The Role of Standard Setting Instruments in National Languages Policy and Planning

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INTRODUCTION

In his 23 July message for 2008 International Day for the World’s Indigenous People, UN Secretary General Ban Ki-moon, spoke of “the silent crisis confronting many of the world’s languages”. He noted that action on behalf of indigenous languages aims to put an end to marginalization, poverty, expropriation of indigenous people’s traditional lands and other grave human rights abuses.

This statement underscores the persisting and vital connection between the general human rights of indigenous peoples and the state of the world’s languages, the symbolic and the practical, the ideational and the material, the ideological and the concrete.

While the endangerment of each endangered language is specific to its conditions of history, inherited attitudes, and possibilities some principles are portable across context and some experiences and legal-policy instruments are able to serve as standard bearers of enlightened policy and prospects for change. Three standard setting instruments are:

(i) explicit recognition of additive bilingualism for all, and first language rights for minorities, in all public policy;
(ii) entitlements to bi-literate and bi-lingual traditional and contemporary education; and
(iii) conferring explicit recognition of language rights in health and legal administration.

In this paper I very briefly discuss three instruments of law, the 1990-2006 US Native American Languages Act in the United States, the 1997 Indigenous People’s Rights Act of the Philippines and vernacular language and literacy in Sri Lanka. These aim to highlight the essential point in my argument that we must combine symbolic and pragmatic action in three kinds of work, ideological, socio-cultural and linguistic, to strengthen the prospects for survival of endangered languages.

First, however, some brief observations about the context in which we are challenged to support minority languages, globalisation.

GLOBALISATION

Everywhere education systems, policies and institutions are being transformed by globalisation. While education has always been relatively open to international influence because knowledge,
language and culture relatively freely cross national borders, today knowledge based economies make comparative modern education standards critical to national development critical in competitive global relations.

Hence, globalisation is not itself new and is best understood instead as ‘the widening, deepening and speeding up of world wide interconnectedness’ (Held, McGrew, Goldblatt and Perraton, 1999, p. 2). Globalisation combines political economic change with cultural change (Suarez-Orozco and Baolian Qin-Hilliard 2004). On one hand it entails the formation of worldwide markets operating in real time with common financial systems with enhanced cross-border mobility of production.

Contemporary globalisation is accompanied by, and mediated through, English, which in recent decades has come to assume dominant status in curricula, both as subject and increasingly as a medium of instruction. Its status is especially strong in Asia, where, among the sampled curriculums in a 2005 review, it was the first foreign language in the curricula of 100% of Asian countries (Cha and Ham, 2008) and also

Globalisation in some ways facilitates minority language maintenance because of the weakening of exclusive national sovereignty. National states classically operate with integrative and incorporative ideologies which often equate equality with sameness. To the extent that globalisation lowers the exclusive demands of sovereign states to cultural sameness for citizens, it enhances prospects for survival the negative assimilative effects of nationalist ideologies. As this conference demonstrates, globalisation, and the diffusion of enlightened regard for minority rights, can subject national communication policies to international scrutiny and critique and can disseminate techniques, knowledge and awareness of positive action for making multilingualism intergenerationally vital.

THE LIMITS OF PLANNING

Before proposing standards setting instruments it is sobering to reflect on the wisdom of long-in-the-tooth language planners. In a suitably chastening observation about language planning the noted Philippine linguist and educator, Andrew Gonzalez, once famously remarked that “...benign neglect is better than deliberate language planning...”.

Gonzalez was reflecting on the gap between the lofty aspirations of policy and the disappointing outcomes in the context of national surveys documenting the communication patterns in the richly multilingual Philippines. The failures of deliberate language planning should make us reflect on the improbabilities of reversing language shift when powerful economic, political, and cultural forces work relentlessly to attach material rewards to monolingual literate competence in a tiny number of globally connected languages.

This is because language is an immensely supple and complex set of practices, a socially produced system of semiotics that interacts closely with all aspects of people’s social and personal lives. Identity, both personal and social, and economic and national interests, as well as collective and individual memory, are all constructed through language, or are realized and negotiated in acts of communication.

Just as Gonzalez urges planners to temper enthusiasm for overt planning, in the early 1970s another distinguished sociolinguist, Joshua Fishman, also offered a wise caution. Reflecting on the failure of exclusively school-centered language revival Fishman made the astute observation that schools can be “unreliable allies of language maintenance”. In the absence of
sustaining usage planning, changes to public ideologies, and to laws and material opportunities, 
school-centered language planning for multilingualism can provoke more rapid language shift 
since this can merely confound the domains of a weak and endangered language with those of 
a strong and replacing language.

Three disparate and positive instances of standards setting will now be discussed.

**THREE STANDARDS: SYMBOLIC AND PRAGMATIC COMBINED**

*i)*  **United States: Native American Languages Act**
In 1990 the US Congress approved possibly the most explicit and bilingualism-promoting 
language declaration in its history, the Native American Languages Act (NALA). Its preamble 
states: "It is the policy of the United States to preserve, protect, and promote the rights and 
freedom of Native Americans... to use, practice and develop Native American languages” 
(Congr. Rcd 1990; P.L. 101-477; October 30, part of the Tribally Controlled Community 
Colleges Bill, PL101-477).

By contrast, in 2001 the US Congress terminated the Bilingual Education Act of 1968. The BEA 
had been conceived as an anti-poverty measure, mainly for disadvantaged Mexican American 
children initially, and was progressively litigated and extended to all immigrant arrivals in US 
schools. It delivered very extensive, but strictly transitional, first language bridging to English 
but for its size, and spread, it was subjected to acrimonious dispute over its 33 year life.

The contrast between these two legal enactments is instructive, but what it teaches us is the 
power of the rhetorical construction, the ideological framing, of laws for minority rights. When 
national states conceive languages as either unthreatening to what they perceive as national 
cohesion, or when the supported languages are weak and marginal, or when those languages 
can somehow be included in new visionary imaginings as belonging to the national state, they 
can gain legal and political concessions.

The apparent conflict between the minority-language affirming ethos of the NALA and 
relentless opposition to the BEA suggest that socio-political issues are inherent in language 
planning for minority languages. They also tell us that the first activity we must engage in 
strengthen minority and endangered languages is ideological work.

It was precisely this kind of work that led to the further development of NALA. The native 
language preservation bill that aims to support native tribes transmit their languages intact 
through the intimate domain of child rearing, and the formal socialisation of schooling, was 
signed into law by President Bush on December 15, 2006 (H.R.4766, Esther Martinez Native 
American Languages Preservation Act). This new law authorizes funding for language nests, 
language survival schools and language restoration programs for the 175 remaining out of the 
300 US native languages, now after a long history of repression, including outlawed 
ceremonies and government policies of relocation and assimilation. It is interesting to note that 
in 2000, President Bush honoured Navajo Code Talkers who served US interests by suppling 
unbreakable language codes during World War II and this patriotism connection is a critical 
rhetorical tool in the ideological work on behalf of native language support.

*ii)*  **Philippines: Indigenous People’s Rights Act of 1997**
The Philippines offers a different example of a standards setting instrument with potentially 
considerable merit, the Indigenous People’s Rights Act (Republic Act No. 8371, Republic of the 
Philippines, 1997). This law requires corporations to actively seek and obtain the consent of
villagers to development initiatives rather than merely having such bodies explain their intentions to locals, thereby elevating the role of local indigenous languages in relation to development issues.

This law is a good illustration of language planning within a sphere of jurisdiction, subject to political sovereignty, and exposes the deep consequences for languages and multilingualism of non-language focused policy action. The Act obligates the state to a range of cultural, educational, social and linguistic procedures and entitlements for indigenous populations, including an acceptance of the legal standing of documents in these languages, supplanting past practices in which minority languages were a source of discriminatory practices.

The Act in effect created a new legal category of “indigenous peoples”. Large scale development projects such as hydroelectric dams, logging concessions, and large scale open cut mines, frequently displaced indigenous peoples from their ancestral lands, usually resource-rich areas.

Contained within IPRA is provision of a formal Bill of Rights for indigenous peoples, including rights to ancestral domains, self-governance and empowerment, social justice and human rights, and cultural integrity.

As Castro (2002) writes: “To safeguard the indigenous peoples from deception by unscrupulous elements, the new law required that all project proponents first secure free and prior informed consent (FPIC) from the indigenous peoples in case these projects will intrude into their traditional territories. The use of the indigenous languages for information-education campaigns, public hearings and meetings, as well as for contract signing purposes has been stressed in the IPRA” (p. 69).

The procedural nature of the obligations imposed by the IPRA for obtaining FPIC may serve as a powerful motor stimulating the use of indigenous languages in precise and elaborated ways.

Castro’s study of the effects of IPRA (2002) points out that in “several documented cases” indigenous languages have been the key to preventing indigenous peoples from being deceived as to the intentions of developers, corporations or government agencies concerning large scale projects.

The law has not proved to be anti-development, but subjects development agencies to processes of negotiation that have the effect of empowering local languages and the conventional communication practices of indigenous peoples. It is not clear what effect these moves will have in long term efforts to reinforce the intergenerational vitality of small languages, but the impact so far noted by observers is for positive washback onto the language

The case highlights the potentially powerful effects of policy legislating for language rights but not in abstract ways, specifically tied to concrete application, linking high-stakes economic development to deliberative processes in local languages.

iii) Vernacular Literacy in Sri Lanka
Another kind of standard setting, first language rights, as enshrined in Sri Lanka’s constitution and education laws offers a different set of insights into strengthening languages. While neither of the languages involved here, Sinhala and Tamil, is remotely endangered, vernacular
literacy in these languages teaches something important: what role do local languages play in meeting Millennium Development Goals and the six Education for All goals?

Recent research conducted for the UK Department for International Development comparing Zambia and Malawi on the use of children’s first languages in early education concluded that “the moral of the Malawian achievement would appear to be that if resources are scarce, there is a greater likelihood of success in attempting to teach pupils a known local language, rather than an unknown one” (Williams, 1998).

This point is amply proved in the case of Sri Lankans’ two mother tongues. The UN Millennium Declaration (MD) aims to accelerate international cooperation for overcoming gender disparities in education, improving health provision in poor countries and stimulating general economic development and gainful employment.

Comparing Bangladesh, India, Nepal and Sri Lanka in 2001, the most complete recent in-year comparison, underscores Sri Lanka’s literacy accomplishments, which against the backdrop of immense social upheaval and ongoing civil conflict are remarkable. The percentages for male and female youth literacy, and the gender parity index (ratio of male to female youth literacy), are given below, adapted by the present author

<table>
<thead>
<tr>
<th>Country</th>
<th>Male Literacy%</th>
<th>Female Literacy%</th>
<th>Gender Parity Index</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bangladesh</td>
<td>67.2</td>
<td>60.3</td>
<td>0.90</td>
</tr>
<tr>
<td>India</td>
<td>84.2</td>
<td>67.7</td>
<td>0.80</td>
</tr>
<tr>
<td>Nepal</td>
<td>80.6</td>
<td>60.1</td>
<td>0.75</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>95.1</td>
<td>96.1</td>
<td>1.01</td>
</tr>
</tbody>
</table>

According to the UNESCO Institute of Statistics (UIS), between 1991 and 2001 the overall youth literacy rate in Bangladesh improved 44.7% to 63.6%; in India from 61.9% to 76.4% and in Nepal from 49.6% to 70.1%. For Pakistan only 1998 is listed, 55.3% and for Sri Lanka only 2001, 95.6.

Goal 2 of the MD Goals addresses a longstanding, continually postponed, objective for what in development circles is abbreviated as “UPE” (Universalization of Primary Education). UPE comprises subsidiary targets, number three being that by 2015 there will be universal completion of the full cycle of primary education by all learners, boys and girls equally. This target relies heavily on two literacy measures, a rate for youth (15-24 year olds) and an “adult” rate.

The youth rate measures the percentage of the population “who can both read and write with understanding a short simple statement on everyday life”, a skill which the UN claims reflects the outcome of primary education over “the previous ten years” and serves as a “…proxy measure of social progress and economic achievement” (www.mdgs.un.org/unsd/mdg/SeriesDetail.aspx?srid=656; UIS updated 27 July 2007; and MD Goals).
We can see that Sri Lanka has a proud literacy achievement gained entirely in the vernacular languages, and high absolute numbers of claimed literacy, very high male and even higher female achievements, and the gender parity index which reverses the general tendency of male dominance. These are all due to free public education delivered in the mother tongues, the home languages, of Sri Lanka’s children.

CONCLUSION

These standards instruments are based on three different kinds of activity that are all required to improve prospects of making more languages intergenerationally vital: ideological work, socio-cultural work and linguistic work.

Ideological work is directed at undoing past policy. Essentially the ideological work in language planning for language diversity is to contest inherited negative beliefs and attitudes from dominant or replacing languages, negatives related to the value and vitality of indigenous, vernacular or immigrant minority languages.

The socio-cultural work relates to producing local intra-family and intra-community use-functions for threatened languages, i.e. finding new spaces in community and family lives in which modes of identity, relationships and local discourses will not be intact in the target languages. If we can support communities to revitalise processes of intimacy in traditional languages, i.e. to support home transmission and use of local languages, the base for policy intervention and standards will be strengthened. This is a critical aspect of the work that needs doing to strengthen communities and strengthen their languages.

The linguistic, or rather socio-linguistic work, involves re-establishing intact discourses, i.e. naturalising communication in minority languages even if this means persisting against the discouraging effects of code-switching and limited initial expressive abilities.
REFERENCES


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