language of the area/country or the return in census, or be written. See Mühlhäusler, 1996 for insightful discussion on this.

I shall only mention two results from the study. The most bilingual group was A (those in a full maintenance programme, in an officially bilingual city in Finland where Swedish-speakers are a small minority). This minority group in Finland achieved better results on the Swedish tests than any other groups, including the Swedish-speaking Swedish-educated control group E in Sweden. Group A also had considerably better results in Finnish tests than group C, even if these are native speakers of Finnish. Compared to group B, group A students read Finnish just as well or better but wrote less well. Thus it is clear that a mother tongue medium maintenance programme for a minority, a programme which respects educational linguistic human rights, leads to high levels of bilingualism.

Secondly, in one sub-study, '41 former Sweden Finnish informants with an average age of 27 were revisited. Those who had been in the Swedish classes [group C] tended to let Swedish take over at home while those who had been in the Finnish classes [group B] used both languages. Sixteen of the former informants had children of their own. The language chosen when speaking to their children correlated with their own language skills and the language of their partner. **None of those who had been in the Swedish classes [C] spoke Finnish with their children.** Among those who were in Finnish classes [B] various combinations of languages were applied: 40% spoke Finnish, 25% spoke both languages and 33% spoke Swedish. Nearly 90% of those who had been in Finnish classes [B] wanted their children to learn Finnish in school.' (Janulf, 1998, Abstract)

Those minority children, Swedish-speakers in Finland, who receive most of their education through the medium of their own language while studying the dominant language as a second language, taught by bilingual teachers, become high level bilinguals, and can pass on their minority language to their children. Those minority children, Finnish-speakers in Sweden, who are in Finnish-medium education, can achieve this too. But those Finnish-speaking children in Sweden who received Swedish-medium education, speak Swedish to their children. Not one of them passes on their language to their children. This means that their children are forcibly transferred to another group, since the parents did not have any choice. The Swedish state and many local authorities in Sweden have repeatedly tried to prevent Finnish-medium education (Municio, 1994; Municio, 1996; Lainio, 1997; Skutnabb-Kangas, 1996a; Skutnabb-Kangas, 1998a). This is how states violate linguistic human rights of minority children and commit linguistic genocide.

In order to understand the background, I turn to the role of the state, not historically - there are many analyses of that - but today.

THE CONFLICTING ROLES OF THE STATE

Commodification, not human rights, seems to be the driving force of the world at the end of the millennium. Everything can be bought and sold. The economic concerns of so called investors overrule everything else. Material and virtual capital seem to be the means and the end, dominating our lives. What was first 'The Asian Crisis', then spreading to Latin America and Russia, is now all over, and it legitimates any number of drastic measures.

The role of the state in this crisis and in general seems to be extremely complex and contradictory. On the one hand - and this is the opinion of the director of the German Bundesbank, Tietmeyer⁴ - states are supposed to do everything in their power to maintain the confidence and trust of the investors, especially the transnational companies, otherwise these are scared away and the economic systems collapse. According to Tietmeyer the key task of the state today is to remove any obstacles to this confidence. This is why state leaders now confer in the IMF to help the transnationals.

Tietmeyer's claims are accepted at face value; he does not need arguments to support his claims. In his world, the investors are the only volatile element/force, and the states are their helpmates.

The actions by states are negative: to remove hurdles and obstacles for transnational corporations: to drop constraints to 'free' market, with the WTO (World Trade Organisation), MAI (Multilateral Agreement on Investment), etc., as instruments, to make capital flexible, to make workers replaceable, movable and controllable, i.e. **not** take any positive action but only remove constraints to capitalism (see articles in Mander, Goldsmith (eds.) 1996).

On the other hand, the states are supposed to guarantee the human rights of all their citizens. Can they do this? Is respecting human rights and guaranteeing them compatible with giving market forces free range?

Human rights, especially economic and social rights, are, according to human rights lawyer Katarina Tomaševski (1996, 104), to act as **correctives to the free market**.

The first international human rights treaty abolished slavery. Prohibiting slavery implied that **people** were not supposed to be treated as market commodities. ILO (The International Labour Organisation) has added that **labour** should not be treated as commodity. But price-tags

4 It was and is likewise the policy of both the Bush and Clinton as well as the Thatcher and Blair governments, all based on the neo-liberal Hayek and Friedman doctrines - see Spring 1998 for an overview in relation to education.

are to be removed from other areas too. Tomaševski claims (ibid., 104) that "The purpose of international human rights law is ... to overrule the law of supply and demand and remove price-tags from people and from necessities for their survival."

These necessities for survival include not only basic food and housing (which would come under economic and social rights), but also basics for the sustenance of a dignified life, including basic civil, political **and cultural** rights. In Johan Galtung's terms, it is not only material, somatic needs that are necessities for survival, but also non-material, mental needs (see Table 3):

Tab. 3: Types of basic needs and basic problems.

Tab. 3: Tipi osnovnih potreb in problemov.

TYPES OF BASIC NEEDS

vs

Impediments to their satisfaction

	DIRECT (intended)	STRUCTURAL (built-in)
Material needs (SOMATIC)	SECURITY vs Violence	WELL-BEING vs Misery
Non-material needs (MENTAL)	FREEDOM vs Repression	IDENTITY vs Alienation

(based on Galtung, 1988, 147)

Education is part of 'well-being' and 'identity', and a prerequisite for 'security' and 'freedom'. Education, including basic educational linguistic rights, is one of the necessities from which price-tags should be removed by the human rights system.

This means that it is the duty of each state, each government to create conditions under which people are able to provide these necessities for themselves. Many people cannot do this, some of the reasons being that the right to work is not a fundamental inalienable individual human right. Neither is the right to fair trade at a collective level. If people cannot provide the necessities themselves, it is the duty of governments, ac-

cording to human rights principles, to provide the necessities for those unable to do so themselves. If individual governments are unable to do so, it is the duty of the international community.

If this really happened, we would not need to worry about the fate of the world's languages. But it does not. Most states are either unwilling or unable to deliver - or both.⁵ The general unwillingness, especially by Western countries, becomes clear when scrutinizing the protection of educational language rights in some human rights instruments - which are, after all, signed and ratified by states (Skutnabb-Kangas, Phillipson, 1994; Skutnabb-Kangas, 1998b; Skutnabb-Kangas, 1999) - and I will do this in a moment. The capacity of states to deliver is partially eroded by the "free" market, by the restrictions on state sovereignty in the age of post-modernist globalisation.

The earlier tests of the sovereignty of a state had to do with to what extent the state had political control over the economy, the military, the culture; was self-sufficient and sovereign and could provide for its citizens (see also Hassanpour, 1999). The post-modernist state has no control over the traditional markers of sovereignty; sovereignty has disappeared or is shaky beyond repair. **Glocalisation** has replaced globalisation. There is a **globalisation** of finance & capital; they are extraterritorial. Everybody can buy the same tanks, i.e. military control has disappeared. And American culture is everywhere (see articles in Mander, Goldsmith, 1996).

Preservation of local law and order (the only area where states are 'sovereign') represents **localisation**. States use their power to control those who might want to prevent the removal of the obstacles to globalisation.⁶ Tietmeyer's investors are in Zygmunt Bauman's view (1997) interested in **weak but sovereign states**: states have to be weak in order not to be able to prevent the globalisation which multi- and transnationals need; on the other hand they have to be capable of securing the safety of international businessmen on the streets everywhere and to control workers, i.e. to have control over the state apparatuses for violence for internal purposes. Most wars today are intra-state wars, not wars between states.

The often quoted fact of the top 225 multimillionaires with as much liquid cash as the poorest 45% of the

5 One reason not discussed here is of course that even basic human rights do not apply to all humans, and very clearly not to most of those who are speakers of the most threatened languages. When the UN Universal Declaration of Human Rights was accepted, UN consisted of only 51 states, as compared to the present number of close to 200 states. But only a minority of the individuals living in those states were deemed "human" in the sense that the Universal Declaration should apply to them - the human beings in colonies and dependent territories were not "human", according to the vote in UN. In the same sense, migrants are not human today, according to Katarina Tomaševski (1997) - they have very few human rights and certainly no binding linguistic rights.

6 Zygmunt Bauman claims (1997) that if the globalisation of information levels out cultural differences and cultures in general, a policy of fragmentation implied in localisation on the other hand may favour differentiation. You can have whatever cultural values but still get Western tanks, computers, etc. There is a lack of cohesion, illogicality, in the policy.

population of the world together⁷ is just one example of increasing inequality, one of the consequences of structural changes in globalisation (one of the 'stress on people' factors in Figure 1). But instead of analysing the structural poverty, resulting from, among other factors, the structural unemployment inherent in the 'free markets', as a result of globalisation, the poor are constructed as being poor because of inherent deficiencies (among these lack of competence in dominant languages).

Now the poor are seen as structurally poor and unemployed, hence bad consumers, and under the 'free' market that is a crime. Criminalisation of poverty leads to the poor being legitimately controlled by the state (in the welfare state by social workers, and increasingly the police) and not 'helped'. Not ethnic cleansing but economic cleansing, townships, bantustans for the poor of the world. Thus the local state removes the obstacles for the globalising free market.

This is the answer of market forces to the post-modern problems of their own making. A human rights oriented answer could be different. According to our earlier analysis, one of the important tasks for states would be to guarantee the satisfaction of basic human needs for everybody. This could be done if human rights and economic rights came together, controlled by a democratic political process.

But in global **human rights policies** there is a conspicuous silence about economic and social (or welfare) rights, coupled with very vocal anti-welfare approaches (see examples in Pilger, 1998). In global and Western **economic policies**, human rights are hardly mentioned, except when legitimating economic benefits for the industrialised countries by referring to alleged (and often real) human rights violations in underdeveloped countries. Also, in renegotiating **political, military and economic alliances**, Western countries skilfully play the card of alleged human rights violations.⁸

Tomaševski sums it all up (1996, 100):

"the ideology of the free market has exempted economy from public control (sometimes even influence) and thus eliminated the basis for human rights, when these are understood as an exercise of political rights to achieve economic, social and cultural rights."

Globalising access to information **has** enabled counterhegemonic forces to ensure that there is growing sensitivity to human rights. But at the same time there is

also a growing inability to secure them by progressive forces in civil society. The gap between rhetoric and implementation is growing, with all the growing inequalities. Behind this lies the collapse of institutions of democratic political control of trade and capital. In this light, it is completely predictable that states commit linguistic genocide; it is part of the support to the homogenizing global market forces. In the last part of the paper, I will look at what happens to linguistic human rights in education in international and European human rights instruments. This strengthens the impression that especially Western states try to prevent the granting of binding linguistic human rights which could support diversity.

LINGUISTIC HUMAN RIGHTS IN EDUCATION IN INTERNATIONAL AND EUROPEAN HUMAN RIGHTS INSTRUMENTS

In many of the post-WW2 (Skutnabb-Kangas, Phillipson, 1994) human rights instruments, language is mentioned in the preambles and in general clauses, as one of the characteristics on the basis of which individuals are not to be discriminated against in their enjoyment of human rights and fundamental freedoms. The other original characteristics (from the joint Art. 2, Universal Declaration of Human Rights, and Art. 2.1, International Covenant on Civil and Political Rights) are "**race, colour, sex, religion, political or other opinion, national or social origin, property, birth or other status**". Later instruments have added **disability, economic status or any other social condition, ethnic origin, conviction, nationality, age and marital status**. The original and basic four (in the United Nations Charter, Art. 13) are "**race, sex, language, or religion**". This shows that language has been seen as one of the most important characteristics of humans in terms of their human rights.

But when we move from the lofty non-duty-inducing phrases in the preambles of the human rights instruments, to the real business, namely the binding clauses, and especially to the educational clauses, something very strange happens. There is a change of position. All or most of the **non-linguistic** human characteristics (race, sex, religion, etc) are still there and get positive rights accorded to them: the clauses or articles about

⁷ In 1997 3 families had more private property than 48 countries together and 225 billionaires as much as half the world's population. The poorest 48 countries, so called LDC's (Lest Developed Countries), have 0.4% of world trade. Taken together, the private assets of Microsoft director Bill Gates, the Walton family (owners of the supermarket chain Wal-Mart) and the Sultan of Brunei or the investor Warren Buffett (equally rich), are bigger than the Gross National Product of the 48 LDCs. The richest 225 individuals in the world (in 1995, 358 were needed) had in 1997 total assets equalling those of the poorest 2.5 billion people, some 45% of the world's population (source: Human Development Report 1998 from UNDP - United Nations Development Program).

⁸ The concept 'human rights' is often used in international relations arbitrarily and selectively by 'donor' governments so as to attempt to trigger 'democratic' elections or to sanction states that commit gross human rights abuses; in effect it is used as a political tool rather than a rigorous concept rooted in international law (Tomaševski, 1997).

them create obligations and contain demanding formulations, where the states are firm dutyholders and are obliged to ('shall') act in order to ensure the specified rights (i.e. positive rather than negative rights). Here modifications, opt-out clauses and sliding-scale alternatives are rare.

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

"... education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups..."

The European Convention on Human Rights and Fundamental Freedoms of 1950 is equally silent on not only language rights in education but even more general minority rights, says Patrick Thornberry:

"The Convention does not establish individual minority rights nor collective rights of minorities. Case-law has gradually mapped out what the Convention demands and permits (Thornberry, 1997, 348-349)."

Several new Declarations and Conventions to protect minorities and/or minority languages have been passed in the 1990s. But even in the new instruments strange things are happening in relation to language and the Articles about language rights in education. Even in new instruments language has been omitted. This is interesting in relation to racism definitions. It is very clear that crude biologically argued racism is no longer accepted as official ideology in any state - in its stead have come culturally/ethnically argued racism (ethnicism) and linguistically argued racism, linguicism.⁹ This should of course also be reflected in recent action-oriented definitions of racism. When the UN Centre for Human Rights in Geneva wrote a **Model National Legislation for the Guidance of Governments in the Enactment of Further Legislation against Racial Discrimination** for the UN Year Against Racism (1996), 'race, colour, descent, nationality or ethnic origin' were mentioned in the new definition of racism used, but there was no mention of language.

If language-related rights **are** included and specified,

the Article dealing with these rights, in contrast to the demanding formulations and the few opt-outs and alternatives in the articles dealing with other characteristics, is typically so weak and unsatisfactory that it is virtually meaningless. All or many of the other human characteristics are still there and get proper treatment and detailed, positive rights. The clauses about them create obligations and contain demanding formulations, where the states are firm dutyholders and 'shall' do something positive in order to ensure the rights; there are few modifications, few opt-out clauses and few alternatives on a gliding scale. Many of the other characteristics get their own specific conventions (e.g. conventions to prevent racism or sexism, or to guarantee freedom of religion). But not so for language, especially in education.

For example, in the **UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities**, adopted by the General Assembly in December 1992, most of the Articles use the obligating formulation 'shall' and have few let-out modifications or alternatives - except where linguistic rights in education are concerned. Compare, for example, the unconditional formulation in Article 1 with the educational Article 4.3:

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

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

4.3. States **should take appropriate** measures so that, **wherever possible**, persons belonging to minorities have **adequate** opportunities to learn their mother tongue **or** to have instruction in their mother tongue." (emphases added, '*obligating*' in italics, '**opt-outs**' in bold).

Clearly the formulation in Art. 4.3 raises many questions. What constitutes 'appropriate measures', or 'adequate opportunities', and who is to decide what is 'possible'? Does 'instruction in their mother tongue' mean through the medium of the mother tongue or does it only mean instruction in the mother tongue as a subject?

While the Charter demonstrates the unquestionably real problems of writing binding formulations which are sensitive to local conditions, just as in the UN Declaration above, its opt-outs and alternatives permit a reluctant state to meet the requirements in a minimalist way, which it can legitimate by claiming that a provision was not 'possible' or 'appropriate', or that numbers were not 'sufficient' or did not 'justify' a provision, or that it 'allowed' the minority to organise teaching of their language as a subject, at their own cost.

9 Linguicism: 'ideologies, structures and practises which are used to legitimate, effectuate, regulate and reproduce an unequal division of power and resources (both material and immaterial) between groups which are defined on the basis of language' (Skutnabb-Kangas, 1988, 13).

The Council of Europe **Framework Convention for the Protection of National Minorities** was adopted by the Committee of Ministers of the Council of Europe on 10 November 1994. We again find that the Article covering medium of education is so heavily qualified that the minority is completely at the mercy of the state:

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

The Framework Convention has been criticised by both politicians and even international lawyers who are normally very careful in their comments, like Patrick Thornberry, Professor of Law at Keele University. His final general assessment of the provisions, after a careful comment on details, is:

"In case any of this [provisions in the Convention] should threaten the delicate sensibilities of States, the Explanatory Report makes it clear that they are under no obligation to conclude 'agreements', and that the paragraph does not imply any official recognition of the local names. Despite the presumed good intentions, the provision represents a low point in drafting a minority right; there is just enough substance in the formulation to prevent it becoming completely vacuous" (Thornberry, 1997, 356-357).

A still more recent attempt to promote language rights, a draft Universal Declaration of Linguistic Rights, accepted in Barcelona in June 1996 and handed over to UNESCO, also suffers from similar shortcomings even if it for several beneficiaries (**language communities** and, to some extent, **language groups**) represents great progress in relation to the other instruments described. Still, indirectly its education section forces all others except those defined as members of **language communities** (which roughly correspond to national territorially based minorities) to assimilate. For all others, only education in the language of the territory is a positive right, i.e. not education in their own language. There is no mention of bilingual or multilingual territories in the Declaration. Every territory seems to have only one "language specific to the territory", i.e. territories are seen as monolingual. This means that for those who speak a language other than the language of the territory, education in their own language is not a positive right. In addition, the Declaration grants members of language communities the right to "the most extensive possible command" of any **foreign** language in the world, whereas the rights granted to "everyone" include only the right to "oral and written knowledge" of one's **own** language. This is clear in a comparison of the formulations at the end of Article 26 on language communities with Article 29 which

spells out the (negative) right of "everyone":

"All language communities are entitled to an education which will enable their members to acquire a full command of their own language, including the different abilities relating to all the usual spheres of use, as well as **the most extensive possible command of any other language** they may wish to know" (Art. 26 on rights of language communities).

"1. Everyone is entitled to receive an education **in the language specific to the territory where s/he resides**.

2. This right does not exclude the right to acquire **oral and written knowledge of any language** which may be of use to him/her as an instrument of communication with other **language communities**. (Art. 29 on rights of "everyone", my emphases).

Besides, Art. 29.2 is formulated so as to suggest that "everyone's" own language can be learned only if it is a useful instrument when communicating with other language communities. This means that it could in principle be excluded if it is not known by any entity defined as a language community, or if it is not used as a **lingua franca** between people where some represent language communities. If it is 'only' known and/or used by language groups or by individuals representing "everybody" it can be excluded from any provision in Article 26. 81% of all the world's languages are endemic, according to Harmon (1995).

It is likely that the lack of rights in the education section will force all those not defined as members of language communities to assimilate. This interpretation of indirect assimilation through education is strengthened when looking at the reservations in Articles which otherwise might grant "everyone" more language rights. According to Art. 23.4, ... "everyone has the right to learn any language". "Any language" could also be interpreted as the mother tongue of those who otherwise are not granted positive mother tongue learning rights - except that this right prevails only "within the context of the foregoing principles" (Art. 23.4) which support only the languages and self-expression of language communities, i.e. not the languages of "groups" or "everyone":

"1. Education must help to foster the capacity for linguistic and cultural self-expression **of the language community of the territory where it is provided**.

2. Education must help to maintain and develop **the language spoken by the language community of the territory where it is provided**.

3. Education must always be at the service of linguistic and cultural diversity and of harmonious relations **between different language communities** throughout the world.

4. Within the context of the foregoing principles, everyone has the right to learn any language." (Article 23, my emphases).

The Declaration thus clearly gives language communities very extensive rights but leaves "everyone" with

very few rights. This makes the Declaration vulnerable in several respects. There are many states which claim that they do not have minority language communities, or which do not want to give these communities any rights. Since **self-determination** is not an unconditional right in international law, neither internally (autonomy of some kind) nor externally (secession, independence), a Declaration which gives most of the rights to linguistic **communities**, without firm dutyholders, makes these communities completely dependent on the acceptance of their existence by states, an acceptance that many states are not willing to grant. This makes individual rights enormously important in the Declaration. But these individual rights are the weakest part of the Declaration.

The draft Universal Declaration does not give any positive **educational** language rights to **all** individuals, regardless of which category they belong to - and this is exactly what individual human rights are supposed to do. If something is to be seen as an individual **human right**, it means, per definition, a right which **every individual** in the world has, simply because that individual is a human being. It means an unconditional, fundamental right that no state is allowed to take away.

In addition, the draft Declaration seems to be in many ways completely unrealistic - few if any states in the world would be willing to accept it in its present form. Terralingua¹⁰ is a new international organisation supporting linguistic diversity and investigating the relationships between linguistic diversity and biodiversity. Dr. Luisa Maffi, President of Terralingua, inquired about the future of the Draft Declaration in August 1998 when she visited Unesco's Division of Languages (newly established within the Education Sector). The director Joseph Poth, told her that there will in fact 'be no follow-up on the Draft Declaration', but the Division 'anticipates that the elaboration of new international standards for the protection of linguistic rights will be part of their activities' (Maffi, 1998).

The fate of the UN **Draft Universal Declaration on Rights of Indigenous Peoples** is also unsure and many changes are to be expected, according to the chair of the Working Group which prepared it, Professor Erica Irene Daes (1995). Despite the careful negotiations over a decade, several countries, most importantly the United States, are probably going to demand substantial changes which undermine the progress achieved in the Declaration (Morris, 1995).

The conclusion is that we are still to see the right to education through the medium of the mother tongue become a human right. We are still living with basic language wrongs in human rights law, especially in education policy. Denial of linguistic human rights, linguistic and cultural genocide and forced assimilation through education are still characteristic of many states, notably in Europe and Neo-Europes.

There are some positive recent developments, though, and I shall only mention the three which I see as most promising. The reinterpretation by the UN Human Rights Committee in a **General Comment** of 6 April 1994 (UN Doc. CCPR/C/21/Rev.1/Add.5, 1994) of Article 27 of the UN International Covenant on Civil and Political Rights (which still grants the best binding protection to languages) is one of the positive developments. Another one is the NGO-initiated **People's Communication Charter**¹¹ (Hamelink, 1994, 1995; the Charter's Web-page). The third positive development is most directly related to education, **The Hague Recommendations Regarding the Education Rights of National Minorities & Explanatory Note** (1996), from the OSCE (Organisation for Security and Cooperation in Europe, with 55 member states) High Commissioner on National Minorities.

CONCLUDING REMARKS

Using the metaphor of the dominant languages themselves as killer languages as I do about the top languages may be vivid. However, it is the market forces behind the languages, behind the relative validation or invalidation of languages that are important to analyse. What I loosely call 'the "free" market response' is centralisation, homogenisation, monocultural efficiency; and the consequences of the 'free market' for linguistic diversity are disastrous. Another response could be through diversity, including implementing linguistic human rights. The message from both sociologists like Zygmunt Bauman (see also 1998a, 1998b) and human rights lawyers like Katarina Tomaševski is that unless there is a redistribution of **resources** for implementing human rights, nothing is going to happen. It is no use spreading **knowledge of human rights** unless the resources for implementation follow, and that can **only** happen through a radical redistribution of the world's material resources.

10 Terralingua is a nonprofit international organisation devoted to preserving the world's linguistic diversity and to investigating links between biological and cultural diversity. Web-site: <http://cougar.ucdavis.edu/nas/terralin/home.html>. E-mails: Luisa Maffi, President: maffi@nvu.edu; David Harmon, Secretary & Treasurer: gws@mail.portup.com; Tove Skutnabb-Kangas, Vice-President: tovesk@babel.ruc.dk.

11 The Charter, including the history of its origin, is available at the Web-site <http://www.waag.org/pcc>. It can also be signed there. Discussions, papers, etc., in relation to the Charter can be found at <http://composite.uquam.ca/videaz/docs/cehaen.html> and <http://composite.uquam.ca/videaz/wgl/>. The address to an e-mail discussion list is pccl@dds.nl; the person responsible is Reinde R. Rustema rrr@dds.nl.

Language shift can be 'voluntary' at an individual level: a result of more benefits accruing to the individual who agrees to shift than to someone who maintains her mother tongue. But in most cases of language shift it seems that either sticks, punishment, or carrots, economic or other benefits, have been at work - or, increasingly, ideological persuasion, hegemonic mind-mastering, meaning linguicist agents. Likewise, the choice of which languages are granted support, and of what kind, in the education system as mother tongues and foreign or second languages often follows linguicist 'free' market principles, with more benefits accruing to those who support the killer languages as both media of education and as first foreign languages in education.

If people are forced to shift their languages in order to gain economic benefits of the kind which in fact are bare necessities for basic survival, this is a violation of not only their economic human rights but also their linguistic human rights.

Violations of linguistic human rights, especially in education, may lead and have led to both ethnically articulated conflict and to reduction of linguistic and cultural diversity on our planet. But granting human rights **on paper**, even linguistic human rights, even in education, something that is hardly done today, does not help much. For human rights to be **implemented**, a radical redistribution of the world's material resources is necessary. With a 'free' market this is not likely to happen. Secondly, for this to happen, civil society needs to take back the control of economy which has been given away to the transnational companies and the financial giants in the globalisation process. Thus states are double agents, in a very difficult situation. What we need to do is to support those forces in civil society which force states to stop the unholy alliances they have with the 'free' market forces, and start responding through diversity and localisation.

The losers, if this does not happen, are not only the 80 percent of the world's population at present consuming only 20 percent of the resources. The losers are humanity and the planet. I will quote Edward Goldsmith (1996, 91), and want to remind the readers that 'environment' means biological, linguistic and cultural environment. In his words, 'there is no evidence that trade or economic development are of any great value to humanity ... The environment, on the other hand, is our greatest wealth, and to kill it, as the TNCs

[transnational companies] are methodically doing, is an act of unparalleled criminality.' The only hope today seems to be that the TNC leaders might realise that it is not in the interest of their grandchildren either because 'there can be no trade and no economic development on a dead planet' (Goldsmith, 1996, 91).

In the age of industrialisation and modernism, those who had material and financial resources, capital, did well. In the age of information, those who are depositaries for the knowledge capital needed for creating, storing and exchanging information, those with linguistic and cultural capital, will do well. The more linguistic and cultural diversity, the more knowledge capital. If the elites, in the name of supposed efficiency, homogenise the world, they are also killing this mental capital. Unless we, instead of globalising financial capital, start truly globalising language rights, including a right to a diverse environment, there is no future.

Learning dominant big languages **additively**, including English for everyone, is OK. **Subtractive** dominant language learning (where for instance English is learned **at the cost** of the mother tongues, not in addition to them) kills other languages.

Summing up, market economy, and the creation of larger and more centralized economic, administrative and political units has, despite a rhetoric of democracy and local participation, been the order of the day, in the 'first' and 'third' worlds. It also seems to be re-emerging in the former 'second' world. The socio-economic, techno-military and political, structural changes inevitably connected with the 'modernization' process cause stress on both **nature** and on **people**, their socio-economic conditions of life, and their languages and cultures (Figure 1). These processes have resulted in an accelerated **environmental degradation** (= nature under stress), and **growing gaps** between the Haves and the Have-nots (or Never-to-haves as many of our Indian colleagues say) and in **linguistic and cultural genocide** (= people under stress). Education systems, as currently run, contribute to committing this linguistic and cultural genocide.

An important priority for both research and action would be to define policies for preservation and development of environmental, linguistic and cultural, economic and political diversity.¹² This would also include studying the role of human rights in the different responses.

12 There are caveats, though. There are no longer any 'bad' or 'good' solutions, only relatively better or worse solutions. Both the bipolar possibilities (either universality (universal ideas, ideologies, solutions) or tolerance of diversity and pluralism) have certain benefits and certain dangers, according to Bauman (1997). Believing in 'universal truths' (like 'communism' or 'capitalism' or 'free market') can in the worst case lead (and has led) to genocides. 'Tolerance' can also lead to tolerating genocide without doing anything (e.g. Bosnia, Nigeria). 'Tolerance' can also be expressed in demands for autonomy of choice, in an individual neo-liberal way, in consumer societies, where any kind of restrictions or limits are seen as negative. This might also include the prevention of any kind of positive intervention to achieve the 'regulated context' which Grin (1999) sees as necessary for harnessing market forces for preservation of at least some linguistic diversity.

Alternative responses to changes
BACKGROUND REASONS

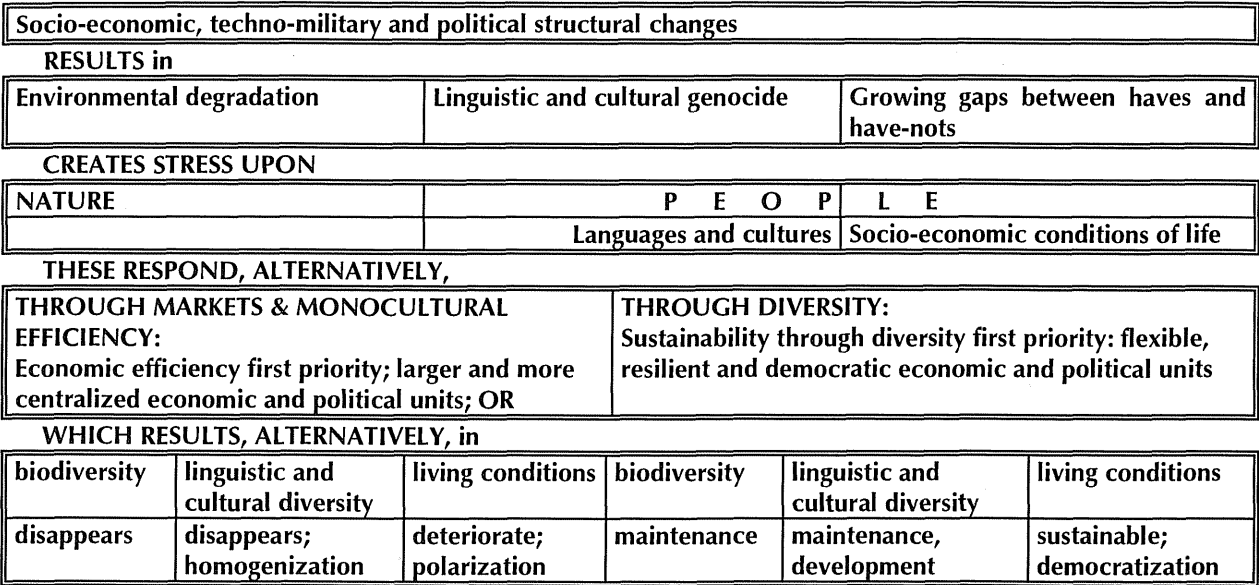


Fig. 1: Alternative responses to socio-economic, techno-military and political structural changes.¹³
Sl. 1: Alternativni odzivi na socialno-ekonomske, tehnično-vojaške in politične strukturne spremembe.

This is the context in which I think we need to see the spread of certain languages at the cost of others. The Japanese scholar Yukio Tsuda (1994) analyses the spread of English in terms of a 'diffusion of English' paradigm where he sees several other factors related to this diffusion. As an alternative he proposes an 'ecology of languages' paradigm which includes minimally bilingualism but hopefully multilingualism for all. Robert Phillipson and I have worked further on Tsuda's suggestions (see the discussion in Phillipson, Skutnabb-Kangas, 1996).

Table 4 presents both paradigms in my latest version.

Most English as a Second Language teaching today, internally and globally, is a reflection of the Diffusion of English Paradigm. For linguistic and cultural diversity to be maintained, for the planet to have a future, an Ecology of Languages Paradigm (which also respects linguistic human rights) is a necessary (but not sufficient) prerequisite.

We have the knowledge needed to choose intelligently. Information technology could be used for spreading this knowledge, instead of mass media spurring out the mental nerve gas of consumerism, commodification and Macdonaldization.

Tab. 4: Diffusion of English and Ecology of languages paradigms.
Tab. 4: Razpršitev angleškega jezika in ekologija jezi-
kovnih paradigem.

The diffusion of English paradigm
1. monolingualism and linguistic genocide
2. promotion of subtractive learning of dominant languages
3. linguistic, cultural and media imperialism
4. Americanisation and homogenisation of world culture
5. ideological globalisation and internationalisation
6. capitalism, hierarchisation
7. rationalisation based on science and technology
8. modernisation and economic efficiency
9. transnationalisation
10. growing polarisation and gaps between haves and never-to-haves
Ecology of languages paradigm
1. multilingualism, and linguistic diversity
2. promotion of additive foreign/second language learning
3. equality in communication
4. maintenance and exchange of cultures
5. ideological localisation and exchange
6. economic democratisation
7. human rights perspective, holistic integrative values
8. sustainability through promotion of diversity
9. protection of local production and national sovereignty
10. redistribution of the world's material resources

13 This figure is partially inspired by the flow chart in Jussila, Segerstahl, 1988, 18.

At present, though, while we can **hope** that some of the positive developments might have **some** effect, overall there is not much cause for optimism. My conclusion is that we still have to work for education through the medium of the mother tongue to be recog-

nized by states as a human right. And if this right is not granted, and implemented, it seems likely that the present pessimistic prognoses of over 90% of the world's oral languages not being around anymore in the year 2100, **are too optimistic**.

JEZIKOVNA IN BIOLOŠKA DIVERZITETA, 'PROSTI TRG' IN BODOČNOST ZEMLJE - ALI IMAJO ČLOVEKOVE JEZIKOVNE PRAVICE NA PODROČJU IZOBRAŽEVANJA SPLOH KAJ MOČI?

Tove SKUTNABB-KANGAS

Roskilde Universitetscenter, DK-4000 Roskilde, Postboks 260

POVZETEK

Danes jeziki izginjajo hitreje kot kdaj koli prej v zgodovini človeštva. Biološka raznovrstnost na eni strani ter jezikovna in kulturna raznovrstnost na drugi so vzajemne, kar potrjujejo številni dokazi, ki pričajo o morebitnem vzročnem razmerju, koevoluciji človek - okolje. Zmagoslavna razglasitev "svobodnega" tržnega sistema kot nujnega in pozitivnega spremljevalca globalizacije uničuje jezike hitreje kot kdaj koli prej. Homogenizacija in monokulturna učinkovitost pritiskata na naravo in ljudi ter prispevata k uničevanju raznolikosti. Zavest, šole in mediji so glavni neposredni povzročitelji jezikovnega genocida v izobraževanju.

Mednarodni zakon o človeških pravicah naj bi tako deloval kot korektor v svobodni trgovini, prevladal nad zakonom ponudbe in povpraševanja in odstranil nalepke s cenami z ljudi in osnovnih potreb za njihovo preživetje. Te ne vključujejo samo osnovnih živil in bivališča, temveč tudi osnovne civilne, politične in kulturne pravice. Jezikovne človekove pravice, ki so, posebno v izobraževanju, nujen predpogoj za ohranitev jezikovne raznovrstnosti, so namreč sedaj popolnoma nezadostne za zaščito in ohranitev jezikovne raznolikosti, kljub nekaterim pozitivnim dogajanjem v zadnjem času.

Ključne besede: jezikovna različnost, človekova jezikovna pravica, ekonomska globalizacija, redistribucija surovin, civilna družba, jezikovni genocid, lingvicizem

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