

Language as a Space for Collision

Simona Škrabec

Università Oberta de Catalunya

If every language is acquirable, its acquisition requires a real portion of a person's life: each new conquest is measured against shortening days. What limits one's access to other languages is not their imperviousness but one's own mortality.

Benedict Anderson, 1983

Recognition of Inherent Human Dignity¹

The first line in the preamble to the Universal Declaration of Human Rights adopted by the United Nations general Assembly on 10 December 1948 establishes that the aim of the Declaration is to ensure “recognition of the inherent dignity” of every person on the planet. These rights may set out collective claims, but they nevertheless apply to and are founded upon each specific individual: “Everyone has duties to the community in which alone the free and full development of his personality is possible” (Art. 29/1). We are social creatures, and our existence cannot be imagined without interaction with others. If each individual is to be protected, it is essential to ensure a social environment that favors personal accomplishment.

Clearly, huge tensions are created between opposing individual rights, and this becomes especially noticeable where linguistic issues are concerned. If everyone could use their first-choice language without any kind of restriction, would this solve anything? Can the concept of human rights cancel out these linguistic differences? I have just made a false conceptual leap, but it is one that is nevertheless so common that it might easily pass unnoticed. It is important to remember that the UDHR of 1948 defines many issues that

1 I owe the idea for this article to the debate entitled “Global Language Justice: An Interdisciplinary Workshop”, hosted by the Institute for Comparative Literature and Society, Columbia University (June 30, 2020), and particularly the observations made by Professors Lydia H. Liu and Anupama Rao.

were highly sensitive in a world that had just emerged from a bloody world war, but it makes no mention whatsoever of the use of languages. It does not include linguistic rights as human rights. It does talk about “freedom of speech”, “freedom from fear” (Preamble), “freedom of thought, conscience and religion” (Art. 18) and “freedom of opinion and expression” (Art. 19), as well as “freedom of peaceful assembly” (Art. 20/1). It is assumed that all of these freedoms may be exercised without having to think about the language in which one must express oneself in order to achieve them.

This conceptual slip that links human rights to linguistic rights is very common. The assumption is quite logical; humans are linguistic beings, and our innate linguistic abilities unquestionably form part of what the United Nations jurists defined as “the inherent dignity [...] of all members of the human family”. The fact that we speak and communicate with one another is simply an indispensable requirement of our human condition. It is for this reason that so many people are convinced that the UDHR enshrines their right to express themselves in the language of their choosing. “The dignity and worth of the human person” (Preamble) is necessarily tied to the fact that we humans are capable of linguistic expression, and it could not be otherwise. It seems logical that everyone who speaks, expresses themselves and thinks, regardless of the language they use, has the right to demand this inherent dignity without any distinction being made “on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs” (Art. 2).

This connection seems logical, but it is not one that has been established in law. The UDHR offers protection against exploitation in the workplace, against the abuse of power and against the arbitrary application of justice, and it establishes measures to ensure universal access to education and health as essential conditions for living with dignity. Language is only specifically mentioned in Article 2, and even then it is not linked to the passage that I have just quoted in relation to “the political, jurisdictional or international status of the country or territory to which a person belongs”. In the Declaration, language is not treated as a social contract or as a politically structured space, but instead as a characteristic of the individual that is as defining and inalienable as “race, color, sex, *language* (sic), religion, political or other opinion, national or social origin, property, birth and other status” (Art. 2).

The list of factors identified as grounds for discrimination is long, and it brings together concepts that are probably too diverse. It is troubling that so soon after the defeat of Nazism and its racial “laws”, the possibility of racial distinction is maintained without nuance, and that the language of the time talks about “sex” and not “gender”. In any case, all of these characteristics are intended to define an unambiguous form of belonging. By being included among them, language is regarded as though it were burnt onto a person’s skin and subject to an implacable loyalty to a particular religious affiliation. The first observation we could make at this point is that the Universal Declaration of Human Rights implicitly regards everyone as monolingual. Language is one of those kinds of unique characteristics that supposedly define us whether we want them to or not.

This assumption, that people can be defined on the basis of certain unequivocal characteristics, is deeply problematic in all cases because, when it comes down to it, “race”, religion, gender and skin color are cultural constructs and not objective facts. The very idea that subtle differences between individual people is what allows for the *fetishism of difference*

(Bhabha) and with it all the discrimination that can still be found based on “eternal” or “ineradicable” differences.

Discrimination is based on outward signs of cultural, historical or racial difference that are defined in a specific way, to the point of creating a veritable stereotype of the other person. We become convinced that the same differences are repeated at every point in history, and we overlook the changes that may have occurred within a particular society. Explanations of the past or predictions for the future imbue the social fabric with the effect of a truth that is not only probable but also predictable, which always gives rise to a surfeit of prediction that exceeds the number of actual facts that can be empirically proved. To acquire the kind of meaning that works successfully, a stereotype requires a continuously repeated series of other stereotypes. Cultural mummification leads to the mummification of individual thought. It is obvious that the process of articulating fetishist tropes in colonial societies focused on the visible fetish of dark skin. This “all too visible” feature served to obscure all the other features that distinguished one person from another within that group. Colonial discourse was based on fixing the color of one’s skin as a signifier that could not be set free, that could not circulate freely outside its racial type (Bhabha 78).

The rejection of a social group based on fetishism requires the construction of a symbolic order in which the relationship between factual external reality and subjective internal experience is supplanted or interrupted. “There is the theatre in which your truth was performed before you took cognizance of it”, remarked Slavoj Žižek in the *Sublime Object of Ideology* (19). Discrimination is based on a line of thinking that runs in a closed circle, confronted, not by reality but by an imaginary stage on which the action being played out is immutable, always the same². We know that a coin is a material object like everything else, but we behave as though it were made from a substance over which time has no power. The same subliminal mechanism as the one demonstrated by this classic example drawn from Marxist political economics can turn membership of a particular social group into a fetish. We all know, observes Žižek, that Jews are people, but there have nevertheless been times when a huge number of other people who were living alongside them, who knew them personally, began to behave as if Jews were made from a special substance, a substance that allowed one to say they were all the same, despite the ordinary events that demonstrated, day after day, the individual differences between them.

In this regard, the Universal Declaration of 1948 was right to include language among the factors from which exclusion could develop, based on prejudices that are so deeply rooted that they have become invisible. Linguistic discrimination exists and works more or less in the same way as structural racism based on skin color or religion. The fixing of stereotypes around the speakers of any language considered to be inferior, underdeveloped, useless and expendable is one of the most frightening tools of social repression

2 “I will ask you a simple question. The Yoruba, in Nigeria, number 40 million. Icelanders number a quarter of a million. How can it be that 40 million people are a tribe and yet a quarter of a million people are a nation? It depends on how you frame a situation, and it is within this same mental framework that people interpret conflicts in Africa: they do not look at the economic, ideological or political differences between the different sides. They literally focus on a leader and say, ‘ah, he’s from such and such a region, that’s where the problem comes from, it’s a tribal conflict’. They use highly simplistic mental frameworks to define African realities that are extremely severe”. (Ngũgĩ “Seminari”)

that exist. Massive pressures against speakers of marginalized languages have succeeded in breaking people down to the point of robbing them of all human dignity. Speaking a language that is not authorized by the authorities can effectively be one of those fetishes that justifies some of the most violent discrimination.

When we claim that linguistic rights should be viewed as human rights, I see this as wanting to correct the shocking possibility of separating languages into those that are worthy and those that are unworthy. Defending the dignity of all languages is to go to the heart of discrimination. However, as in the other cases mentioned in Article 2 of the Universal Declaration, language on its own is not the problem. The problem is the mechanism for exclusion that is created around a differentiating characteristic and the exploitation of this difference until it has become grounds for hatred. What can we do to change these deeply rooted secular forms of discrimination?

It is only when an individual has the right to be an active member of their own linguistic community that fundamental human rights such as “freedom of speech”, “freedom from fear”, “freedom of thought, conscience and religion”, “freedom of opinion and expression” and “freedom of peaceful assembly” can actually be achieved. All of these freedoms are clearly linked to the possibility of expressing oneself in a particular language without coercion. This is, in fact, the definition of fundamental linguistic rights that we see clearly set out in the Universal Declaration of 1948.

We must aspire to be the subject of all our own phrases, to be able to speak like someone who feels that their identity is recognized by others and who therefore feels free to be who they are, capable of communicating with anyone from a position of trust and curiosity. The most insidious consequence of discrimination is that it creates barriers that at times can seem insurmountable: “No *jchi’iltik* [a term used in Chiapas for the original inhabitants of the region] dared to address his landlord or some *jkaxlan* [term referring to the descendants of the Spanish colonists] from the *jteklum* [an urban area with a predominantly Spanish-speaking population] in Spanish” (Ruiz 191). This extreme situation that had been imposed in the Chiapas highlands is captured in a scene in Rosario Castellanos’s first novel. It is the nanny who is speaking. She is a member of the indigenous population herself, but she has adopted the role of forming part of a well-off family in the city. When she sees an “Indian” asking for a ticket to the fair in Spanish, she exclaims, “Well I never, what an insolent Indian! He’s speaking *Castilian*. Who has given him permission to do that? Because there are rules. Spanish is a privilege that belongs to *us* [sic]. And we address our superiors formally as “*usted*”, our equals as “*tu*” and the Indians as “*vos*”. (Castellanos 39).

The *jkaxlan* felt superior because they spoke Spanish, even though “the majority knew neither how to read or write” (Ruiz 192), as Lucas Ruíz Ruíz explains in his examination of the conditions that led to the Zapatista uprising of 1994, one of the few academic texts written from an indigenous perspective: “The power of the *jkaxlan* did not lie in the possession of economic goods, since the majority of them were poor. Nor did it rest on their level of education, because the majority were illiterate. It did, however, lie in their *kaxlan k’op* [the term used to describe the Spanish language] and their ethnic and social origins” (144). At the heart of their racism and secular discrimination was “the fact that the *jkaxlan* have never accepted the establishment of a communicative relationship with the indigenous peoples” (207).

Languages that cannot be used naturally and without fear become walled redoubts, areas of exclusion. The greatest aspiration of a threatened language should not, therefore, merely be the preservation of the language itself, but should also involve claiming the right to gain access to other realities. Not having a recognized right to their own form of expression will diminish an individual to the point that they feel excluded from the path to acquired knowledge. Linguistic discrimination means being condemned to ignorance. Condemnation to functional illiteracy and a total refusal to communicate were elements in the system of symbolic values that sustained colonialism. Thanks to this linguistic discrimination, one could ensure the availability of a cheap and compliant workforce over long periods of time. Denying the oppressed the ability to communicate and learn was a key feature of colonial oppression.

As Ngũgĩ repeatedly points out (“Moving”), there is no danger in learning several languages, in mastering with relish the language of one’s conquerors, provided that one’s most immediate surroundings also form part of the knowledge system, and that one’s most direct and intimate experience clearly forms part of the acquisition of knowledge. Colonial oppression denied colonized subjects the right to recognize themselves in their own open spaces and to connect their own experiences with those of other people as equals. What the repression of languages regarded as inferior does is deny their capacity to be regarded as valid interlocutory vehicles. It is precisely in situations of serious inequality that we must cultivate the desire to learn everything that we do not know and to connect the local with the universal: “In dialogical thinking, it is not about imposing the cultural values of any one group, but rather about creating societies with equal opportunities. Or, as Bakhtin would say, in a dialogical encounter, two cultures do not fuse or mix, but instead each retains its own unity and open totality, but they are mutually enriched” (Ruiz 221).

A Productive Paradox Built into Spaces

From June 6 to 8, 1996, Barcelona played host to the World Conference on Linguistic Rights, organized by PEN International’s Translation and Linguistic Rights Committee and CIEMEN (Escarré International Centre for the Ethnic Minorities and Nations). It was attended by around a hundred representatives from various PEN centers and NGOs from linguistic communities around the world. The Conference culminated with the drafting of a Universal Declaration of Linguistic Rights, which was intended to be the missing piece in the United Nations’ legal mechanism for ensuring the dignity of all people, in the linguistic sense as well.

PEN International’s website currently proclaims that “In 1996, the Translation and Linguistic Rights Committee played a leading role in the creation of the Universal Declaration of Linguistic Rights, which *was eventually adopted* by UNESCO”. The italics used to highlight the way in which the thorny question of the text’s legal validity is evaded are, of course, my own.

This text carries a title that it should not have in terms of the international nomenclature, since this Universal Declaration was never even discussed by the United Nations General Assembly. The Follow-up Committee which was formed a few days after the Barcelona World Conference began to pave the way for its formal recognition

with the then Director General of UNESCO, Federico Mayor Zaragoza. From 1999, when Mayor Zaragoza's term ended, UNESCO turned its attentions towards defending cultural diversity, as indicated by the Universal Declaration on Cultural Diversity (2001) and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005) (Argemí 13).

Once the route through UNESCO had been closed off, efforts to authorize the Barcelona Declaration were focused on the UN Human Rights Council in Geneva, with regular meetings aimed at convincing the "47 ambassadors belonging to this Council", though these efforts were unsuccessful. "However, it always seemed quite impossible to make them understand," wrote Aureli Argemí, one of the main driving forces behind this initiative, "that our position referred to indivisible linguistic rights *per se*, and not the linguistic rights of the so-called majorities and minorities. And it was of course equally or even more difficult to make them understand that it was necessary to promote linguistic policies that were consistent with these principles" (13).

The Barcelona Declaration is an initiative that remains unfinished, the product of civil society that was, it must be said, organized on a planetary scale, and that was aimed at articulating a series of proposals on how to act in order to achieve a *pax linguae*, something that has been sought since the dawn of humankind. It is nevertheless an influential text which over the past twenty-five years has helped articulate the claims of many linguistic cultures and communities. From the outset, the Declaration proclaims, "the equality of linguistic rights, without any non-pertinent distinctions between official and non-official, regional and local, majority and minority, or modern and archaic languages". (UDLR 12). However, the most important feature of this document, which was conceived after years of coordinated effort among experts in this field, is that "the Declaration considers inseparable and interdependent the collective and individual dimensions of linguistic rights, for language is collectively constituted within a community; it is also within this community that people make a personal use of it. In this way, the practice of individual linguistic rights can only be made effective if the collective rights of all communities and all linguistic groups are respected by everyone". (UDLR 12).

The first step is unquestionably protecting the individual as part of a community of speakers that has the right to organize itself and to exist. Language must not be seen as an essential and immutable feature, because it is precisely this essence, this immutability of linguistic belonging, which makes discrimination possible. In situations in which discriminatory labels are seen as valid, speaking the "wrong language" condemns one forever, before there can be any discussion. In order to break the spell that sets people in stone on an individual basis (discrimination is only effective if it actually succeeds in endangering an individual's personal wellbeing), we must restore the environment in which each person feels that they are participating in their own linguistic community.

The linguistic discrimination that sprang from colonialism was particularly effective thanks to the destruction of the connection between the individual and his or her community, unleashing ferocious attacks that destroyed any innate sense of pride and with it the deepest bond that everyone needs in order to recognize themselves in the mirror as who they are. Identity is not something we can invent; a large part of our own identity depends on recognition from others, on actual approval that we can be who we are without causing visceral rejection. Discrimination always creates a whole chain

of prejudices which makes any kind of sensible or rational thought impossible. That is why racism is so pervasive, as is the hatred that feeds on the prejudice directed towards “expendable” languages. We should remember that secular hatreds have taken root precisely because the relationship between cause and effect has lost any logical connection. There are no explanations; that is the issue. Discrimination always works as the result of hollow thought. Hate is always irrational, impossible to describe or contextualize, pure emotion, visceral feeling, impulse.

To restore the dignity of the individual in situations that bear such a severe burden, it is necessary, as proposed in the document drafted at the Barcelona Conference in 1996, to offer the individual the chance of seeing him or herself reflected within a group with which he or she can identify. Instead of disappearing under the weight of colonial indifference (“blacks” or Indians” are, according to this terrible ideology of exclusion, all the same, indistinguishable from one another), the individual rediscovers the possibility of being both unique as a person but also part of a shared narrative.

“Each time they did so, they modified parts of the script, so while the play was written by Dakxin Bajrange, it can truly be said to come straight from the oral tradition of tribal theatre. It is not an imaginary perception of suffering; it is based on the lived, traumatic experiences of being branded a criminal”, explains the printed edition, translated into English by Sonal Baxi, of the theatre play, *Budhan*. The man whose name the play takes belonged to one of the “denotified and nomadic tribes” in India and died at the hands of the police in Purulia in February 1998. His death inspired the creation of a center for the study of the language and culture of the Adivasi people, who suffered, and still suffer, terrible exclusion. It also inspired an initiative among young people from the Chharanagar district in Ahmedabad, an authentic “Chhara DNT” ghetto, who began to write and perform theatre plays with the aim of fomenting social change. When I visited their cultural center, a beacon of hope in the heart of a desolate urban environment plagued by repression and structural violence, one of these young people told me that “*Budhan*” is “not a piece of theatre, it’s life”. I believe that this is one of the most beautiful lines I have ever heard: words soothe, cure, regenerate.

Denying people their own language is to deny them the possibility of healing wounds that run as deep as these. The greatest injustice committed by the colonizers, imposing their languages, imbued with unlimited power, on the original peoples, is that they denied these peoples the chance to express their pain in an authentic way that could be experienced and shared with their own community.

The articulation of linguistic rights, according to the 1996 Declaration, differentiates between the presence and the use of languages, based on differing typologies that cannot be reduced to one single possible model, i.e. “linguistic communities historically established in their territory in order to set up a scale of references”, “linguistic groups with various degrees of historicity and self-identification” and “individuals who live outside their native community” (UDLR 12).

This distinction between the differing conditions in which linguistic uses develop is particularly important in contexts in which highly homogeneous and dominant immigrant communities have formed in a territory and interpreted the right to use their own language as a way of creating communities that are both sufficiently large and sufficiently

autonomous that they do not need to integrate themselves into the pre-existing community but can instead replace it. If, on top of this, they have political support, as has happened dramatically, for example, in the case of Tibet, then the replacement of the earlier group is guaranteed in the short or medium term. Generic statements on linguistic rights that can be generally applied in some contexts may be used to justify or even legitimize situations that are clearly unfair in others.

The Barcelona Declaration of 1996 nurtured the hope that the global community could begin to pay a little attention to the claims from the many millions of people who were living with a metaphorical stone in their shoe. At every turn in their daily routines, they had to face up to their linguistic identity because the environment in which they lived reminded them that the language they spoke was not worthy, or recognized, or respected, but was instead an annoyance.

The progress made in 1996, as compared with the ideas that underpin the Universal Declaration of Human rights of 1948, lay in the fact that, in Barcelona, language was defined as a political, negotiable, transformable space that had the capacity to withstand tension and resolve conflicts. A language that is seen as the heritage of a particular linguistic group is no longer just an essence that one cannot detach from an individual but rather an historical articulation of belonging. In other words, language is a phenomenon that evolves, adapts to circumstances, something that can be used to communicate with and distinguish oneself from others, and much more.

That proposal did not succeed in overcoming the diplomatic complexities that lead to the heart of the United Nations. The definition of language as a space that is articulated through historically cohesive communities merely aroused mistrust among the official representatives of States which, for the most part, held the conviction that a Nation State could only be functional if it was politically and economically, but also linguistically, homogeneous. The Barcelona Declaration was a disingenuous document, a wish list that was probably only directed towards stateless nations. The message that should be taken away from this document is one of firm support for the cultural approach and for the dignity of all languages, without any prior classification.

The document underlined the importance of the bonds between people and treated each individual as part of his or her surroundings. The Barcelona Declaration thus made a call for the recognition of culture as a decisive factor. Cultural cohesion, the dignity that makes it possible to see that one is acknowledged by others, these are factors that form the basis for both economic wellbeing and political stability. To construct a functional society, it is not enough to homogenize everything in the name of progress, with the use, where necessary, of force and techniques of colonial discrimination. If a society has been built by forcing a large number of its members to live in permanent conflict with what they see in the mirror, it will be neither stable nor fair.

A good example of the importance of preserving the roots of a culture as a condition of economic progress, political stability (after a violent process involving great confrontation) and artistic creativity can be found in Ireland. Gaelic has succumbed to the power of English. This linguistic supplantation has been much talked about, but the change of language has not meant the elimination of all cultural memory and even less the elimination of identity. The Irish approach is difficult, but the incredible creativity and the

influence of Irish culture is clearly connected to a capacity to analyze the given conditions. “Doubleness is a risky way of life, however”, writes Maria Tymoczko in one of her essays devoted to Irish culture, but “in a society where double consciousness is widespread, writing about the conditions of doubleness becomes an analogue to ‘the talking cure’ as a means of sorting through social and personal identities in order to find healing for both the community and the individual” (39).

The efforts made at the Barcelona Conference to define the rules for linguistic co-existence free of coercion were also reflected in the document approved in the Basque Country in 2016. The city of Donostia took advantage of the profile it enjoyed following its election as European Capital of Culture and brought together a wide range of associations from around the continent, among them CIEMEN and PEN International as the sponsors of the 1996 document, to promote its Protocol to Ensure Language Rights (2016).

It should perhaps be mentioned here that PEN International nevertheless continued to support the view that linguistic rights should be guaranteed for every individual *a priori*. The Girona Declaration of 2011 proclaimed that, “The right to use and protect one’s own language must be recognized by the United Nations as one of the fundamental human rights”. This brief statement was aimed at reducing the contents of the 1996 Declaration to a series of summarized sentences that would be sufficiently powerful to make themselves heard once again. Its final point, number ten, thus returned to the link between linguistic dignity and human dignity, and it called on the United Nations to declare the right to one’s own language as a “fundamental human right”.

The mistake made in setting the argument in such summary terms is twofold. The 1948 UN Declaration did not list human rights as distinct categories but instead defined the principles that should be respected so that the lives of every individual could enjoy greater dignity, security, creativity and stability. In the same spirit, it would have been better to demand the creation of an environment in which languages could be used without coercion, rather than define language itself as an inalienable right, without considering any other circumstance. If formulated in this way, a collision between individual “rights” will clearly be unavoidable; if everyone has an exclusive right to use their own language whenever and however they wish, how are we to approach mediation (and co-existence) in spaces that are linguistically diverse? This is an important point.

The other mistake made in taking this approach is that the formulation of linguistic rights as fundamental human rights leads to the re-emergence of the age-old problem of essentialism. It creates a conviction that each person has one single authentic language that defines them above all things. Language is, in this case, something that is passed on as an inheritance, like property, forever immutable. A person may only express themselves linguistically within a community that accepts and articulates that language socially, in the same way that each individual, with their presence and their linguistic usage, ends up contributing to the linguistic reality in which they live. The person and the group depend mutually upon one another.

In the same way that it is impossible to save a threatened species by locking up the few remaining examples in a zoo, it is also impossible to preserve languages in a hermetically sealed glass jar. If we want to save diversity, we must save the environment in which diversity can be maintained over long periods of time; we must talk about the

conditions that make linguistic diversity possible, and we require an approach that will work in situations that are truly conflictive and complex, rather than seeking one single recipe.

A Real Portion of a Life

Aspiring to global justice means pursuing the Utopian aim of regulating the behavior between human beings to the point of eliminating any potential for conflict. A justice system, that is universally valid, would have to be one that is capable of resolve conflict between opposing needs.

The concept of fundamental rights granted to each individual, however, would be difficult to reconcile with this desire for universality. The rights of each individual person can only be guaranteed through a process of negotiation. Rights are classed as being so unstable that they have been placed in a space that is eminently political; that is to say, they belong to the space of unending negotiation. That is the great accomplishment of this legal categorization. Rights are demands that evolve and change over time and that are necessarily applied according to circumstances. Priorities have to be renegotiated, and spaces that are regarded as safe are constructed using highly complex processes. The classification of human rights thus avoids becoming dogma simply because their classification is not very stable but instead has the ability to evolve along with society.

The use of one's own language is difficult to place within the structure of human rights. However, it is not possible to resolve this issue by claiming that individual rights can be replaced with generalized rules for global justice that are applicable everywhere. Is it possible to regulate linguistic usages for everyone in a uniform (and non-negotiable) way? Can a set of scales in the hands of a blindfolded Muse be used to weigh our individual identity based on neutral criteria, from a position of perfect equidistance?

The reasons why we belong to a particular group are complex and never unequivocal or definitive. Yuri Lotman defines culture as a space for "semantic collision, oscillating in the space between complete identity and absolute divergence" (Lotman 172). In other words, all culture is the result of a negotiation between these two extremes of belonging. No-one can be completely identical to the other members of their group, just as there is no group that is entirely divergent from all the others.

Lotman hammers home the point when he says that "For human thought all that exists is that which falls into any of its languages" (134). The change in terminology that seeks to abandon the use of linguistic "rights" and the implicit claim that they be regarded as human rights, in order to move the debate into the territory of linguistic "justice", also forms part of the semiologist's calm assertion; I repeat, "all that exists is that which falls into any of its languages". Thinking about language, thinking about our linguistic existence, is something we can only do using language, which is not a neutral medium. Allow me to illustrate these observations with an example taken directly from the seminars held at the University of Columbia on the subject of defining the need for global linguistic justice.

At one point in the presentation by Michele Moody-Abrams, the entire room burst out laughing. The professor had offered an amusing example. Students from New York found

it very funny that some Quebecois believed that being able to request a soft drink in French on board a plane going home should be considered a human right.

What are human rights if they are not a request for dignity, for recognition from others? Human rights are not a list of advantages that everyone has the right to demand, rudely and obstinately. Not at all. The concept of human rights is an idea that sprang from a desire to in some way repair historic injustices and rebalance relations that had been based on exploitation and inequality. In other words, the possibility of making such a claim presupposes that those who are in a position of power will be willing to set aside their privileges, if the privileges in question are due to the clear neglect of the needs of those who do not have their power.

The term “soft drinks” used by Professor Moody-Abrams exposes the conditions within a cultural world that is so self-sufficient that it is no longer capable of analyzing the foundations on which it was originally based. In his essay entitled “Saligia” (2001 [1974]), Czesław Miłosz analyses the seven deadly sins from the space that opens up as the result of differences between languages. The essay’s title is made up from the first letters of the Latin words *superbia*, *avaritia*, *luxuria*, *infidia*, *gula*, *ira* and *acedia*. He analyses each word from the perspective of the term in his native Polish, comparing it with Latin as the language of ritual and with English, since the United States had become his adopted homeland. *Avaritia* in Latin, translated as *łakomstwo* in Polish, corresponds to the idea of “covetousness” in English. When translated into the Slavic language, the idea is slightly altered, and for this reason the author acknowledges that he associates this deadly sin with an irrepressible desire to eat sweets. When he was young, confectionary was a rare treat.

Miłosz goes on to add this wise observation: “And who would have explained to me then that just such a yen for sweets was the mainspring of our civilization’s grim history, that it provided the impetus for usury and the establishment of factories, for the conquest of America, the oppression of the peasants in Poland, the brilliant idea perfected by the pious citizens of Amsterdam that they could use their ships to traffic slaves? Certainly, the mighty of this world always have wanted dessert”. (Miłosz 289).

This brief paragraph, written by a poet, chillingly illustrates the impact of an expression that is as seemingly neutral as “soft drinks”. Miłosz talks about a childhood longing to have more than one needs as the driving force for development of the Atlantic basin, a development that was based on greed and that caused atrocious suffering. The brilliant idea of the pious citizens of Amsterdam that they could traffic slaves in order to meet the requirement for cheap labor in the sugar cane plantations had many consequences. The irrepressible desire of a child from Central Europe to eat sweets is one consequence of this trade. The most inland parts of Europe, the parts furthest from the sea, also succumbed to the temptations of sugar, the availability of which depended on the availability of slaves.

To rebalance the world linguistically speaking, it is not enough just to give way to some Quebecois who want to be able to speak their own language in their own day-to-day lives without causing either laughter among their neighbors or some kind of conflict. Language is a cultural construct, and it encompasses that collective memory that no speaker has complete control over, as Paul Celan took great pains to demonstrate with all his mental powers. When we speak a particular language our words and sentences carry

with them facts that are nothing more than sets of prejudices, associations that defy all analysis. In the New York seminar mentioned above, we find the laughter of the Professor and students worrying because the Quebecois are right to demand that French should form part of their fundamental human rights. We do not even have to go that far, because each language simply requires some real portion of a life to be able to exist and grow. And these favorable conditions can be achieved through the use of a political space that is structured to allow these negotiations. In other words, linguistic usage within a bilingual territory is not a battlefield in which there can only be one winner. All countries are spaces for co-existence, and they must be seen as such. Languages that are in permanent contact must ensure that they maintain a mutual respect for one another and guarantee spaces in which each conflicting language has the chance to occupy some real portion of a life. With the opportunity for dialogue, these continuous frictions end up creating spaces that are particularly creative and tolerant.

The relationship between the conqueror and the subordinate is not a life sentence. There is a possibility, and one that is highly desirable, that two opposing forces may reach a state of balance. This balance of opposites merely means that each opponent is encouraging the other to “want to play”. This “illusion” of a game is, according to Bourdieu, the basic active ingredient of all social transformation. Society moves forward because of a desire to act, with the conviction that it is worthwhile continuing to play.

Pierre Bourdieu concludes that in each society one finds differing positions that are tied to specific differences. These differences create a “real language” of symbols that we use to create our own self-image. They can be as banal as being thin or showing off one’s stomach, driving a Volvo or a truck, drinking beer or champagne, playing football or golf. They are differences that are visible because they are not ones that we generally ignore. We accredit them with social importance because there is consensus among all of the people who share the same space as to how they should be valued and the meaning they should be given. Such differences could also mean knowing how to distinguish between a brightly colored poster and a painting by Van Gogh. We constantly define ourselves as agents of a social space, since our reality is constructed from all these small details. However, on its own, the social space is an invisible entity that cannot be physically grasped. Its existence is defined by the fact that it can give form to the symbolic representations constructed by players in a specific space. The differences we mentioned earlier can only have meaning if they exist in a space in which these features can take solid form as marks of distinction.

Every community tries to bring its members together to be as similar as possible within the group and as different as possible from all the others. Despite this, however, differences always persist, both inside and outside the group. No society allows itself to be completely homogenized, and there is therefore no social class or nation in the strict sense of a closed group with determined and predictable characteristics. Quite the contrary, all groups exist in a permanently nascent state, as potential groups that are constantly forming through either cooperation or conflict. This dynamic of the social sphere means that “social agents are likely to reproduce the conditions of their immediate status, favorable or not”. It is difficult to detach oneself from the old ways, but at the same time this constant lack of satisfaction creates the “dissatisfaction necessary to keep players involved in the game” in pursuit of change. (Inghilleri 2005: 136-137)

The positions that one assumes within a social space also include your own assumptions about how that space should be, observes Bourdieu. We cannot observe society from the outside, we are part of the space that includes us and that we help to define with our own contributions. We are unable to see all of the reality that surrounds us unless it is from the perspective that we ourselves occupy within it. The social space is therefore both the first and the last reality, because the image that social actors have of their own society is determined by those actors themselves. (Bourdieu 1979)

What is really troubling about the “soft drinks” observation is that we can imagine that any citizen of the world might want to ask for a Coca Cola on board an airplane. We would not be able to find signs of any kind of a cultural shock between the USA and Canada as regards the drinks found on airplanes, but speaking a different language means in many cases eating differently, having different values, holding beliefs that frequently exclude and having expectations in life that don’t always match.

The world cannot be translated without consequences. The greatest trap that cultural imperialism falls into is this, thinking that linguistic diversity is nothing more than saying the same thing using different words. Linguistic rights cannot be perceived as a huge automatic translation machine, a room full of interpreters with headsets and microphones patiently listening to words in one language, processing them in a head that has been trained for this particular battlefield, and then changing them into words that have an identical value but are simply expressed in another language.

The automatic translation machine, even as just an idea, is only possible in contexts that already form part of a system of shared values. International politics is clearly dependent on interpreters who are conversant with the argot of global communication. However, such communication, however influential it may be, forms an infinitesimal part of the world’s linguistic richness, not in terms of different languages but as regards ways of thinking, ways of life.

The greatest threat to diversity is the idea that there is only one possible way of behaving in the world and that all the other ways of organizing one’s life with dignity should be “translated” into a single way of life with standardized aspirations and shared expectations. It is roundly false to think that the world would be a better place if each and every one of the planet’s inhabitants longed to ask for a Coca Cola in our own language, while we travel great distances comfortably seated on board our airplane. This unification of desires, this narrowing of the possibility of living life with dignity, has instead brought us to the brink of planetary collapse. There has been an error in the way progress has been designed and it is time we faced up to the fact (Sousa Santos).

We do not need to enact any universal law to ensure respect for languages that we do not understand and that arouse in us an instinctive and fierce terror due to our fear of losing control. We need much more than a law or right that is universally recognized. We need to abandon the epistemology that led to the construction of progress in the way that we know it today. We need to abandon the idea that only a world that is known is a world that is safe. We need to re-embrace linguistic diversity with all its richness of nuance and tension that makes the world literally untranslatable, because culture is not born in a closed system but instead results from the interaction between at least two different elements: “The idea that the starting point of any semiotic System is not the simple isolated sign

(word), but rather the relation between at least two signs causes us to think in a different way about the fundamental bases of semiosis. The starting point occurs not in a single isolated model, but rather in semiotic space". (Lotman 172)

Humanity, with all its capacity for cohesion and innovation, would not exist if it were not for those episodes of friction between unidentical elements. But when a culture begins to define itself, it tends to create a simplified image. "This may be compared with the fluid boundaries of language on a map showing their natural distribution in contrast to their clear articulation, for example, on a political map". (Lotman 172)

The theoretical space that we occupy when talking about the co-existence of languages is almost always defined by political maps. We see languages as stable structures that are internally completely unified, with borders that are also stable and definitive, drawn on a map. We identify languages, perhaps not directly with existing States (though we frequently do this too), but certainly with a very specific territorial distribution. If we focus the lens a little, we will certainly see areas of intersection, interstices where two or more languages coincide. We have also unavoidably acquired the notion that there are spaces, particularly big cities that have become communication hubs, in which linguistic diversity is so complex that it is no longer possible to break the constitutive elements down into any kind of coherent pattern, everything fluctuates, affiliations are unstable, people come and go, or they rapidly turn into the speakers of another language.

And here lies the heart of the question. Linguistic maps, however detailed they may be, are territorial representations that reduce our linguistic existence to a monolingual one. According to these oft-repeated simplifications, we perceive Barcelona as a city in which a certain section of the population *only* speaks Spanish while the other section *only* speaks Catalan. Those who are aware of the real situation can only smile at such ignorance.

However, going beyond the violent consequences that still result today from attempts to enforce linguistic standardization, do we really have to think about language in this way, fused to who we are, at one with our bodies, with our minds, something that we cannot be separated from in any way?

At this point we must focus on an important component that clearly does not originate from the 1948 Universal Declaration of Human Rights. We must examine the nature of this unbreakable bond between a person and a single possible authentic language. Linguistic rights are almost always considered and defined on the basis of this kind of exclusivist thinking, without any possible nuance. The problem with this perception of a single original language that defines the individual is not just its strict monolingual approach that requires a kind of religious loyalty from the individual, but also the structuring of this linguistic belonging as part of an absolutely homogenous community.

It is for this reason that the concept of "linguistic rights" has become unusable in the current context. From this perspective, language is not seen as what it is, a conscious decision to belong, a political space that is under constant construction, but rather as an unalterable essence. Languages are highly complex spaces for communication, permeable but at the same time closed. Any language will allow for the incorporation of new speakers and users, while at the same time isolating this group from all other groups and making it internally binding. The nature of language is twofold, it is simultaneously open and closed,

but above all, language is not a uniform structure but instead involves a great amount of internal stratification.

All languages are socially hierarchical spaces, and they operate like battlefields on which a fight to achieve dominance is constantly being fought out. However much the speakers of a particular language may be able to communicate with one another without difficulty, the way that one uses a language is a social, and therefore by association, an economic indicator. Languages are codes, replete with the kinds of markers that rule out or legitimize a particular provenance. (Bourdieu, 1982) Speaking English with an Oxford accent is not the same as speaking it with the accent of some far-off colony; speaking fluent Bavarian is not the same as expressing oneself in the hyper-correct German spoken by the children of immigrants who are keen to assimilate. The first of these two examples is a clear illustration of the privileges that have been passed on from generation to generation. It means a pure linguistic code, in which an accent or a badly written word can crush any social advancement because language operates like an invisible filter that sorts everyone into categories within the society in which they live.

The second example is perhaps a more important one to bear in mind, because it operates in reverse. Only those who actually occupy a secure position within the linguistic hierarchy can allow themselves the luxury of taking a relaxed approach, to speak a dialect as a sign of distinction, of prestige, of a special kind of belonging. An example of this is the Mayor of Pau who mentioned Bourdieu in his weekly briefing and whom the press applauded because he had given a speech in “excellent Occitan”. What was unusual was for him to speak the disparaged language of the region, because no-one questioned the fact that his French would be anything less than perfect. Newcomers, by contrast, because they have such a servile approach to linguistic hierarchies, attract criticism for the beauty of their linguistic expression, their excessive desire for integration. As demonstrated by the chilling example of Chiapas that we mentioned above, where the indigenous people were forbidden from addressing the landowners for whom they worked in Spanish, it is not enough to speak the language of those in power correctly, you must wait for those in power to grant you access to such a prized asset as full linguistic integration.

The claim that someone can master all the languages that they need seems constantly to be challenged by a shortage of time. In one lifetime, however long it might be, it is not possible to master more than about a dozen languages, and what point is there in all this learning and effort if our knowledge will always end up being limited and partial?

This type of argument involves a particularly strong contradiction, one that in my opinion is unsustainable. Because arguments about the pointlessness of linguistic diversity do not come from the wise heptalinguists; they instead come from within those intellectual circles that are frightened by the challenge of language learning. Someone who actually ends up speaking seven or more languages knows that behind this ability is nothing more than “real portions of a life”. Any language that we truly need can be accessible. In my day-to-day life, because of a particular series of circumstances, I actually use all the seven languages that I speak on an almost daily basis, some of them more for formal communication, others among friends and family. I don’t feel I have achieved anything extraordinary or difficult, it was merely a question of living with an open mind and taking advantage of the opportunity to participate in the environments in which, for one reason or another, I found myself.

Are we more accepting and tolerant, we heptalinguists? Even this can be shown to be a simple fallacy, because languages operate within their own context, and they can easily lead their speakers to take a radical, belligerent stance. Wisdom does not necessarily protect one from any action of exclusion. Intransigence is a quality frequently found among the erudite.

Linguistic justice based on the principle of free access to *any* language that we cross paths with is particularly contradictory. Presupposing that any individual can become a wise heptalinguist without even realizing it, purely because they have lived in different environments, is a risky assumption to make. Clearly, such a useful ability, if it were generally applicable, would facilitate communication in a way that has never before been seen, but would the world be a fairer, more equitable, more peaceful place as a result? And would it be better organized?

Justice is not a concept that is unconnected from all reality, free, like a mathematical axiom, from all conditioning factors. Justice exists within a system of values, and it is only applicable, with all its measures of redress and coercion, within a politically organized society. Justice could be global if we could organize a global system of values, by connecting existing realities in a network that is not hierarchical or authoritarian, and that above all is capable of avoiding the symbolic dominance that is so frequently disguised with an invisible cloak, like in an old fairy tale.

The main problem with protecting the use of languages is that a language does not belong to an individual; the use of a language is only meaningful if we can share it with others. Law is intended to protect the individual, the specific person, against abuses of power and against individual actions that could harm the established order. Killers and thieves are tried, forgers and the corrupt are sentenced, and victims and the defenseless are protected by law. Judges hear specific cases, actions that involve protagonists whose roles are well explained and factual descriptions of the acts that are to be condemned or that require protection under the law. But as illustrated by Moira Paz's study entitled, "The Failed Promise of Language Rights: A Critique of the International Language Rights Regime", international justice does not actually have the capacity to resolve linguistic conflicts.

Talking about justice in the plural is difficult. The concept of genocide and crimes against humanity was tackled by two brilliant jurists, Rafael Lemkin and Hersch Lauterpacht, at a crucial moment in history, when the crimes of the Nazis had reached such extreme levels of systematic planning that it no longer came down to condemning people one by one but instead required condemnation of the entire mechanism that had made such moral obfuscation and the creation of such a deadly ideological machine possible (Sands).

Nowadays, the hand of justice is increasingly tempted into applying extreme interventionism, the kind seen in a state of emergency, to ordinary daily affairs. The police have been transformed into the armed wing, quite literally I fear, of a justice system that hands down judgement not against individual offences but against collective causes that endanger the status quo of the established powers. The moral victory that was achieved with the establishment of well-founded legal concepts such as "human rights" and "crimes against humanity" or "genocide", all of them valid even though they spring from different

roots, is today looking fragile. The same emphatic and idealistic rhetoric is being clumsily used to condemn movements in civil society, with political authorities making claims of discrimination and even the commission of crimes.

Linguistic rights fall precisely at this intersection between individual and collective rights. Law can protect individual rights, even in the hostile context of an open conflict. However, it is frustratingly powerless to protect collective causes, while the suggestion that it should be the judges who “blindly” decide which languages have the right to be used and which do not is an idea that fills one with horror. Why? Because linguistic rights fall into the domain of politics rather than law, and when politics gets involved with the judiciary the judges all too frequently apply their own prejudices and their own ideology. To achieve the *pax linguae* that humankind has probably sought from its very beginnings we must establish functional societies that are capable of living with the aporias that are inherent in the human society. As humans we are smart, curious, born explorers. However much the geopolitics of a particular moment in history draws uncrossable borders and turns mountain ranges or oceans into definitive barriers, we know that nothing has ever been able to prevent the eternal dance of human migration; we move and we transform ourselves, constantly, everywhere. For the same reason, languages also do not represent any barrier or obstacle; all we need is some “real portion of a life” in order to be able to communicate in any language that is not our language of birth.

We can live with and understand one another precisely because language is not a part of our body. My language is not an inseparable part of me. We must however change how we think about language in relation to both its individual and collective use. We must overcome our secular prejudices, our fears when facing the most internalized unknowns. We must open ourselves up to the world, use translation not just as a tool, but as a way of being. We must learn to open ourselves up to things that are unknown to us, to trust in the innate curiosity that characterizes us as a species.

Then, perhaps that global society that is able to accept diversity as its very substance might come up with a legal framework, some laws that will protect us against abuses and fraudulent behavior. “Virtually all existing models of deliberative democracy simply take for granted that everyone shares a common language. Establishing a common language of public debate, therefore, can be seen as one of the preconditions for the sort of inclusive and justice promoting democracy we seek” (Pattern and Kymlicka 15), a statement so true that it sends a chill down the spine. Languages that are not strong enough to impose themselves are seen as an obstacle to peace, democracy, the very possibility of creating an inclusive society. It is the kind of perverse way of thinking that could be attributed to the guileful Tancredi Falconeri, the legendary character from *Il Gattopardo* by Giuseppe Tomasi di Lampedusa: *Se vogliamo che tutto rimanga come è, bisogna che tutto cambi*”. And I have purposefully left the quote untranslated.

At present, talk of an “oppressed majority” frequently prevails in debates about linguistic rights, demonstrating that even the status of victim can be reversed. In the years immediately preceding the Balkans crisis at the end of the 20th century, Milorad Pavić wrote the novel *Dictionary of the Khazars*, intended from the outset for wide international circulation, something that it achieved: “It was published in Paris as well in Belgrade in 1984, by which time another dozen translations were already under way. By the late nineties, it had been translated into no fewer than twenty-six languages, including Japanese

and Catalan, and had sold several million copies in all. Yet the book's international success involved the neglected or outright misreading of its political content" (Damrosch 261).

The broad acceptance of this book can be put down to the ease with which people identify with the right of the strongest power. Pavić gave the world a new and genuine representation of the need to crush any claim that runs contrary to the interests of the majority that holds power: "Look at the results of this democracy of yours. Before, big nations used to oppress small nations. Now it's the reverse. Now, in the name of democracy, small nations *terrorize* (sic!) the big. [...] Your democracy sucks" (Pavić, quoted by Damrosch 274).

Many died in the Balkans, and the courses of many lives were dramatically interrupted because of this idea that a solution must be imposed and democracy would have to be less democratic, so that only those who had always been in power could remain in power. "Poet of a radically fallen world, Pavić creates a book from his own passions and prejudices, expecting that different readers may find ways out of his book that he himself cannot take or perhaps even find," David Damrosch wisely concludes in his analysis of the book.

Regarding legal regulation as a way of determining which identifying characteristics are acceptable is harmful because it creates a false sense of immunity; if the law allows it, any behavior seems legitimate. When the affirmation of one's individual rights are seen from this perspective, one only defends that which is one's own, one never actually thinks of the rights of others. Having a right is not the same thing as imparting justice. The concept of human rights forces us to look at the context in which injustices occur. And this means that they must always be redefined when they are practically applied. A right can only be exercised if this is done at a specific time and in a specific space. Human rights have little use as an abstract idea; we can only regard them as useful if they can change individual lives and, in doing so, also transform society. To achieve the profound transformation we need to transform the basis for our thinking, change the epistemology, because if we do not, the old ideas, however much we may transform them, will always lead us up the same old blind alleys.

Bibliography

- ARGEMÍ, Aureli. "Gènesi de la DUDL. El paper del CIEMEN". *15 anys Declaració Universal Drets Lingüístics*. Capella Santa Àgata (29-09-2011), 7-14. [Occasional publication].
- BAJRANGE, Dakxin Chhara. *Budhan*, translated by Sonal Baxi, Basha Research and Publication Centre, 2010.
- BHABHA, Homi. *The Location of Culture*, Routledge, 1994.
- BOURDIEU, Pierre. "L'économie des échanges linguistiques". *Langage et pouvoir symbolique*, Fayard, 1992, 57-98.
- DAMROSCH, David. "The Poisoned Book". *What is World Literature?* Princeton University Press, 2003, 260-79.
- LOTMAN, Yuri. *Culture and Explosion*, translated by Wilma Clark, Mouton de Gruyter, 2004.
- MIŁOSZ, Czesław. "Saligia". *To Begin Where I Am. Selected Essays*, Farrar, Straus and Giroux, 2001, 287-313.

- MOODY-ADAMS, Michele. "Towards a Philosophy of Linguistic Diversity and Rights". (6-5-2019). Podcast available on: <<https://podcasts.apple.com/us/podcast/michele-moody-adams-towards-philosophy-linguistic-diversity/id506431392?i=1000436994383>>
- Ngũgĩ wa THIONG'O. "Seminari amb el professor i escriptor Ngũgĩ wa Thiong'o". CCCB (11-05-2017). [Occasional publication].
- Ngũgĩ wa THIONG'O. *Moving the Center. The Struggle for Cultural Freedom*, EAEP; James Curney, 1993.
- PATTERN, Alan and Will KYMLICKA,. "Introduction: Language Rights and Political Theory: Context, Issues, and Approaches". *Language Rights and Political Theory*, Oxford University Press, 2003, 1-51.
- PAZ, Moria. "The Failed Promise of Language Rights: A Critique of the International Language Rights Regime". *Harvard International Law Journal*, vol. 1, 2013, 157-218.
- RUIZ RUIZ, Lucas. *El jch'i'iltik y la dominación jkaxlan en Larráinzar, Chiapas*, Consejo Estatal para la Cultura y las Artes de Chiapas, 2006.
- SANDS, Philippe. *East West Street*, Alfred A. Knopf, 2016.
- SOUSA SANTOS, Bonaventurade. *Epistemologies of the South. Justice against Epistemicide*. Routledge, 2016.
- TYMOCZKO, Maria. "Translation, ideology and creativity". *Linguistica Antverpiensia*, vol. 2, 2003.
- Universal Declaration of Linguistic Rights*, translated by Beatriu Krayenbühl. Follow-up Committee, 1998 [Occasional publication].
- ŽIŽEK, Slavoj. *The Sublime Object of Ideology*, Verso, 1989.