

Using territoriality to support genuine linguistic diversity, not to get rid of it

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I. Introduction

Professor Van Parijs's work is deservedly admired for a number of reasons. One that has always struck me as particularly relevant is his remarkable ability to find, when dealing with a wide range of different topics, an original path across the sometimes treacherous terrain one has to cross when moving from analytical abstraction to practical reality and back again.

At the same time, I sometimes feel puzzled when reading some of Van Parijs's contributions. This tends to happen with those that address the broad set of issues which the famous sociolinguist Joshua Fishman has called (with hyphens) "language-in-society". This puzzlement I experience springs from the following question: how can I so completely agree with the author on much, or even most of his reasoning (usually the premises of the argument), and disagree so much with other parts of it (usually his conclusions)? How is it that I so often find the first steps of the path that Van Parijs proposes so wise, but that after a while, I get the distinct impression that we are no longer following a sensible route, but are progressively getting sidetracked (or perhaps, if you'll pardon the easy pun, *sidetricked*) onto ever more awkward terrain?

What is unusual about the text I have been invited to discuss here is that I do not disagree with the conclusion (which in fact I share) so much as with some of the considerations on which it supposedly rests. I am tempted, at this juncture, to quote the words that the great poet T.S. Eliot puts in the mouth of Thomas à Becket in *Murder in the Cathedral*: "The last temptation is the greatest treason: to do the right deed for the wrong reason". For yes, territoriality certainly *is* an indispensable tool in the management of linguistic diversity; but many of the claims made in the text before recommending it are questionable, giving the whole text a potentially self-contradictory flavour.

My reservations regard matters of both efficiency and fairness, and in the next few pages, I will try to explain why I believe that, somewhere along the path Van Parijs sketches out for us, we ought to take a different turn and follow another avenue, which should also lead us to advocate linguistic territoriality, but as part of what is, in my view, a different and more efficient and fairer approach to pluralism.¹

I will proceed in two steps:

¹ Some parts of the following discussion are, implicitly or explicitly, informed by the territoriality arrangement that prevails in Switzerland and which is rooted in a political and historical tradition that is deeply different from the Belgian one. These questions cannot be discussed here, but I wish to make it clear that I am not presuming that the Swiss experience, in whole or in part, constitutes an example to follow. Quite apart from the fact that the Swiss arrangement still leaves a lot to be desired, its transferability should not be overestimated. However, some of its features, in particular the fact that it is arguably correlated to a good measure of reciprocal goodwill between language communities, may be interesting for readers who are concerned with the search for solutions to the language-related issues that Belgium has been confronted with for so long.

- first, I will look at the meaning and implications of efficient territoriality in the management of linguistic diversity (section 2);
- secondly, I will critically assess some implicit assumptions made by Van Parijs about the nature of communication in a multilingual setting (section 3).

2. About the virtues and demands of territoriality

I largely share Van Parijs's vision of territoriality as a form of necessary coerciveness and I agree that it almost necessarily constitutes the backbone of language policy in multilingual polities, unless one does not care at all about linguistic diversity (independently of the reasons one might have for caring). Let me add in passing that territoriality, far from being a rigid formula, can prove highly flexible. Language regimes may be modulated by exploiting different tiers of government (typically, national, regional and local), by fine-tuning the allocation of competencies between these authorities, and building in asymmetries in favor of languages seen as weaker and most in need of protection. The range of possibilities afforded by more complex forms of territoriality is described in the "territorial multilingualism model", which also tries to jointly consider the language rights of an autochthonous majority, an autochthonous minority, and an immigrant community. Territoriality is in fact compatible with a deeply multilingual ethos, and hence with linguistic pluralism in policy solutions (see Grin 1996).

Let us however leave aside possible refinements and stick to the basic form of territoriality, which means, in essence, that one language, and one language only, has legal and political standing on any given point of the territorial unit considered (independently of its national, regional or local character). Yet even in its elementary form, the notion of territoriality requires clarification. What do we *really* mean by "territoriality", and how seriously do we take it? On this count, there may be rather less than meets the eye in Van Parijs's perspective on territoriality. His "territorially differentiated coercive language regime" (TDCLR) may look like a strong brand of territoriality, but closer examination, afforded, for example, by "Europe's linguistic challenge" (Van Parijs 2004), another of Van Parijs's thought-provoking papers on the subject, reveals a linguistic environment which is far removed from the smooth Modigliani surface referred to in the lead piece for today. It looks more like a slice of Emmentaler cheese with rather large holes. To put it more directly: Van Parijs's proposed linguistic arrangements may end up being to the near-exclusive benefit of the language that carries more clout – either by dint of number of speakers or because of economic and political influence. Two distinct problems must be identified.

The first problem is that the exceptions to strict territoriality that we are invited to accept are far from innocuous. This point is more or less explicitly acknowledged in different writings, but deserves closer scrutiny. To take just one example, going as far as to actually *ban* the dubbing of films into a language other than the world *hegemon*, or allowing linguistic enclaves in which a hegemonic language holds sway (a proposal made in other contributions by Van Parijs), cannot but undermine the surrounding "Modigliani" surface, which may rapidly shrink to nothing.

An even more destructive notion is the idea that dominant-language-medium university education in countries using another language or languages is acceptable; it most likely is not, because it sows the seeds of ever deeper imbalance (particularly in terms of parity of esteem) and robs the majority of the world population of its linguistic capital, which will be hopelessly devalued once they are excluded from the process of knowledge creation and transmission.

The territoriality arrangement that Van Parijs proposes may look strong in principle, but the proposed conditions of its implementation make it strikingly weak, exposing the language it is supposed to preserve to relentless pressure from a larger, possibly hegemonic language, until its role is confined to the purely symbolic.²

The second problem with this vision of territoriality is that it largely fails to do justice to the challenges resulting from the interplay of forces that may be subsumed under the (admittedly catch-all) name of “globalisation”. Putting it differently, it is no longer possible, I believe, to think about local language policies in small separate spaces distinct from one another. Assume that we wish to implement a genuine, workable territoriality, ensuring sustainable multilingualism at the macro (for example European) level. In order to achieve this, various language policy measures will need to be implemented. Many of them will have little to do with somewhat disembodied measures like the admonition to non-native speakers of English to “poach the web”. In order to achieve a just and sustainable multilingualism, much stronger language policy measures will need to be taken; many of them are not confined to the local arena and have an international dimension, particularly with respect to language use in international trade, workers’ rights, and tertiary education.³

These measures simply cannot be selected, designed and implemented at a purely local level. They need to be part of a much more general approach to the management of diversity, which I suggest calling “world linguistic governance”, echoing notions of world-level governance applied to finance or to the environment. This implies:

- regulating international trade in services, reaffirming, in particular, the right of parties to the General Agreement of Trade in Services (GATS), an international treaty supervised by the World Trade Organisation) to impose linguistic rules in the provision of services, such as educational services, without these being interpreted as “non-tariff barriers to trade”; in this respect, article VI, § 4 of the GATS is particularly dangerous;
- regulating international trade in goods by upholding the right of member states of the EU to demand full product labeling (product name, ingredients, instructions for use, safety information) in their official language or languages;
- regulating FDI (foreign direct investment) by upholding states’ right to demand that foreign companies operating on their soil, irrespective of their nationality, operate in the local language—this must in particular apply to work contracts and internal information procedures.⁴

Summing up, proper territoriality (which is a good idea) requires measures that, without being dictatorial, are a good deal more consistent than those advocated by Van Parijs. There must be no loopholes, and closing some of these loopholes requires international coordination, particularly in the sphere of international trade. It is important to *start* by building these safeguards before contemplating any kind of facilities for a *lingua franca*. Let me emphasise this notion of coordination: world linguistic governance is simply impossible without it. This is why it is instructive to study language problems with a variety of theoretical tools borrowed from economics. Many such tools are useful, including, for example, game theory: the preservation of diversity (again, independently of the motive for which

² These questions are addressed in more detail in a dossier entitled “Europe, langue et démocratie”(Grin 2005).

³ See for example Usunier (2009).

⁴ In France, this would mean proper application of the 1994 Toubon Law.

this goal is pursued) requires solving a form of *prisoner's dilemma*. As is well known, prisoner's dilemma is a classical figure of game theory, in which two players (in this case: two prisoners, hence the name of this particular game) operating in mutual isolation are almost bound to make bad decisions, from their joint perspective, whereas coordination between them would ensure a much better outcome for both. This remains necessary even when implementing solutions based on the principle of territoriality.

3. About actual communication processes

Another problem running through the text I have been invited to discuss is that the vision of multilingual communication that appears to underpin it seems far removed from the social and political realities of actual language use. Again, lack of time and space prevents us from addressing these issues in sufficient detail; I will therefore confine myself to highlighting a couple of key points.

First, although there is no doubt that “probability-sensitive learning” and “maximin” (which it might be easier to call “minimex” – for “minimum exclusion”) are powerful engines of macro-level language dynamics, there may be something rather clichéd about it, and reality is more complex. The fine-grained observation of actors' actual language strategies, carried out *inter alia* in a five-year research project financed by the European Commission and drawing to a close at the time of writing,⁵ reveals that when actors with different linguistic backgrounds have to interact, they engage in a considerable amount of code-switching, even in organisations with a monolingual policy (such as corporations with an “English-only” policy). Code-switching is a perfectly natural strategy, because contrary to a common illusion, competence in English among non-native speakers is much less widespread than is usually believed; it also remains at a level far lower than that of native speakers, who keep extracting rent from their language skills, as shown by abundant circumstantial evidence regarding the continuing over-representation of native speakers of English in the upper echelons of most international organizations.

Second, in interactions where code-switching is banned or at least consciously avoided by speakers, and English alone is used, it may well be for reasons that have little to do with participants' desire to be inclusive and to exclude nobody. Probability-sensitive learning is a fact; the “maximin” (or “minimex”) rule may sometimes apply, but is also often a sham. Quite the contrary, the choice to use English only may be a deliberately exclusionary practice (no matter if it is applied by native speakers or competent secondary speakers of the language) aimed at asserting, by using the language of power, one's proximity to power. There is nothing new about such behavior, which had already been exposed by Gobard (1976) over thirty years ago.

Finally, one regrets that Van Parijs leaves aside (at least in the piece discussed here) the geopolitical dimensions that language almost always carries in the real world. The spread of a language cannot be a neutral phenomenon. A language is a carrier of intellectual and cultural references, with sometimes very tangible implications in the political and economic spheres. There is nothing essentialist about recalling, for example, that the legal system applying in most or all predominantly English-speaking countries is a very specific one; hence, entrenching a dominant role for the English language in the international arena necessarily abets the spread of the associated legal tradition. This is not without (potentially deleterious) effects on international trade negotiations and on the legal system set up to enforce trade agreements (see Usunier 2009).

⁵ See description of the DYLAN Project (Dynamics of language and management of diversity) on www.dylan-project.org.

Before closing this section, let me insist that “English” is *not* the problem – the problem is linguistic hegemony, no matter what language finds itself in the position of the *hegemon*.⁶

4. Concluding remarks

Many more things would deserve to be said, but will have to be left out for lack of time and space. In particular, a critique of the deeply flawed concept of “English as a lingua franca” would be in order, so as to debunk a number of clichés which, though mercifully absent from the text I have been asked to discuss, are nonetheless relevant to this discussion. Let us recall that “English as a lingua franca” does not merely refer to the use of English in communication between people with different mother tongues. It has become a persuasion, in which English is “owned” by all, therefore magically removing all issues of power. Unfortunately, languages cannot be “owned” like a car or a piece of furniture, and all the hubbub about (shared) “ownership” is little much than hot air – or, more problematically, the “sanitization” of linguistic injustice. Unfortunately, advocates of “English as a lingua franca” could be tempted to construe some of the propositions found in Van Parijs’s text as arguments in favor of this flawed concept.⁷

Let us in closing return to the issue of territoriality. Let me stress that I see territoriality as a means to an end, a policy strategy at the service of linguistic diversity, which I consider a condition of both efficiency and fairness. As stated at the beginning of this discussion, I fully concur with Philippe Van Parijs on the usefulness and legitimacy of territorial solutions. The notion of “unequal dignity” as applied to language is relevant, and territoriality is an appropriate response to it. In itself, the very identification of the issue of “unequal dignity” constitutes a clear progress over earlier analyses of linguistic justice. However, the problems at hand cannot be adequately solved by a form of territoriality that merely creates linguistic “Indian reservations” that will progressively be eviscerated or marginalized. Territoriality is a good, even indispensable instrument, but if it is to work, we need a more credible version of it.

This implies an unapologetic vision of the right of different communities to protect and promote their languages, and a recognition of the legitimacy of regulatory instruments to achieve the corresponding policy objectives.

⁶ The problem would be less acute with planned languages (the best-known of which is Esperanto).

⁷ Readers interested in this debate may download a recent study of the European Commission’s Directorate-General for Translation on the topic of *Lingua Franca: Chimera or Reality?* whose appendix contains three interviews, including one with Philippe Van Parijs and one with me; see http://bookshop.europa.eu/is-bin/INTERSHOP.enfinity/WFS/EU-Bookshop-Site/fr_FR/-/EUR/ViewPublication-Start?PublicationKey=HC3111001.

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