Lingua franca and linguistic territoriality.
Why they both matter to justice and why justice matters for both
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Abstract
The bottom line of my book Linguistic Justice for Europe and for the World (Oxford University Press, 2011, paperback 2015) can roughly be captured in the combination of two recommendations: that the democratization of competence English as a lingua franca should be fostered in Europe and elsewhere and that language communities should be allowed to protect their language against the invasion of English and other powerful languages by imposing their own language in public communication and public education within some territorial boundaries. Most of my critics attack one or the other of these recommendations and some question some of the presuppositions of my whole approach. In this response, I try to refute some of these critiques by clarifying my claims or spelling out my arguments, and I make whatever concessions I believe are required.

Keywords
Linguistic justice, Linguistic diversity, Lingua franca, territoriality principle, European Union

In Linguistic Justice for Europe and for the World (Van Parijs 2011a, henceforth LJ), I argue that the dissemination of English as a lingua franca needs to fostered, but also that the resulting dominance of English tends to create injustice in three senses: free riding or cooperative injustice, unequal opportunities or distributive injustice, and the violation of parity of esteem. The strategies I recommend in order to address cooperative and distributive justice have one by-product in common: a further strengthening of the dominance of English. Linguistic justice, however, is also a matter of parity of esteem. And the strategy best suited to pursue justice in this sense, I argue, requires that one should allow all language communities to “grab a territory”, i.e. to impose their language in public education and public communication within some territorial boundaries. Hence, LJ’s bottom line could roughly be captured in the simple formula: lingua franca + linguistic territoriality.

Unsurprisingly, some of the contributors to the present volume object to the first element in this formula, while others object to the second. More surprisingly, some of them agree with one or both of these elements but challenge the justification I give for them. In this response, I shall address some of these critiques. By so doing I shall do far less than full justice to the many insightful remarks to be found in this volume. I shall focus on the points on which I feel I need to make some significant concession or clarify

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some important misunderstanding, while hoping that, by so doing, I shall not dodge any fatal objection to any of my central claims.

**Is English a fiction?**

The most radical critique of my approach comes from Sue Wright and, more diffusely, Stephen May, who accuse me of unthinkingly taking over a conception of language that is linked to the ideology of nation-building and out of touch with contemporary reality. Wright contrasts a conception of language as a system — a set of rules shared by a homogeneous linguistic community — and language as a practice — an activity of “language” whereby people use a hybrid and variable repertoire in order to somehow manage to communicate with each other. The first conception, she says, is intrinsic in Saussure’s concept of “langue” or Chomsky’s concept of “competence”, as imperfectly manifested in people’s “paroles” and “performances”. It fits the ideal of nation-builders who want to convince people that they belong to the same nation by making them believe that there is something like a single language called “French” or “German” or “Danish” etc., sharply distinct from others, and that they must all learn to speak it “correctly”. By contrast the second conception emphasizes the great variability and heterogeneity of human communicative practices. Such “language” characterizes communication even in allegedly unilingual communities, but it is particularly salient in the era of globalization, with a high rate of transient migration and huge diasporas that remain connected to their roots.

Does my approach presuppose the first conception and, if it does, is it thereby made irrelevant to contemporary linguistic realities, as widely documented in the sociolinguistic literature? True, when referring to languages and linguistic communities, I use “English”, “French”, etc. as if each of these corresponded to a single system of rules fully shared by the corresponding set of people. But I neither wish nor need to deny the complexities emphasized by Wright and May. The contrast they rightly emphasize seems to me misleadingly formulated in terms of “system” versus “practice”: there is no linguistic system without a linguistic practice that manifests it, and no linguistic practice that does not rely on one or more underlying phonological, syntactic and semantic systems. But I have no problem accepting that “language” is more ubiquitous than ever. One of many implications is that when speaking of English as the emerging lingua franca, I should make clearer than I did in *LJ* that I am not speaking about a single object, itself identical with another single object attributed to all so-called native English speakers as their common mother tongue. It is rather a large, diverse and fuzzy set of systems of rules, themselves often quite fuzzy, that govern sequences of sounds and (more tightly) strings of letters, and one that is distinct from another set of systems of rules, hardly less large, diverse and fuzzy, that is commonly referred to as the native language of, say, the bulk of the population of the United Kingdom.

Thus, whenever *LJ* uses words like “English”, “French”, “Mandarin”, it is true that it suggests an homogeneity more congenial to nation-builders than meaningful to sociolinguists. But the crucial question here is whether acknowledging this complexity, as sociolinguists rightly expect us to do, invalidates anything in the characterization of the injustices I identify or in the strategies I propose to address them, in particular as regards the dominance of English. For example, Sue Wright aptly points out that languaging in English as a lingua franca also needs to be learned by native speakers of English: among members of the European Parliament, she argues, some Brits are
definitely less effective users of English as a lingua franca than many of their continental colleagues. As to Stephen May, he emphasizes that many varieties of native English are badly stigmatized and complains about my “unwillingness to address the social, class, and contextual locatedness of high prestige English language varieties”.

I do not need to deny any of this. All I need to assume is that proximity between one’s native repertoire and the competence required for effective lingua franca languaging remains a significant advantage ceteris paribus, whether as regards cooperative and distributive justice or as regards parity of esteem. In order to assess this assumption, one needs to answer questions such as the following. Is access to the lingua franca really not harder for the average British or American peasant/academic than for the average British or American peasant/academic? And is it really equally easy or difficult for all native and non-native speakers of “English” to view the latter as their language and make it part of their identity? Awareness of sociolinguistic complexities highlighted by Wright and May forces one to pay attention to intra-linguistic justice as well as too inter-linguistic justice (see De Schutter 2014) and to think about linguistic injustice generally in continuous rather than in discrete terms. But my aim only to formulate as clearly and simply as possible the core of the issues of linguistic justice in each of my three interpretations. For such a purpose, abstracting from these complexities is justified as long as the factual assumption spelled out above can be sustained. Sociolinguistic description must instruct political philosophy, and philosophical thinking can inspire sociolinguistic research. But their jobs are different, and so is, therefore, what they are justified in leaving aside.

Can free riding by anglophones be just?

The rebuttal presented in the previous paragraph holds, I believe, with regard to each of the dimensions of the conception of justice I defend. But it may not hold with regard to all conceptions of linguistic justice. In particular from the standpoint of cooperative justice as interpreted by David Robichaud in his essay, sociolinguistic complexities may well make a crucial difference. Why? Robichaud takes issue with my view that the anglophones’ free riding on the voluntary learning of English by non-anglophones constitutes ipso facto a cooperative injustice. To clarify the issue, it may be useful to distinguish interactive surplus and cooperative surplus. The interactive surplus generated by the (spontaneous or concerted) adoption of a the lingua franca is the aggregate benefit that would not exist in the absence of some people learning it as a second language and using it to interact with one another and with Anglophones. The cooperative surplus generated by the (concerted) adoption of the lingua franca is the aggregate benefit that would not exist in the absence of a cooperative deal between anglophones and non-anglophones. If non-anglophones learn English en masse out of self interest — as I recognize is happening —, there is a huge interactive surplus part of which is enjoyed free of charge by anglophones, while the cooperative surplus may be zero or negligible in comparison.

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1 Along the same line, see Lj 34 (“Global English or, as it is now sometimes called, Globish is a dialect of English whose spoken form in particular is more difficult to master for some of those who grew up hearing nothing but Oxford or Dallas English than for many native speakers of Italian or Bengali.”) and the illustrative anecdotes in footnote 48.
In such a case, my view is that fairness requires a significant contribution by anglophones, whereas Robichaud’s view is that it does not. Extending the demands of cooperative justice to the whole of the interactive surplus, he writes, is unacceptable “if we want to maintain the individuals’ freedom”. In defence of my view, I could only repeat what I write at the start of chapter 2 of LJ, including the analogy with the cleaning by my father-in-law, which Robichaud takes up. In a case such as the adoption of a lingua franca, where there is “massive and protracted interaction with substantial contributions that are systematically one-sided and produce benefits that are eagerly (though often unwittingly) enjoyed”, fairness requires a contribution by those who would otherwise enjoy a handsome free ride (LJ, 53). Adopting rules that would prevent them from getting away with this free ride would admittedly involve a restriction of freedom, as does any rule stipulating a fair sharing of benefits.

Interestingly, however, Robichaud argues that even on his far more restrictive view of the demands of cooperative justice, a contribution by anglophones to the learning effort of non-anglophones may be justified. This is the case if one gives up my “optimistic” assumption about the ineluctability of sufficient convergence towards English as a lingua franca. First possibility: even though many millions of non-anglophones learn English spontaneously to some extent, it may be optimal for anglophones that even more learn it and to a greater extent, which they would not do in the absence of a cooperative deal involving some contribution by anglophones. As Robichaud points out, however, once hundreds of millions of non-anglophones have learned English, the marginal utility of one more learning it may quite quickly shrink into insignificance.

Second possibility, more intriguing, suggested by Robichaud: the benefit to the anglophones of non-anglophones learning English may go beyond their individual immediate interest in having more speech partners. It could encompass what I present as the chief reason for needing a lingua franca, namely as a precondition for an EU-wide or worldwide demos in which the weakest are empowered thanks to a cheap transnational medium of communication. Given that this demos in turn is meant to increase the political feasibility of greater distributive justice, this will not be an obvious selling point with comparatively wealthy anglophones communities. But perhaps this progress towards global justice can be viewed as part of a more abstract, less material notion of benefit, in which case there could again be a cooperative surplus exceeding substantially the interactive surplus: a surplus that would only arise as a result of anglophones agreeing to compensating non-anglophones for learning more English than they would in the absence of such compensation. Ingenious indeed, but too far-fetched to be very plausible, it seems to me.

However, Robichaud mentions a third possibility, more plausible than the other two, that relies on the sort of sociolinguistic complexity highlighted by Wright and May. The variety or varieties of English on which non-anglophones tend converge as one or more (regionally differentiated) lingua francas may not be optimal from the anglophones’ standpoint, too distant from their own native variety and hence in need of being learned by them too. The interactive surplus spontaneously enjoyed by anglophones would not be small. But the cooperative surplus achievable through a deal involving some contribution on their part — possibly just in the form of free provision of audio-visual and written production (see LJ, §2.12) — is even larger. This provides a neat illustration, I believe, of how sociolinguistics and political philosophy can interact fruitfully. Taking the heterogeneity of “English” into account has no major impact on the
implications of my conception of cooperative justice in the linguistic domain. But it is crucial to create a significant gap between the interactive surplus and the cooperative surplus, and thereby to trigger the anglophones’ obligations of cooperative justice in Robichaud’s conception.

Is a lingua franca really needed?

The other contributors to this volume are not worried about speaking about languages in the same simplified way as LJ does. This tends to make conversation easier but not necessarily agreement. Let us start with the spreading of the lingua franca. I do claim that it is not only happening, but that it should be accelerated. Denise Réaume strongly disagrees for at least four reasons.

Firstly, I do not pay proper attention to the fact that the dominance of English stems less from the maxi-min dynamics of communication than “from the economic, political and cultural power of, first, the British Empire, and more lately the American empire”. ² I do indeed claim than the quick spreading of competence in English among the younger generation of Europeans is driven by what I call the maxi-min dynamics, i.e. the self-reinforcing process that combines on the one hand a strong tendency to use the language best known by the conversation partner who knows it least well and on the other a strong tendency to learn those languages one has the highest probability of using. But I am not claiming that this dynamics operates in a power vacuum. Réaume concedes that I “acknowledge that power plays some role in this history”. Indeed I devote a whole section to it (LJ, §1.8). But if a situation, such as the dominance of English, “might not exist if not for unjust power relations that brought it into being”, I should not restrict the scope of linguistic justice, she says, to the determination of “how best to compensate for the way things turned out”. I should also address the economic and political inequalities of power that are at the root of today’s unjust state of affairs. What might this mean?

I doubt Réaume believes that we should endeavour to realize the linguistic state of affairs which would have prevailed had no Germanic tribe invaded the British Isles in the 5th century or no French troops conquered Quebec in the 17th. More plausibly, she must mean that a crucial task, if only because of its impact on linguistic justice, is to fight for greater social justice, both within and across nations. If this is her view, I could not agree more. But this is precisely what lies at the heart of my plea for the democratization of the lingua franca: “We need a lingua franca, and only one, if we are to be able to work out and implement efficient and fair solutions for our common problems on a European and on a global scale, and indeed if we are to be able to discuss, characterize and achieve linguistic justice itself.” (LJ, 209)

Secondly, however, Réaume forcefully disputes that the existence of a lingua franca is “a necessary precondition of robust democratic engagement and a vibrant transnational civil society”. She concedes that “some movement across the linguistic divide must occur to have a conversation about matters of mutual interest”, but argues that “we should be able to ensure communication by encouraging multilingualism in a ² Denise Réaume correctly interprets the use I make of the maxi-min dynamics as purely descriptive and explanatory, not normative. Nowhere in LJ is there an “advocacy of the maximin principle” (curiously attributed to me by Stephen May), only a conjecture about the central mechanism of language spreading under contemporary conditions.
fairly small population”, for example by “promoting multiple language competence as an important qualification for employment in media organisations, the civil service, and the universities”. This suggestion reveals a frightening misperception of the nature and size of the task ahead, especially but not only in the context of the European Union, which is LJ’s primary focus. What we need today, in Europe at any rate, is far more than press coverage and academic exchanges. What we need is the collective capacity to realize something tantamount to the construction of institutionalized solidarity at the level of nation states, and such a capacity has strong linguistic prerequisites.

Think, for example, of the linguistic challenge faced by the European Trade Union federation. It is not just the huge cost and inconvenience of a large number of interpreting booths. To get the necessary level of trust, connivance and solidarity between German and Greek Trade Union leaders — not just between some aides specially recruited in view of their linguistic skills — you need them to be able to talk in tête à tête, make intelligible jokes and credible promises, using a language they both master sufficiently, just as the bosses of the employer organizations have been doing for quite a while. To have a good chance of Trade Union leaders sharing a common language at a sufficient level, knowledge of this language needs to be vigorously democratized throughout the European Union. Such democratization will not only produce leaders with the linguistic skills required for action in today’s Europe but also activists able to mobilize cheaply across borders. Is this an illusory hope? Stephen May seems to think so. According to him (quoting Peter Ives), global English will never be able to fulfil the role of “helping those marginalized and oppressed by ‘globalization’ to be heard.” Having followed some of the bottom-up European Citizens initiatives which the Lisbon Treaty made possible, I can assure him that the linguistic hurdle can easily prove prohibitive, but at the same time that younger generations are in the process of overcoming it thanks to their competence in English. How else could the marginalized, in Europe and beyond, manage to mobilize transnationally and be heard at the relevant level? Certainly not through the strategy Réaume deems sufficient. No doubt in the European Union as elsewhere the multilingualism of a handful of journalists, academics and civil servants could fulfil some needs, but definitely not those I am talking about and of which Réaume and May (excusably for non-Europeans) seem only very dimly aware.

Is the adoption of a lingua franca more damaging than it seems?

Réaume, however, has a third reason for objecting to my plea for the spreading of a lingua franca, namely that I underestimate the loss it imposes on those with another native language in terms of distributive justice. In order to address the inter-individual distributive injustice generated by the adoption a lingua franca, it is true that I advocate further disseminating the lingua franca. And in LJ I recognize that, unlike what happens in a national context, the cost of this learning would remain borne by the respective linguistic communities rather than shared with the speakers of the dominant language. I argue, however, that the combination of subtitled broadcasting and films, exposure to the internet, frequent contact with (mostly non-anglophone) foreigners and juvenile motivation will keep cheapening the effective dissemination of competence in English. Réaume doubts that substituting subtitling for dubbing can make a significant

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3 As vividly explained by Bernadette Ségol, secretary general of the European Trade Union Confederation in the discussion that followed a lecture she gave at Université St Louis, Brussels on 15 October 2013.
difference, though without providing evidence to counter the literature I refer to (LJ, § 3.7). More importantly, even if disseminating the lingua franca throughout the population could be done efficiently and cheaply, it would be pointless in terms of equality of opportunities, she says, for two reasons. Firstly, there are many other ways in which “parents with means” will try to favour their offspring, including by “purchasing better education in the lingua franca for their children, ensuring greater fluency and a better accent”. Secondly, the unequal access to English only matters for a small proportion of the population consisting of globetrotters.

To a twenty-first century European city dweller at any rate, this second reason sounds seriously out of touch: in most European countries, you certainly do not need to be a globetrotter to need English. Firstly, if you know English (and other languages), the internet and the resources it offers enable you to trot the globe without leaving your chair. Secondly, the globe keeps trotting to you in the shape of visitors, clients and business partners who often speak far better English than your mother tongue. If this is the case, the second reason Réaume gives for challenging the relevance of English proficiency to opportunities does not stick, while the first reason becomes bizarre, indeed shocking: it sounds like arguing in a society in which many grow up illiterate that there is no point in their breaking the monopoly of the rich by learning to read and write since parents are bound to find other ways of favouring their children, including by purchasing a better education that will enable them to acquire a superior writing style.  

Before turning to Réaume’s fourth and most fundament objection, let me briefly consider a variant of this third objection articulated by Stephen May. He also challenges my view that the spreading of the lingua franca will reduce inequalities. But he does so by my pointing out that “adoption of English as an official language of nation-states has little influence on subsequent economic development”. There is, however, nothing in LJ that implies a correlation between the adoption of English or any other colonial language as its official language and a country’s development. On the contrary, my “ground floor” argument highlights the economic vulnerability of countries whose highly skilled citizens have acquired the lingua franca (LJ, § 5.10). Moreover, I point out the efficiency advantage of adopting as the official language the native language of the population (LJ, 157), a suggestion now confirmed by Laitin and Ramachandran’s (2014) impressive empirical work. Yet, all of this is fully consistent with joining Amartya Sen (LJ, 238 fn 49), against Stephen May, in believing that democratizing competence in the lingua franca will help empower the vulnerable and break the monopoly that a “small high-caste elite” would otherwise enjoy — which May seems to deny.

More serious than these disagreements, however, is May’s apparent failure to understand my claim connecting the spreading of a lingua franca and the pursuit of social justice. He seems to understand it as asserting that the former serves the latter by “enhancing social, economic and educational mobility in a globalized world”. My claim, spelled out and defended at length in chapter 1 of LJ, is rather that the pursuit of social justice requires strong institutions on a scale that reaches far beyond linguistically homogeneous communities and that the political feasibility and sustainability of such institutions has linguistic preconditions that can be satisfied only by the spreading of a

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4 While agreeing with me that competence in English as a common lingua franca needs to be accelerated, Jean Laponce claims that “the spread of a needed lingua franca is not a factor equalizing social conditions. It is more likely to sustain and possibly increase social cleavages.” The analogy with literacy should suffice to undermine the plausibility of this claim.
lingua franca. My plea for the dissemination of the lingua franca as a way of reducing language-based inequalities of opportunities plays a more peripheral role regarding this connection: it indicates how best to alleviate the unavoidable impact on the linguistic dimension of inequality of opportunities that results from giving a privilege to the native language of part of the population concerned.

Let us now return to Denise Réaume and her fourth and most radical objection. Even if the measures I propose did provide effective ways of equalizing opportunities, they would still “underscore how thin is the conception of equality animating the approach”. For what I propose in order to alleviate inter-individual injustice further contributes to the dominance of the lingua franca and thereby “purchases an inadequate level of equal opportunity for individuals at the expense of inequality amongst language communities”, more specifically by sacrificing “the recognition of the equal status of all viable language communities participating in a joint political project”. As regards the EU’s twenty four official languages, this “equality of status” matches quite neatly the official rhetoric of the European institutions. Réaume, however, believes that such multilingualism “has never really been tried”. Chapter 4 of LJ is precisely devoted to a discussion of EU’s cumbersome and expensive attempt to do exactly this, and to what I argue are its intrinsic limits. As Réaume rightly remarks, “Europe is particularly challenging because of the number of official languages to be included and the further complication of the regional languages”. So is the world. But it is for Europe and the world, not for Canada or Belgium, that I am discussing how linguistic justice can best be pursued. And in such “particularly challenging” contexts, equal status is a non-starter if it is meant to be more than a cosmetic strategy. So at least I argue at length in chapter 4, which Réaume does not discuss.

Is there an alternative? Yes there is. It consists in the territorial protection of weaker languages against the invasion of stronger ones, especially the lingua franca, as discussed in LJ’s longest chapter. Given Réaume’s allergy to English dominance, I would have expected her to show more sympathy for this part of the book, but she dismisses this territorial strategy on the ground that it “misunderstands the nature of the unfairness”. Her point is: if convergence on a lingua franca is neither inevitable nor beneficial, “why should some have to settle for local status only while another community has both its home turf and the transnational arena as its linguistic terrain? We cannot solve the problem of unequal status in the transnational arena by giving each language group equal status in some other domain.” My response consists in a simple reasoning. One: a lingua franca is indispensable and urgent, as argued in LJ’s chapter 1. Two: the equal status strategy unavoidably bounces against narrow limits in a context with more than two or three languages, as argued in LJ’s chapter 4. Consequently, the territorial strategy developed in LJ’s chapter 5 offers the only serious approximation to what linguistic justice requires in this dimension of parity of esteem. Moreover, if it operates hand in hand with a successful democratization of the lingua franca, the distributive injustice in favour of anglophones which Réaume is so concerned about will not only be alleviated but reversed (LJ, § 3.9).

Does linguistic territoriality violate parity of esteem?

Whereas Denise Réaume’s contribution offers the most developed argument against my plea for the dissemination of the lingua franca, Anna Stilz’s contribution offers the most sustained argument against my plea for constraining this dissemination
Through the coercive protection of weaker languages. This plea is not based on the intrinsic value of linguistic diversity or on the right of languages to survive but on a conception of justice as parity of esteem.\textsuperscript{5} In her challenge to this plea, which she summarizes correctly, Anna Stilz asks two questions.

Firstly, why is the systematic asymmetric bilingualism intrinsic to the promotion of a lingua franca necessarily an injustice in terms of parity of esteem, a failure of equal respect? Subjective identification with the weaker language is certainly a necessary condition for this to be the case. But, Stilz rightly argues, this cannot be a sufficient condition. We need a more demanding criterion “to more successfully distinguish between reasonable and unreasonable complaints”. One possibility is that the asymmetry “arises from a belief in the inferiority of my language, or of the people who speak it”. But, she points out, what drives the spreading of the lingua franca, according to my own analysis, is not such a belief but rather, as already mentioned, the maxi-min dynamics. For an injustice to arise, she suggests instead, the asymmetry must derive from “background power inequalities against which individual language-learning decisions take place”, especially the global hegemony of the United States.

I am not sure that this condition identifies a proper subset of the situations of systematic asymmetric bilingualism. For I cannot imagine any such situation that would not derive, directly or indirectly, from power inequalities, often mainly via the lasting effect of these inequalities on the relative sizes of linguistic communities. Moreover, there are certainly situations in which the choice of the language of communication is clearly the reflection of past power relations — say when I communicate in English with locals in a Nigerian town — but in which no threat to parity of esteem is involved. As a specification of a sufficient condition for such a threat to arise, I would like to offer a different conjecture: in addition to people identifying with their weaker language, we need to be in a situation in which it is not unreasonable to expect that this weaker language should be known and used. This is what I was hinting at, though did not spell out, with my anecdote about the French journalist being denied a pint he had ordered in French in a Flemish bar (\textit{LJ}, 118). Had he been believed to be a \textit{bona fide} French tourist, his inability to speak Dutch would not have been perceived and sanctioned as a failure of equal respect. But the waiter believed him to be a Francophone Belgian citizen, and therefore interpreted his unwillingness or inability to speak Dutch as a violation of parity of esteem: as a member of a political community whose majority consists of Dutch speakers, a Francophone Belgian who does not speak Dutch when visiting Flanders raises the suspicion that he may not have bothered to learn Dutch out of contempt for a weaker language than his own. I believe this is the direction in which the answer to Anna Stilz’s first question must be sought, and I suspect she would not disagree.

Stilz’s second question concerns, not the identification of those cases in which injustice in terms of parity of esteem can be said to be present, but the way I propose to treat them. How can linguistic territoriality, i.e. a coercive regime that favours a local linguistic majority, possibly claim to satisfy parity of esteem? Does this not “simply

\textsuperscript{5}Consequently, I confess I have great difficulty understanding Stephen May’s ascribing to me a “reductionist account of language, by which language is viewed in terms of its communicative uses and reach and not in relation to its symbolic and identity functions”. May did notice, however, that I “concede” that “languages come to be formally (and informally) associated with particular ethnic and national identities”. I do indeed, to the point of devoting one third of the book to the implications of this “concession".
replicate the worrisome colonialist dynamic it was designed to prevent”? Wouldn’t an official multilingualism, possibly prorated as in Alan Patten’s (2014) variant, provide “a superior approach to managing linguistic heterogeneity”? Of course, such a regime would not guarantee the survival of weaker languages, but what is at stake is “a commitment to the equal dignity of individuals, not the equal dignity of languages”. And in order to prevent the formation of linguistic enclaves, such a regime of public support for minority languages is perfectly compatible, she argues, with the promotion of a common public language, which is not the same as linguistic homogeneity.

I do share the intuitions that underlie these claims, or at least I share them in the type of context which I expect Stilz to have in mind most spontaneously, what I shall call “the US context”: the domestic language is a very strong one, and the potential invaders are all weaker ones, where weakness and strength are defined in terms of relative (unconstrained) incentives to learn the other language (LJ, 140). Even in such a context, as Stilz and Patten both recognize, there may be room for legitimate constraints in order to increase the incentive and opportunity to learn more quickly the domestic language, but the justification of these constraints, when there is one, has nothing to do with parity of esteem. What may justify them is a concern for social cohesion, in a broad sense that encompasses economic opportunity, political participation and social interaction. In this “US context”, parity of esteem rather favours the maximal recognition and support for all minority languages, consistent with the domestic language being sufficiently often in maxi-min position for the virtuous circle leading to universal proficiency in that language to be permanently activated. I recognize this in LJ when arguing that policies aimed at preserving or respecting local linguistic diversity “can be a significant way of symbolically asserting the equal dignity of all languages and the associated identities” (LJ, 196).

The strong connection I assert between linguistic territoriality and parity of esteem simply does not exist in this “US context”. But I claim that it does in what could be called “the Québec context”, where the potential invader is a stronger language. This stronger language is English in the Québec case, but can of course be other languages elsewhere — say, Spanish in Catalonia or French in Flanders — and the people carrying out the invasion need not only, nor even mainly, be native speakers of the invading language. In this context, the social cohesion argument in favour of territorial coercion is weaker, sometimes even worthless, as opportunity, participation and interaction could be promoted equally or even more efficiently by accelerating the acquisition of the stronger language. But this is, I claim, where the parity of esteem argument kicks in, along the three channels I discussed under the headings “colonial attitudes”, “kindness-driven agony” and “every tongue a queen”.

Under Stilz’s or Patten’s preferred accommodating regime of pro-rated multilingualism, the maxi-min dynamics will perpetuate the asymmetric “bowing”. This would be unjust in terms of parity of esteem, not because the invading language owes its strength to “background power inequalities”, but because — and to the extent that — it would not be unreasonable to expect the natives (and other speakers) of the stronger language to learn and use the weaker local language. The courage and humility to learn and use a weaker language cannot be reasonably expected from tourists or participants in international meetings, but it can from people who intend to become permanent residents of the territory concerned. Is this not overkill, at the expense of the equal dignity of local linguistic minorities? It is not if, as in the pursuit of social cohesion, no more coercive measures are taken as regards public education and public
communication than those required to drive the local language sufficiently into maxi-
min position, consistently with respect for freedom in the private use of languages. And it must, moreover, be consistent with a principle of reciprocity, however counterfactual (LJ, § 5.6).

This discussion of Stilz’s stimulating challenges also provides an answer to Daniel Weinstock’s claim that my parity-of-esteem argument in favour of linguistic territoriosity holds only in “colonial cases”. It holds, he argues, when the pressure to learn and use the stronger language is driven by colonial attitudes nourished by an unjust background of oppression, but not in the “mere number cases”, where the maxi-
min dynamics suffices to propagate the stronger language. The fact that I welcome this mechanism as a powerful instrument for the democratization of the lingua franca does not bar me from asserting that it can lead to an injustice even if it is the only mechanism at work. And I claim that there is an injustice in terms of parity of esteem if a linguistic community is not allowed to take measures (consistent with fundamental liberties) in order to counteract the unfair “asymmetric bowing” spontaneously induced by linguistic inequality in situations in which it is not unreasonable to expect symmetry. This is what a territorial linguistic regime aims to achieve. Even in the absence of background political or economic oppression, the persistent refusal of speakers of stronger languages to make the effort of learning and using the language of the community among which they have chosen to settle could rightly be regarded as a deviation from justice as parity of esteem.

What emerges from this discussion, more clearly I hope than in LJ but consistent with it, is that my concern for justice as parity of esteem leads to the defence of something like Alan Patten’s (2014: 225) “hybrid thesis”, i.e. a position that leaves space for the equal (pro tanto) recognition of all native languages present in a territory while asserting the legitimacy of constraints favouring the locally dominant language. What the right balance is between these two elements will vary from one situation to another: as one moves from the “US case” to the “Québec case” and beyond, as the invad-
ing language gets stronger relative to the local one, the justification for linguistic constraints on public communication and education gains strength. And my key point, admittedly counterintuitive for native speakers of powerful languages in their home environment, is that it is not only on grounds of social cohesion but also of parity of esteem, that equal recognition must be denied.

Does the justicitation of linguistic territoriosity need to appeal to parity of esteem?

Along with Anna Stilz, Jean Laponce, Rainer Bauböck and Daniel Weinstock all doubt that parity of esteem can favour a coercive territorial regime over an accommodating regime. Nonetheless, unlike Stilz, all three believe that linguistic territoriosity can be justified on a different basis. Jean Laponce’s justification rests on “the premise that nations have the right to govern themselves either independently or, if they prefer, autonomously within a larger polity”. This right is meant not as a legally enforceable right, but as a moral right subject to restrictions of viability and respect of individual rights. In LJ, I briefly consider what Laponce calls “the fundamental human right of nations to self determination” as a possible justification of linguistic

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6 See, in the same direction, my response to the comments by Jan Velaers and Helder De Schutter in Van Parijs (2011c), especially §§ 6 and 8.
territorialis, and dismiss it on the ground that it is incompatible with the adoption of global justice as the ultimate standard: “Nations, politically organized peoples [...] are sheer instruments to be created and dismantled, structured and absorbed, empowered and constrained, in the service of justice in a sense that far from reduces to fundamental liberties. Consequently, whether a territorial linguistic regime is legitimate is not a question that can be settled by appealing to national sovereignty, but rather one that needs to be settled in order to determine how extensive national sovereignty is allowed to be.” (LJ, 139) In other words, the language of fundamental rights of nations seems to me inadequate to characterize a just world. And the relevant question, when assessing secession or greater autonomy, immigration or linguistic policy, is therefore not what a nation has the right to do but whether what is being proposed that it should do makes (or is likely to trigger a process that will make) the world less unjust than it currently is. What makes a linguistic regime just is therefore not a question that can be settled by national self determination, but rather one that needs to be answered in order to determine the just limits to whatever may be called national self determination.

Rainer Bauböck, by contrast, appeals to the universal right of individuals to participate in a self-governing community — not to the fundamental right of nations to govern themselves — and therefore escapes the dismissal articulated in LJ (§ 5.2). In order to be self-governing, Bauböck argues, a community needs to have control over a territory, and its members must share a language, both to make communication possible between them and to demarcate the community from the outside. Let us agree that there is a universal right to political participation and leave aside the question of whether such a right matters in itself or only as an instrument for the effective pursuit of justice (see Van Parijs 2011b, chapter1). A common medium of communication is certainly a major factor for the good functioning of a self-governing community. But why could the common medium not become English in Québec or Spanish in Catalonia? I can see that having a distinct language can strengthen national identity, and nation builders have been making generous use of this potential, but the adoption of an official language that serves to demarcate one's self-governing community from the outside world is certainly no necessary condition for securing the right to participate in a self-governing community, as illustrated, for example, by the number of countries that adopted Spanish or English as their official language. When a stronger language could plausibly serve the function of a public language just as well as the weaker local language, we need a different argument for defending the territorial protection of this weaker language as a matter of justice. And this ground, I argue, can be provided by justice as parity of esteem, once we understand that equal recognition does not secure the latter in a context of potential invasion by a stronger language. Nonetheless, I believe Bauböck is right to draw attention to the existence of a strong connection between linguistic territoriality and self-government, but the derivation runs in the other direction: it is not self-government that calls for linguistic territoriality, but linguistic territoriality that calls for self-government. Once a population is given and exercises the right to protect its language within a territory, a particularly strong version of the subsidiarity principle kicks in to support a high degree of autonomy for that territory, so that the people can govern themselves in the language most familiar to them.

In a similar vein, Daniel Weinstock claims that linguistic territoriality can be justified — in those situations where he thinks it can — only “on the basis of the value of democracy and self-determination”: “In the same way that it can decide to invest more or less in its public transport system, or in its public libraries, or in its parks, on the basis
of the results of democratic deliberation and democratic processes, a group can decide to enact legislation aimed at protecting its vulnerable language against the predictable impact of interaction with other, stronger languages. “This protective legislation has a cost — most significantly in the form of dissuasion of potentially useful immigrants — and some linguistic communities may not care sufficiently about their ancestral language to be willing to pay that cost. “A liberal democratic ethics will however require that [a group] make use of coercion as parsimoniously as possible, and that it recognize that certain violations of individual rights cannot be undertaken, no matter what the consequences”.

I disagree with none of this (see LJ, 169-171). Nonetheless I claim that a grounding in justice is needed for the implementation of the territorial protection of a language which is not needed for the collective decision to produce other public goods. Democratically organized communities can decide, but they must be guided by considerations of justice. And it is therefore important to know whether justice is also to be conceived as parity of esteem and, if so, whether it recommends an accommodating or a coercive regime. What I am assuming here is that there is a set of issues that are neither settled by a list of fundamental rights which the international community might see as its job to impose on democratic majorities nor left completely up for each political community to decide on according to its collective evaluations of the costs and benefits of public goods. If justice required an accommodating linguistic regime (just as it recommends, in my opinion too, an accommodating religious regime), the public good of language maintenance could still be pursued through subsidies if the community finds this a good use for its tax money, but not through the coercive imposition of the language of public communication and public education which defines linguistic territoriality. In a framework like mine which gives priority to justice and sees “the value of democracy and self determination” as instrumental rather than fundamental, appealing to the latter can never be sufficient to justify a coercive regime.

Is linguistic territoriality too feeble?

Whether justified or not, Weinstock also doubts that a territorial regime that respects fundamental liberties “will succeed in arresting the sociolinguistic processes that lead to the spread of English as a lingua franca just at the point at which it comes to threaten bilingualism”. According to him, “the main reason is that though moderate policies can increase the level of competence in the weaker language on a territory, they cannot increase the level of use of that language”. The latter statement is not correct. An acceptable territorial regime cannot govern directly the private use of language, but the exclusive use of the official language in public communication will directly affect the use of languages in administrative procedures. More significantly, by imposing the language in which the young are educated and by providing adults with incentives to learn it, public policies multiply the number of situations in which the official language will turn out to be the maxi-min language. It will therefore tend to be spontaneously used, instead of the international lingua franca, among people who do not have the same native tongue. It will also tend to be used, especially on some subjects and from the second generation, among immigrants with the same native language. The direct and above all indirect impact of a liberally acceptable language regime on language use — and thereby in turn on the opportunity and motivation to maintain and improve the knowledge of the official language — can therefore be considerable.
Nonetheless, I agree with Weinstock that there is no guarantee that the strongest coercive regime consistent with fundamental liberties and a cost deemed worth paying by a democratic majority of the population will suffice to support universal competence in a weaker local language. This is certainly true in a context characterized by high levels of migration, easy access to foreign media worldwide and universal spreading of a common lingua franca at ever higher levels of proficiency. In LJ, I argue that there is something sad but in principle nothing wrong with “fair resignation”, at least if the background were one of just worldwide distribution of resources (LJ, §5.14). Stephen May rightly points out that “subject to the unregulated vicissitudes of the maxi-min principle, [the poorest and/or least powerful] would have likely lost their languages long before any coercive territorial regime could come charging to the rescue”. In my book I recognize this explicitly (LJ, 174), but I also claim that nothing serious can be done about it, besides trying to create the conditions, including linguistic, for the pursuit of worldwide distributive justice. As Denise Réaume neatly puts it, “the important questions of language policy start not with what is feasible, but with what is just”. And a smart struggle for greater justice will help make feasible tomorrow what is not feasible today.

**Note on contributor**


**References**


