Democratic governance in multicultural societies

Social conditions for the implementation of international human rights through multicultural policies

by
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Introduction

In the wake of recent social transformations, cultural diversity has become a major source of social conflict and political debate. Whereas classical modernization theories assumed the successive disappearance of solidarity groups characterized by particular cultural, religious and linguistic identities, it is the world-wide spread of the capitalist economic system, of the nation-state and of an international legal system based on universalistic norms that is again giving rise to socio-political movements reaffirming, rediscovering or reconstructing such identities.

On the level of international order, a consequence of this trend has been the increased involvement of ethnic movements in armed conflict (cf. Smith 1981 and Diamond/Plattner 1994). Yet, the reaffirmation of particular identities also challenges democratic mechanisms of social integration and conflict resolution on the national level. National democracies have classically presumed a certain degree of cultural homogeneity. Increased cultural diversity, however, is calling for new types of democratic policies, which recognize particularistic identity claims and, at the same time, strengthen social integration in the national polity. Such policies are mainly discussed under the label of "multiculturalism" (cf. Inglis 1996).

Of particular interest to this discussion of "multiculturalism" is the analysis of linguistic diversity, because it challenges a core assumption of classical theories of democracy. Conceiving of rational discourse as constitutive for political legitimization in democratic societies, these theories presuppose that one language fulfils a function of social integration at the societal level.[1] However, the assumption of linguistically mediated integration, that is of the existence of a sphere of "public discourse" or of a "community of communication", cannot easily be warranted in multilingual societies. Language policies instructed by general principles of democratic governance have therefore to respond to the questions of how the identity of linguistic groups can be respected and how, at the same time, equal participation of each linguistic group in a shared public sphere can be guaranteed.

This paper aims at contributing to the discussion of multicultural policies by analyzing the effects of global transformations for social integration in the nation-state and by developing a framework of democratic governance, in which multicultural language policies can be situated and through which international human rights standards can be implemented. It argues that multicultural language policies are most likely to succeed in the double task of respecting particular identity claims and maintaining social integration in a shared public sphere.

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[1] The most widely discussed theories of democracy which are based on an analysis of language or emphasize the role of communication in democratic processes are Rawls' theory of public discourse (Rawls 1971) and Habermas' theory of communicative action (Habermas 1984). Habermas, for instance, argues that it is the very structure of language and communication from which the principles of democratic legitimization can be theoretically deduced, and that in modernity the potential of communicative rationality inherent to language has, at least partially, been realized.

In order to account for the complexity of the issues involved, this paper adopts an interdisciplinary approach, through which a social science analysis of contemporary language conflicts and social conditions of democratic governance is co-ordinated with a legal analysis of linguistic rights as well as a policy analysis of multiculturalism. Part I, therefore, provides a social science analysis of social transformations causing linguistic diversity and political conflicts over language issues. In Part II, the most important international conventions and declarations setting standards for the protection of linguistic rights are analyzed in their capacity to provide a normative basis for the formulation of multicultural language policies. In both parts, the major argument is illustrated by an analysis of language conflicts and language policy development in the Kyrgyz Republic, a society explicitly committed to democracy, yet affected by the problematic role of linguistic diversity in the process of post-Soviet state-formation and nation-building.

By selecting the Kyrgyz Republic as an example for the analysis of democratic language policies, the paper contributes to the MOST project "Democratic Governance in Multi-Cultural and Multi-Ethnic Societies. A Democracy Training Project", which was launched in 1997 on the request of the Kyrgyz Government, and is organized in co-operation with the Swiss Government and the Commission for Democracy through Law of the Council of Europe. By approaching the Kyrgyz examples from a more general perspective, however, the paper seeks to provide analytical tools for further comparative studies on the themes of ethnic conflict and multicultural policies, which constitute a major research priority of the MOST Programme. In particular, it wishes to explore the potential of approaching problems of democratic governance in multicultural societies from an interdisciplinary perspective.

I Language and social integration under conditions of modernization and globalization

This section discusses conceptual and theoretical instruments available for analyzing the social consequences of linguistic diversity. An analysis of the function of language in social interaction and its role in the constitution of ethnicity, informed by the sociology of language and socio-linguistics, provides the basis for a structural explanation of language conflicts in the modern nation-state and their changing logic under conditions of globalization. The analysis of language conflicts in Kyrgyzstan serves as an example of how ethnic groups are politically mobilized along linguistic boundaries in processes of post-Soviet social transition.

1. The social function of language and the construction of ethnicity

In general, the social function of language is regarded as a mechanism of social integration. However, a closer analysis of language instructed by sociology of language and socio-linguistics gives a more differentiated account of the role of language in social interaction (a) and in the construction of "ethnicity" (b).

(a) Sociological theories of language generally analyze language as a system of communication and as a system of representation. It is evident that social interaction between two individuals requires a shared system of communication. Analytically, it can be shown that without shared systems of communication, participants in social interaction would fail in cooperating, that is in co-ordinating their respective action plans. Although not the only one, language is the most fundamental of such systems of communication, both in an evolutionary and a psycho-developmental sense. It has been argued that the evolutionary emergence of human society is mediated by linguistic structures which allow the human organism to acquire the competence to understand the other through symbolic interaction. A similar learning process has been regarded as constitutive for the socialization and the identity-formation of individuals. Hence, the social process of reaching understanding, the co-ordination of action, and the socialization of individuals have been identified as core functions of language (Habermas 1984).[2] It can be concluded, that it is by its *communicative function* that language contributes to social integration.

The second social function of language is most prominently theorized in the sociology of knowledge (cf. Berger/Luckmann 1967 and Luckmann 1984). Here, language is analyzed not only as a system of communication on the level of social interaction but also as a system of representation providing a shared world-view on the level of society. Reality as it is perceived by members of a social group is considered to be the result of a social process of externalization, objectification and internalization which is mediated by systems of representations and, above all, by language. Speaking a language is to share a common reality with others. By providing a common world-view, language therefore plays a crucial role in the constitution of a group consciousness and the symbolization of collective identity. Hence, it is not only by its communicative but also by its *symbolic* function that language contributes to social integration. Differentiating

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[2] For a classical sociological analysis of the social role of language cf. also Mead 1934.

these two functions is an important tool for analyzing the relation of language to ethnicity and its changing nature under conditions of modernization and globalization.

(b) The relation of language and ethnicity has been extensively debated in the discipline of socio-linguistics. Most generally said, language is a constitutive factor of ethnicity, in so far as it fulfils a communicative and a symbolic function at the same time. It is useful, however, to go beyond this general account by relating socio-linguistics to other theoretical approaches to "ethnicity", which have come to the fore of academic discourse in the context of post-colonial social science in the early 1970s.[3]

There are mainly three theoretical approaches to the phenomenon of ethnicity: priomordialism, constructivism and instrumentalism. While it is only in its extreme forms that *priomordialism* sees ethnicity in socio-biological categories (van den Berghe), it generally assumes social groups to be characterized by features such as territory, religion, culture, social organization or language which are considered to be objectively "given". It is true that this theory of ethnicity had a strong influence, especially in the Soviet school of ethnology (Shirokogorov, Bromley, Gumilev). However, this approach is not tenable on methodological grounds, because it gives an ontological or essential status to collective entities, whereas social science needs to interpret and explain their emergence, their stabilization and their change over time by reconstructing ethnicity from the subjective perspective of the actor. Such an approach can be traced back to the understanding of ethnicity in Max Weber´s interpretative sociology, in which "ethnic groups" are defined as "(...) those human groups that entertain a subjective belief in their common descent because of similarities of physical type or of custom or both, or because of memories of colonization and migration" (Weber 1968: 389).[4] This approach has been developed in different directions by constructivist and instrumentalist theories of ethnicity, which focus on the subjective interpretation of objective features such as territory, religion, culture, social organization and language. The *constructivist* approach was most prominently formulated by Fredrik Barth who views ethnic identity as the result of a complex social process in which symbolic boundaries are continuously constructed and reconstructed by the use of mythologies, an historical account of a common past or language (Barth 1969). The *instrumentalist* approach to ethnicity pays more attention to the processes of political mobilization and manipulation by which social groups are constituted on the basis of ethnic attributes such as nationality, religion, race or language. Instead of regarding these two approaches as being mutually exclusive, they should be regarded as complementary; while the former focuses on the socio-*cultural* construction of ethnicity, the latter emphasizes socio-*political* (and economical) factors underlying the formation of ethnic groups.

Now, both the constructivist and the instrumentalist approach to ethnicity can be related to certain strands of socio-linguistics. In correspondence to the argument which explains

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[3] It should be noted that since then, the use of "ethnicity" as a theoretical category which originated as an attempt to overcome classical theories of "tribalism", has continuously declined in anthropology, while it has gained prominence in the public discourse about the construction of identities and about the legitimacy of their claims of recognition (Banks 1996). This reflects the fact that modern ethnicity, as will be shown later, is highly political in character.

[4] It should be pointed out that according to this line of reasoning ethnic membership, presumed identity or likeness, created especially by the language, do *not* as such constitute a social group but merely *facilitate* the formation of social group, especially in the political sphere (ibid.). On the further development of a Weberian theory of ethnicity cf. Rex 1986.

ethnicity as the result of processes of symbolic boundary-making, many linguists see language as the most important symbolic vehicle for the construction of collective identity (cf. Fishman 1977). In empirical and applied socio-linguistics, patterns of language use in situations of linguistic diversity including mechanisms of language acquisition, causes of language maintenance, bilingualism and language shift among linguistic minorities have been studied in order to elucidate such a linguistic construction of ethnicity (cf. Dow 1991). In more recent socio-linguistics, there have been attempts to focus rather on the political and, particularly, on the economic factors underlying patterns of language use and, hence, on the instrumental aspect of language. It could be shown, for instance, that deprived socio-economic status is correlated to minority language status and that this, in turn, affects individual language use.[5]

Although these sociological and socio-linguistic approaches to ethnicity are useful in understanding the dynamics of group formation, they need to be complemented by a socio-historical analysis of the emergence of the modern nation-state. It has, in fact, only been in the context of modern state formation and nation building that ethnicity and language have become sources of political mobilization and political conflict.

2. Dynamics of language conflict in the modern nation-state

The specific patterns of integration in modernity can be explained by an increased functional differentiation of social subsystems. The emergence of a capitalist world system, the political system of nation-states and a universalistic legal system have been accompanied by the wider use of generalized symbolic media of communication such as money and power (cf. Luhmann 1982). As Habermas argues, this process has in many spheres of social interaction caused the substitution of language-mediated *social* integration by *systemic* integration (Habermas 1984). However, it is mainly by an analysis of changes in the pattern of *social* integration, or social cohesion, and their socio-linguistic repercussions within the modern nation-state (a), that modern forms of ethnicity and corresponding types of language conflicts can be explained (b).[6]

(a) Problems of social integration in the modern nation-state have been the result of different, yet interrelated processes of social change, including the structural dynamics of bureaucratization, industrialization and legal rationalization as well as the construction of "imagined communities" (Anderson 1983). The two main models for constructing modern nation-states, the civic and the ethnic model of the nation-state, have both supposed a strong degree of social cohesion on the societal level. The *political* (or contractual) model of the nation-state, typically formulated in Republican political theory, assumed that in the modern nation, bonds of particularistic solidarity would be replaced by formal citizenship and a legal system founded on universalistic norms, especially on individual rights. It was supposed that social integration could be achieved by establishing a de-ethnicized public sphere in which social conflicts would be resolved democratically and by recourse to constitutional provisions. In contradistinction to this concept of a political constitution of the nation, the *ethnic* (or descent) model of the nation-state, related predominantly to German Romanticism, assumed that social integration in the modern nation-state was based on the shared identity of a *Volk*. State formation was therefore considered an instrument for the self-

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[5] These themes are at the core of what has recently been called the "economy of languages"; cf. Grin and Sfreddo 1996.
[6] While classical theories of modernity have tended to neglect the historical importance of the modern nation-state, the analysis of globalization has drawn new attention to types of social integration achieved by state-formation and nation-building (cf. Arnason 1990; Greenfeld 1992; Kazancigil 1986).

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articulation of a pre-existent national community, characterized by common historical origin and destiny, shared culture, mentality and custom and, not least, a common language. The mobilizing force of this model of the nation-state is proven by the success of nationalist movements in the 19th and early 20th century (cf. Smith 1983).[7]

There are several ways in which both models of the nation-state have been interwoven with the ideal of *monolinguism*.[8] In general, monolinguism can be regarded as a component of those policies of cultural homogenization, which were caused by the states' attempts to meet functional requirements of industrialization and bureaucratization (Gellner 1983; Weber 1979). In so far as the political promotion of a single language was aimed at guaranteeing the efficiency of public communication in a complex and differentiated society, language in the modern nation state has become reduced to its instrumental, communicative function.[9] At the same time, however, the construction of modern nation-states, assuming the congruency of cultural nation and political state, has also emphasized the symbolic function of language (cf. Wright 1997: 219-225). In the *political* (or contractual) model of the nation-state, in which language was supposedly disconnected from any representation of collective identity, the inclusion of all citizens in a common polity was perceived to have as its precondition a certain linguistic unity. Thus, in the French Republic the ideal of strict monolinguism was implemented through various homogenizing policies, e.g. through administrative centralization and a uniform education, and has rendered the French language a symbol for Republican identity. The existence of regional linguistic minorities in the French territory has, therefore, deliberately been ignored (cf. Giordan 1992a). The exclusionary impact of the ideal of monolinguism is even more obvious in the *ethnic* (or descent) model of the nation-state, since the assumption of a common cultural and linguistic heritage is one of its organizing principles. It can be concluded that nation-building has been based on large-scale policies of homogenizing culturally and linguistically diverse populations. In the turmoil of the First World War, Max Weber has pointed out that "today, in the age of language conflicts, a shared common language is pre-eminently considered the normal basis of nationality" and that the strive for monolinguism has to be interpreted as a national ideology (Weber 1968: 385). To assess the potential of linguistic diversity to cause ethnic conflicts, it is therefore imperative to analyze the effects of the two models of the nation-state, and their common ideal of monolinguism, on the formation of ethnic and linguistic minorities.

(b) The dynamics of the modern nation-state have had a double effect on linguistic minority groups. On the one hand, the (re-)ethnicization of language in the ethnic model of the nation-state as well as the general ideal of national monolinguism have caused discrimination against non-dominant linguistic groups. National governments have typically responded to the presence of linguistic minorities on their territory by language policies aimed at extinguishing the respective minority languages, be they regional languages, immigrant languages or indigenous languages. The most important

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[7] It should be noted, however, that the mobilizing force of the ethnic model of the nation-state does not imply any ethnic roots of modern states, as suggested by Smith (1981).Thus, Gellner (1983) claims that "nations" are invented by nationalism. In addition, analyses of "ethnogenesis" show that ethno-political nation-building if often predated by state-formation (cf. Stavenhagen 1996: 15).

[8] Following the socio-linguist William Mackey (1992), this paper uses a terminological distinction between linguistic pluralism on the level of individual linguistic competence (mono-/multilingu*alism*) and on the level of the nation-state (mono-/multilingu*ism*).

[9] In his analysis of assimilation policies in the USA, Fishman (1972) has tried to conceptualize the (instrumental) function of language for "nationism" by distinguishing it from the (symbolic) function of "nationalism".

instruments of such policies can be analyzed by distinguishing between "status planning" and "corpus planning" (Kloss 1969). Monolingual policies of status planning are mainly aimed at the legal establishment of an official language in the areas of media, education and political communication, whereas monolingual policies of corpus planning intend to modernize and standardize the use of the official language by codifying phonetic, semantic and grammatical aspects of the language. On the other hand, however, the successive establishment of a legal system based on the recognition of individual rights and supportive of a de-ethnicized understanding of language has highlighted the illegitimacy of discriminating against minorities on grounds of their respective language and has provided linguistic minorities with resources for claiming legal and political recognition.

As shown by historical research on language groups in Europe in the 19th and the 20th century, it is precisely this double dynamics of modern nation-building that accounts for the reconstruction of linguistic minorities as ethnic groups affirming their particular identity and claiming their recognition in the political sphere (cf. Vilfan 1993). A socio-historical analysis of identity-construction of linguistic minorities, therefore, proves what can be generally said about any construction of ethnicity, be it founded on race, on religion, on nationality or on language: it is an inherently modern phenomenon related to structural problems of social integration in the modern nation-state. It follows that ethnic or language conflicts are not caused by the symbolic resources for identity-construction *per se* but are related to complex processes of political mobilization (Smith 1997: 200). As will be shown below, these dynamics are reinforced by more recent processes of globalization.

3. Globalization and the reconstruction of ethnic identities

In the last decade, "globalization" has become a core concept in the social sciences as well as in other discourses (cf. Robertson 1992; Robertson/Khondker 1998). Referring to the experience of an increasing compression of time and space and, thus, drawing attention to large-scale social and cultural transformations, it challenges the national focus of classical social sciences. Thus, functional differentiation does not primarily occur on the level of modernizing national societies but on the level of modern world society, in which autonomous social subsystems (economy, science, law etc.) cross national boundaries (cf. Luhmann 1982). However, it is again crucial to focus precisely on the effects of globalization for patterns of social integration and cohesion in the modern nation-state (a), in order to grasp the logic of contemporary ethnic and linguistic conflict (b).

(a) On the one hand, it has been argued that globalization is to some extent undermining the sovereignty of the nation-state as regards its capacity to control economic, cultural and social systems.[10] The international flux of financial markets, the autonomous acting of transnational corporations, the world-wide dissemination of information by electronic media and increases in international migration are, in fact, seriously reducing the autonomy of the nation-state. On the other hand, however, it has been pointed out that globalization by no means diminishes the dominant structural role of the nation-state and national governments within the global political system (Mann 1993). That the nation-state is indeed highly institutionalized in the political system is shown by the

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[10] This has been a major theme of many theories of globalization (A. Giddens, R. Robertson, I. Wallerstein); on conceptual problems cf. Arnason 1990.

proliferation of post-colonial nation-states after World War II and the formation of successor states after the break-down of the Soviet Union. Correspondingly, both the civic-political model of the nation-state, with its emphasis on the constitutional guarantee of individual rights and citizenship, and the ethno-cultural model of the nation-state are shaping modes of political organization and mobilization on a global scale.

It seems that both trends, the institutionalization of the nation-state as dominant structural feature of the global political system and the reduction of its scope of action, account for the proliferation of ethnic groups articulating claims for recognition in the political arena. Of particular importance in this respect is that international law is increasingly imposing universalistic legal frameworks on emerging nation-states. Indigenous people, regional minorities and immigrants, formerly subjected to homogenizing policies, discrimination or genocide, have gained more autonomy over the nation-state by means of international standards which were absent during European state-formation. In addition, the cultural dimension of globalization, that is the relativization of traditional identities, seems to provoke the reassertion and reconstruction of particular identities. The major result has been the emergence of ethno-political movements drawing on nationalism, religious or sectarian belonging, race and language as resources for the construction of particular identities and for their political mobilization.[11] It can be concluded that globalization intensifies the above-mentioned dynamics of ethnic mobilization and eventually exacerbates the conflict between different ethnic groups over political power.

(b) There are various forms in which globalization intensifies the construction and political articulation of ethnic identities. With regard to language groups, globalization is producing linguistic diversity on the national level by the following mechanisms. Increases in international migration have diversified the population of "old", monolingual nation-states. While the USA, Canada and Australia have had long experiences with immigrants of different linguistic backgrounds, European and East Asian states have equally become confronted with large-scale immigration induced by refugee movements, asylum seekers, permanent emigration and market-driven labor migration. Furthermore, in the processes of post-colonial state-formation, for instance in Africa, India and the Pacific Rim, national borders were drawn without taking into account the presence or absence of social cohesion in the respective territory. It should be obvious, that each attempt at monolingual language policies in these states, which are characterized by a complex arrangement of mother tongues, languages of inter-ethnic communication and international languages, would produce conflict between linguistic groups (cf. e.g. Jahr 1993 and Mansour 1993). One of the regions, in which the structural constraints put on social cohesion on the national level by the processes of modernization and globalization are most obvious, is Central Asia. State-formation in the newly independent Republics, which was induced by the disintegration of the Soviet Union, has been accompanied by national and ethnic revivals which are threatening the transition to democracy (cf. Khazanov 1995; Tishkov 1997). It is in this context that the dynamics of ethnic conflict and its causes in nationalist monolingual language planning under conditions of linguistic diversity, such as in Kyrgyzstan, have to be understood.

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[11] For an analysis of these factors of ethnicity in the Arab world cf. Ibrahim 1996.

4. Language conflicts, nationalism and post-Soviet state-formation in the Kyrgyz Republic

As in many other post-Soviet states, language controversies have been an important dimension of political conflict in Kyrgyzstan after 1990. On the basis of the theoretical framework developed above, this section analyzes linguistic change under Soviet rule (a), in order to explain the politicization of ethnic identities in the process of post-Soviet state-formation (b).

(a) The inclusion of the Central Asian region into the Soviet Empire dramatically transformed social structures in Kyrgyzstan. Firstly, the introduction of Soviet administrative and economical structures forced Kyrgyz nomadic tribes to change their patterns of social organization by settling in Soviet *kolkhoz* and adopting new forms of agricultural production. Secondly, the Soviet policy of relocating entire populations was particularly effective in Kyrgyzstan, which eventually became the Soviet Republic with the highest percentage of Russians (in 1989 32% of the population) and a considerable number of Uzbeks (in 1989 13% of the population). Thirdly, the process of modernization in Kyrgyzstan was accompanied by the emergence of ethnic stratification, with the Russian fraction of the population being the politically dominant ethnic group. In addition to their political dominance, the level of education and vocational training was highest among Russians, who also participated more actively in the industrial and in the administrative sector. Finally, while the Kyrgyz population did not remain unaffected by rapid urbanization, it is significant that in the 1950s the majority of the urban population was Russian (see Table 1.).

Table 1: The percentage of growth of the urban population in Kyrgyzstan 1926-1989

Year	Percentage of urban vs. whole population	Percentage of indigenous urban vs. whole indigenous population	Percentage of indigenous urban vs. whole urban population	Percentage of Russian urban vs. whole Russian population	Percentage of Russian vs. whole urban population
1926	12.0	0.8	4.7	38.7	38.0
1939	18.5	3.6	10.1	44.4	49.8
1959	33.7	11.0	13.2	57.8	51.8
1970	37.4	14.5	16.9	65.9	51.4
1979	38.3	18.3	22.9	68.6	46.4
1989	38.2	21.7	29.6	69.9	39.1

Source: Khazanov 1995: 261, table 4.2.

The unequal inclusion of Russians and Kyrgyz in the processes of industrialization and urbanization was reflected in the language situation. To be sure, Soviet language policy did not simply impose the Russian language on the non-Russian populations. On the contrary, the Leninist ideology of "language building" was explicitly aimed at modernizing and standardizing the national and minority languages of the multi-ethnic Soviet Empire (Deshirev 1984). In the case of the Kyrgyz language, for instance, a member of the Turkic language group written in Arabic script since the islamization of the Kyrgyz tribes in the 18th century, Soviet language policy adopted several measures

of corpus planning, such as the introduction first of Latin (1928), then of Cyrillic (1940) as the standard script, the codification of the language through dictionaries and textbooks and the translation of modern Soviet vocabulary into the titular language (*korenizatsiya*).

But despite this concept of "language building", the Russian language eventually became dominant in Kyrgyzstan. Besides a stronger political emphasis on the dissemination of Russian as vernacular language after the Second World War and its ideological legitimization by the "Soviet people" doctrine in the 1980s, the major factor for this development was the dominance of Russian in the modernizing sectors of society. In the educational system, for instance, the use of Kyrgyz as language of instruction correlated negatively with the level of education. Figures of 1990 show, that the percentage of students receiving education in Kyrgyz was 23.4% in higher education (76.3% in Russian) and 18.0% in special secondary schools (81.1% in Russian), while it was relatively high on the level of vocational schools (49.2%) and in secondary schools (55.6%) and quite common in primary schools on the countryside (Khazanov 1995: 250-1; tables 1.3 and 1.4). Similarly, Kyrgyz was hardly used in the public domain, as is shown by the near absence of books, newspapers, radio and television channels in that language in the late 1980s. The dominance of the Russian language not only increased the number of bilingual speakers, it sometimes even induced an entire language shift from Kyrgyz to Russian, especially among the urban Kyrgyz intelligentsia. As a consequence of these socio-structural and linguistic developments, Russian became the vernacular language in the economic, administrative, and educational system and the major instrument of inter-ethnic communication in Kyrgyzstan (see Table 2).

Table 2: Knowledge of Russian and of titular language in Kyrgyzstan in 1989

Nationality (Percentage of population)	Fluency in Russian	Fluency in Kyrgyz
Kyrgyz (52%)	37%	-
Russians (32%)	-	12%
Uzbek (13%)	39%	4%
Ukrainian (3%)	94%	2%
German (2%)	95%	0.3%

Source: Tishkov 1997: 90, table 5.1.

It should be emphasized that the spread of Russian in the Soviet Republics, although a concomitant to the totalitarian imposition of modern social structures, was less the result of nationalist identity politics drawing on the symbolic function of language than the effect of structural changes favoring the use of Russian as the language of wider communication. It was only during post-Soviet processes of state-formation and nation-building that the symbolic function of language has come to the fore of public debate.

(b) Although most post-Soviet nationalist movements have their roots in the 1980s, it was primarily after the disintegration of the Soviet Union that the ethnic model of the

nation-state became the dominant political ideology in many of the former Soviet Republics. Since liberation from the totalitarian system of the Soviet Union was often regarded as identical with independence from Russian domination, hostility against the Russian population was a typical feature of post-Soviet nationalism. Nationalism has, however, also caused inner-ethnic conflict among the Kyrgyz, in so far as the urban Kyrgyz, who had switched to Russian as vernacular language and lost linguistic competence in the Kyrgyz language, were denounced as traitors (*mankurts*) of Kyrgyz ethnic identity (Kolstoe 1995: 232-244). In both inter- and intra-ethnic conflict, language has therefore functioned as an important symbol in the construction of ethno-national identity.

The re-emergence of an ethno-national Kyrgyz identity was instrumentalized by political elites in the early process of post-Soviet state-formation. The constitution of the Kyrgyz Republic, for example, adopted three years after the declaration of independence on 5 May 1993, contains a strong inner tension between a civic concept of the people (*narod*) of Kyrgyzstan and an ethnic concept of the Kyrgyz people (*natsiia*), when it states in the Preamble:

"We, the people of Kyrgyzstan strive to secure the national renaissance of the Kyrgyz and to defend and develop the interests of the representatives of the other nationalities, who together with the Kyrgyz make up the people of Kyrgyzstan"

The nationalism underlying the process of state-formation in Kyrgyzstan has, in particular, been operative in language policies guided by the ideal of monolinguism and aimed at excluding the Russian population. While language legislation in the 1980s provided for official bilingualism, the 1990 Language Law nullified the official status previously given to Russian and laid out a successive transition to the exclusive use of Kyrgyz as official language. Similarly, it was agreed, in 1993, to reintroduce the Latin script, in order to restore a non-Russian national identity (Huskey 1995: 552 and Kolstoe 1995: 236-239).

As an effect of the emergence of ethno-national movements and their instrumentalization in the process of post-Soviet state-formation, there has been a considerable emigration of Russians and other nationalities towards Europe and Russia, especially among the skilled labour force. From 1989 to 1990, for instance, the rate of urban Russian out-migration increased by almost 40%, reaching a peak in 1993 (cf. Khazanov 1995: 252, table 2.1 and UNDP 1997: 54, table VI.2). This increase of out-migration of highly educated Russians, along with discrimination in the labour market against those who stayed, has had damaging effects on the Kyrgyz economic system. It is less clear, however, to what extent the rise of ethno-nationalism based on the reconstruction of linguistic identity has actually induced language shifts to Kyrgyz, or whether it has solely functioned as rhetoric for the legitimization of social exclusion in the economic and political sector. Empirical social research on linguistic revival movements in some post-Soviet societies has shown that such inverse language shifts in the context of ethno-nationalism are conditioned by a complicated set of factors, such as the perceived prestige of the respective languages, inter-generational linguistic change and patterns of language use in the public sector.[12]

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[12] With regard to the Baltic states, the Ukraine and Kazakhstan, these factors have been explored in empirical studies by Laitin (1996).

Within the analytical framework outlined above and illustrated by the Kyrgyz situation, one can highlight the core dilemma of contemporary language policies in democratic states. On the one hand, public policies are called to respond democratically to increases in linguistic diversity and to the political claims of ethnic identity groups. On the other hand, they have to promote the institutional structures of a common public sphere in a situation in which the vacuum left by the de-legitimization of a nationalist conception of the state is threatening social integration and eventually causing ethnic conflict. It is this dilemma to which democratic governance in multilingual societies has to respond.

II Linguistic Rights and their Implementation through Policies of Multiculturalism

This section shifts from social science analysis to a normative, yet context-sensitive reflection on problems of linguistic diversity, aimed at the formulation of policy-recommendations. It will be argued that adopting multiculturalism provides a democratic response to the structural dilemma of language policies outlined above. While the discussion of multiculturalism has been dominated by philosophical arguments pertaining to the balance of individual rights and collective identity, the following discussion attempts to formulate an institutional-normative justification for the adoption of multicultural language policies on the basis of international human rights standards pertaining to linguistic rights.[13] As in the first part, the main argument is highlighted by an exemplary analysis of language policies in the Kyrgyz Republic.

1. Linguistic rights in international law

Early provisions concerning the status of linguistic minorities can be found in some international treaties in the 19th century and, at the end of the First World War, in the framework of the so-called minorities treaties overseen by the League of Nations and aimed at protecting national minorities in Europe. Granting persons belonging to minorities the right to equal treatment and non-discrimination, the right to citizenship and the right to establish schools and other institutions in order to preserve their national peculiarities, these treaties obliged the state to respect and, in some cases, even to support the use of minority languages in private and public.[14] However, it was only after the Second World War, that linguistic rights have explicitly been understood as a component of universal *human rights*, especially under the United Nations. Hence, there are a number of international legal standards of linguistic rights which are related predominantly to human rights principles such as equality and non-discrimination. Although the question of minority rights was originally not explicitly addressed in setting human rights standards, the UN General Assembly asked the Sub-Commission on the Prevention of Discrimination and Protection of Minorities of the Commission on Human Rights to elaborate more specific provisions on the rights of members of minorities as early as in 1948. As a result of four decades of debate, the UN General Assembly has adopted the DECLARATION ON THE RIGHTS OF PERSONS BELONGING TO NATIONAL OR ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES (UN DECLARATION) on 18 December 1992.[15] In the following, a brief overview of major conventions and declarations pertaining to linguistic rights, especially to the rights of member of linguistic minorities will be given (a), in order to examine in some more detail the provisions set fourth in the UN DECLARATION (b). Finally, the legal and political implications of such linguistic rights will be related to the social science analysis of language conflict outlined above (c).

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[13] On the philosophical discussion cf. the contributions in Gutmann 1994.
[14] On earlier provisions concerning linguistic rights cf. Skutnabb-Kangas/Phillipson 1994 and de Varennes 1997: 2-4.
[15] On this development cf. Capotorti 1979 and Bloch 1995.

	International Conventions and Declarations on Linguistic Rights under the United Nations
1948	UNIVERSAL DECLARATION OF HUMAN RIGHTS (UDHR)
1957	THE INTERNATIONAL LABOUR ORGANIZATION CONVENTION (No. 107) CONCERNING THE PROTECTION AND INTEGRATION OF INDIGENOUS AND OTHER TRIBAL AND SEMI-TRIBAL POPULATIONS IN INDEPENDENT COUNTRIES
1960	UNESCO CONVENTION AGAINST DISCRIMINATION
1966	INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS (ICCPR)
1966	INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION
1989	INTERNATIONAL LABOUR CONVENTION (No. 169) CONCERNING THE INDIGENOUS AND TRIBAL PEOPLES IN INDEPENDENT COUNTRIES
1989	CONVENTION ON THE RIGHTS OF THE CHILD
1992	DECLARATION ON THE RIGHTS OF PERSONS BELONGING TO NATIONAL OR ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES (UN DECLARATION)
1993	VIENNA DECLARATION AND PROGRAMME OF ACTION

(a) The International Bill of Human Rights, consisting of the UNIVERSAL DECLARATION OF HUMAN RIGHTS (UDHR), adopted and proclaimed by the UN General Assembly in Resolution 217A (III) on 10 December 1948, the INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (CESCR), and the INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS (ICCPR), both adopted by the UN General Assembly on 19 December 1966,[16] commits the member states to the basic principles of *equality* and *non-discrimination* which are also prescribed in the UN Charter (Articles 1 and 55).

Whereas some other human rights, such as the freedom of expression (Article 19 UDHR and Article 19 ICCPR) and the right to an interpreter in criminal proceedings when an accused does not understand the language used in court (Article 14(3.) ICCPR), have

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[16] Cf. United Nations Treaty Series (UNTS), vol. 999: 171 and vol. 993: 3.

activities involving linguistic preference. The general prohibition of discrimination and unequal treatment is stated, above, all, in Paragraph 2(1.) of the UDHR which reads:

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinctions of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status (General Assembly Resolution 217 A III).

This principle is restated in Articles 2(1.) and 26 of the ICCPR. Now, the right to non-discrimination and equal treatment has particular implications for members of linguistic minorities, because, given a sufficiently high number of minority language speakers, the state may legitimately be obliged to provide special institutions and mechanisms to implement the principle of non-discrimination. Thus, the UNESCO CONVENTION AGAINST DISCRIMINATION, adopted on 14 December 1960, recalling the principle of non-discrimination (Article 1) stipulates in Article 5(1.):

The States Parties to this Convention agree that: [...] It is essential to recognize the right of members of national minorities to carry on their own educational activities, including the maintenance of schools and, depending on the educational policy of each State, the use of the teaching of their own language, provided however: That this right is not exercised in a manner which prevents the members of these minorities from understanding the culture and language of the community as a whole and from participating in its activities, or which prejudices national sovereignty [...] (UNTS, vol. 429: 93).

By formulating provisions of how to implement the principle of non-discrimination in the educational system, the UNESCO CONVENTION is, in fact, the first international convention addressing *expressis verbis* one of the rights of members of minorities. Similarly, the INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION, adopted by the UN General Assembly on 7 March 1966, on the basis of a broad definition of "racial discrimination" confirms the principle of non-discrimination of minorities (UNTS, vol. 660: 195). Aimed at specifying the implications of the principle of non-discrimination, these two conventions have in fact paved the way for a more refined understanding of the rights of members of minorities.

There are some early international provisions granting specific rights to members of linguistic minorities in the areas of education, media and political participation. The INTERNATIONAL LABOUR ORGANIZATION CONVENTION (NO.107) CONCERNING THE PROTECTION AND INTEGRATION OF INDIGENOUS AND OTHER TRIBAL AND SEMI-TRIBAL POPULATIONS IN INDEPENDENT COUNTRIES (1957) urges in Article 23 to provide, if practicable, for education in the mother tongue and eventually for progressive transition to the national language (UNTS, vol. 328: 247). Besides the non-discrimination articles in the UNESCO CONVENTION and in the anti-discrimination convention mentioned above, the most important article referring to minority rights has been Article 27 of the ICCPR. This article has been incorporated, with small alterations, in other international legal instruments such as in Article 30 of the CONVENTION ON THE RIGHTS OF THE CHILD, adopted by the UN General Assembly on 20 November 1989, and in several Council of Europe and CSCE documents. It reads:

In those states in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language (UNTS, vol. 999: 171 and UNTS, vol. 1057: 407).

A close analysis of this article shows that it implies two requirements. Firstly, it presupposes the prohibition of discrimination on the basis of language, as covered by the international legal conventions and declarations mentioned above; secondly, it additionally obliges the state not to interfere in the affairs of linguistic minorities (cf. Mullerson 1993). The requirement that persons belonging to minorities shall not be denied the right to use their own language is, however, more ambiguous than it seems. In fact, Article 27 is neither clear on whether the state shall not only permit the private and public use of minority languages but shall also use the minority language in the conduct of its own affairs, nor on whether the state is obliged to take positive action and to promote the minority identity in order to implement this right. Most legal scholars agree, in fact, that Article 27 does *not* impose any requirements on the state to use a minority language in the conduct of its own affairs and that it does *not* oblige the state to provide facilities for the promotion of minority identities. On these grounds, it has been criticized by Skutnabb-Kangas (1994: 83) for promoting "covert assimilation-oriented toleration" of linguistic minorities.

Both the private-public issue and the question of protection through promotion are resolved in later provisions which pay more attention to the *right to cultural identity*. As human rights scholar Stavenhagen has argued, notwithstanding the principles of non-discrimination and equality, the right to cultural identity requires an extension of the individualist understanding of human rights and calls for recognizing the necessity to develop more effective means of protecting the identity of minorities, since the right to cultural identity can only be enjoyed in community with others (Stavenhagen 1995). The first comprehensive and universal standard setting international declaration acknowledging the necessity to promote minority identities and explicating the rights of members of minorities is the UN DECLARATION ON THE RIGHTS OF PERSONS BELONGING TO NATIONAL OR ETHNIC, RELIGIOUS AND LINGUISTIC MINORITIES.

(b) The UN DECLARATION is based on the principles of Article 27 ICCPR, the prohibition of discrimination of minorities and the obligation to non-interference, which it reformulates in Article 2(1.) and 2(5.).[17] However, it goes beyond the principles of non-discrimination and equality by obliging the state to pro-actively protect and promote the identity of minorities.[18] As a programmatic provision, the UN DECLARATION states in Article 1(1.):

States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories, and shall encourage conditions for the promotion of that identity (UN General Assembly Resolution 47/135).

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[17] For a detailed analysis of the UN DECLARATION cf. de Varennes 1997: 7-13.
[18] A similar shift from assimilation-oriented toleration to the promotion of the minority identity can be observed if comparing Article 28 and 30 of the INTERNATIONAL LABOUR CONVENTION (NO. 169) CONCERNING INDIGENOUS AND TRIBAL PEOPLES IN INDEPENDENT COUNTRIES (1989) with Article 23 of the older ILO CONVENTION NO. 107.

The formulation of this provision is sufficiently broad to allow for context-specific specifications regarding the implementation of the obligation to promote the identity of minorities. As suggested by Article 4(2.), the programmatic provision rests on the conviction that it is through the promotion of the collective identity of minorities that the principles of non-discrimination and equality of individuals are safeguarded.

States shall take measures to create favourable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs, except where specific practices are in violation of national law and contrary to international standards.

This provision would, for instance, oblige the State to prohibit acts of intolerance demeaning a minority language and its speakers as well as to enforce this prohibition by legislation. As suggested in de Varennes' legal analysis, the UN DECLARATION implies obligations and recommendations for both private and public language use of a minority language. The UN DECLARATION unambiguously obliges the State to allow *private* language use in private, in public and in collective action. It is obvious that it would violate the principle of non-discrimination to prohibit the use of a minority language in private, such as for example in the private choice of names and their script. Moreover, the State must not prevent the prohibit use of a minority language in situations where the public is affected, especially in private media including books, newspapers, radio or television. Finally, the State, while not obliged to financial support, must not prevent the use of a minority language in collective action, such as maintaining associations and establishing private schools where the minority language is the language of instruction. The UN DECLARATION also refers to *public* use of a minority language. With regard to education, for instance, it provides in Article 4(3.) and 4(4.):

(3.) States should take appropriate measures so that, wherever possible, persons belonging to minorities have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue.

(4.) States should, where appropriate, take measures in the field of education, in order to encourage the knowledge of the history, traditions, language and culture of the minorities existing within their territory. Persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.

Although formulated as less binding than the other articles, these provisions are aimed at promoting the identity of linguistic minorities through education and at furthering mutual understanding of majority and minorities. The desirability of support for minority language education and for inter-culturalism in education, as formulated in the UN DECLARATION, confirms that an inclusive approach to the presence of minorities in States has been adopted in international law.

The concern for the promotion of the identity of minorities as expressed in the UN DECLARATION is reformulated in other recent international human rights provisions, such as paragraph 19 of the VIENNA DECLARATION AND PROGRAMME OF ACTION, adopted by the World Conference on Human Rights on 25 June 1993, in which it is stressed that through the provisions as set fourth in the UN DECLARATION, the fundamental principles of non-discrimination and equality are to be implemented (UN Doc. A/CONF.157/24). On the European level, a similar understanding of linguistic

rights has emerged during the past decades. Thus, the Council of Europe has adopted the EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES on 2 December 1992 which, among other objectives, stresses the values of interculturalism and multilingualism and calls for the protection and promotion of regional or minority languages (Article 7).[19] It commits the member states to eliminate discrimination in the areas of jurisdiction, public services, economic and life. It specifies that states should make available pre-school, primary, secondary, vocational, university and continuing education in the regional or minority language within their respective territories (Article 8), and that they should facilitate the creation and maintenance of media in the minority language (Article 11). Similarly, the DOCUMENT OF THE COPENHAGEN MEETING ON THE HUMAN DIMENSION OF THE CONFERENCE FOR SECURITY AND COOPERATION IN EUROPE, adopted 29 June 1990, urges the member States to both protect and promote the linguistic identity of minorities on their respective territory on the basis of the principles of non-discrimination and equality, and it specifies a variety of mechanisms to attain this goal (Articles 31, 32, 33, 34, 35).[20]

(c) Analyzing the progression of linguistic rights provisions from assimilation-oriented toleration to explicit promotion of linguistic minorities finally calls for addressing the question, how preservation and promotion of the identity of linguistic minorities is co-ordinated with the functioning of the public sphere. At the outset, it should be emphasized that most legal scholars agree on an individualistic understanding of linguistic rights.[21] The protection and promotion of linguistic minorities are seen as an instrument of implementing the individual rights to non-discrimination, equality and cultural identity. This interpretation is supported by the very definition of "minorities" in international law which sees auto-categorization and the subjective intention to safeguard a particular identity, besides the numerical factor, as constitutive factors of a "minority" (Allardt 1992 and Symonides 1995). This definition of a "minority" is well in line with the social science approach to "ethnicity" emphasizing the subjective perspective of the actor. Now, conceptual co-ordination of the promotion of minority identities with the functioning of the shared public sphere can be achieved by using the distinction between different domains of society as developed by human rights scholar Asbjørn Eide. While the promotion of minority identities can be located in what Eide has called "separate domain", there is a necessity to ensure social integration in a "common domain", although the principles of non-discrimination and equality have to be acknowledged therein. It would be the task of constitutional provisions and public policies on the national level to find context-sensitive ways of combining these two domains by multilevel mechanisms of power-sharing, in order to achieve "pluralism in togetherness" (Eide 1994 and 1995). -

At this point, the analysis of international human rights standards converges with the social science analysis which has shown that in the "common domain", that is in the economic and the political sector, symbols of collective identity are increasingly de-ethnicized and substituted by generalized media of communication, while they are

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[19] Cf. European Treaties Series (ETS) No. 148.

[20] The general thrust of these provisions is confirmed by the OSLO RECOMMENDATIONS REGARDING THE LINGUISTIC RIGHTS OF NATIONAL MINORITIES, passed by the Foundation on Inter-Ethnic Relation on request of the OSCE High Commissioner on National Minorities in 1998.

[21] It should be noted, however, that there has been a controversy over the question whether some collective rights, including the rights of minorities, have to be acknowledged beyond the right to self-determination. Most human rights scholars, however, agree on the primacy of individual rights (cf. Eide 1995; Stavenhagen 1995 and Symonides 1995).

proliferating in the "separate domain", that is in the sphere of particular identity groups. While in the former, language is reduced to its instrumental function, it maintains a symbolic function in the latter. Both analyses therefore suggest that complex models of power-sharing and political participation are best-equipped to maintain peace and stability among ethnic groups and thus to respond democratically to the dilemma of social integration under conditions of globalization. The most prominent of such models is multiculturalism.

2. Multiculturalism: a framework for democratic language policies

The term "multiculturalism", as it is used in public debate, comprises mainly three different meanings. In its demographic-descriptive meaning it refers to the fact of cultural or ethnic diversity, in its ideological-normative sense it applies to philosophical arguments underlining the legitimacy of claims to the recognition of particular identity groups, and in its programmatic-political sense it pertains to policies designed to respond to the problems posed by diversity (Inglis 1996: 15-18). In the following, multiculturalism is understood in its third meaning, that is as a set of programs and policy initiatives addressing ethnic and, in particular, linguistic diversity (a). As a policy strategy, multiculturalism can and should be subjected to an empirical evaluation regarding its success in managing ethnic conflict. Hence, some examples of multicultural policies, their potential and their problems will be given (b).

(a) Adopting multiculturalism as a policy strategy is an integral part of developing new forms of democratic governance which respond to the structural dilemma of integration in the nation-state. The concept of "governance" has come to the fore of political debate in the international community since the late 1980s and has been used by representatives of different ideological convictions for a variety of purposes (de Alcántara 1998). It is generally associated with the shift of power from the public to the private sector, with the strengthening of civil society, and with institutional reforms within the public sector. It has particularly attracted the interest of policy-makers involved in the management of social reconstruction in post-communist states. If used in the context of theories of financial and economic restructuring, the concept of governance often supports trends of marketization and privatization which in fact diminish democratic representation and participation in a common polity (de Alcántara 1998 and Kazancigil 1998). In contradistinction to those ideologies of mere economic liberalization, recent political theory has emphasized that democracy presupposes the existence of civil society as an autonomous sector, separate from both the administrative *and* the economic system, and characterized by a pluralism of actors, voluntary civic associations, and interest groups.[22] The functioning of civil society, in turn, requires a pluralistic public sphere in which citizens are actively involved, and it also implies the commitment of all individuals and groups to shared principles of the constitution. Although it does imply a certain shrinking of the administrative state, *democratic* governance does therefore not imply a shrinking of the public domain. As regards the problem of ethnic and cultural diversity, multiculturalism can be inscribed into the framework of democratic governance, in so far as it recognizes the claims of ethnic or cultural identity groups in a pluralistic civil society, promotes intercultural communication and therefore provides a model of social integration on the basis of a collectively acknowledged constitution (Habermas 1994).

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[22] For a political theory of civil society and democracy based on Habermas' social philosophy cf. Arato and Cohen 1992.

The characteristics of *multiculturalism* in the area of language planning can be highlighted by contrasting it with other models of language policy. Drawing on typologies developed in legal and policy analysis, one can roughly discern three ideal types of language policies: assimilationist, differentialist and multicultural language policy models (cf. Inglis 1996: 37 and Skutnabb-Kangas/Philippson 1994: 80; Stavenhagen 1996: 191-202). The *assimilationist* model of language policy is guided by the ideal of monolinguism, as described above, and is aimed at the linguistic homogenization of society. Although linguistic minorities might be tolerated and members of linguistic minorities be granted the right to equal treatment, assimilation-oriented policy strategies discourage the maintenance of the non-official minority language, for instance by educational policies fostering monolingual instruction in public schools in the official language. Whilst the *differentialist* (or *exclusionist*) model of language policies is equally guided by the ideal of monolinguism, it systematically excludes linguistic minorities. In some moderate cases, it allows linguistic minorities to build parallel institutions, such as schools, private media, associations in their own language. By marginalizing the parallel institutions of linguistic minorities, however, the differentialist model intends to restrict the participation of persons belonging to those minorities in mainstream institutions of society. The *multicultural* (or *pluralist*) model of language policies aimed at political power-sharing and an equal participation of linguistic minorities in the public sphere, has two subtypes. The regional variant of multiculturalism, mainly instructed by Lijphart's concept of consociational democracy, intends to achieve non-discrimination, to guarantee equality treatment and to promote the identity of linguistic minorities by territorial subdivision, federalism and multilevel arrangements of political representation (Lijphart 1977). The socio-cultural variant of multiculturalism protects and promotes the identity of linguistic minorities allowing and encouraging the creation of parallel institutions (schools, media, civic associations), which are granted equal status in the public sphere. To provide for a functioning communication in the public sphere, it particularly promotes bi- or multilingualism in education and media (Edwards 1994). Both, the regional and the socio-cultural variant of multiculturalism are principally well-equipped to implement the human rights principles of non-discrimination and equal treatment as well to promote the identities of linguistic minorities (cf. Inglis 1996 and Stavenhagen 1996).

(b) In addition to the normative justification of multicultural language policies by human rights standards, the preferential option for such policies also requires an assessment of their empirical impact. Such an empirical analysis of existing multicultural language policies in Australia, Canada and the European Union demonstrates that, although historical traditions and local conditions might call for a combination of different types of language policies, the socio-cultural variant of multiculturalism has the greatest potential for a peaceful management of ethnic conflict rooted in linguistic diversity. However, it equally shows that ignoring the instrumental relevance of link languages or languages of wider communication actually disadvantages minority groups, most notably in the economic and political sector but also in civil society.

The *regional* variant of multicultural language policies has a long tradition in Switzerland and Belgium, countries which have often been considered ideal models of consociational democracy. The Swiss constitution, for instance, declaring French, German and Italian as both national and official languages and Rheto-Romansh as

national language, has established a regime of cantonal sovereignty, according to which each linguistic group has control over public schools, public media and so forth in their respective cantons, while non-discrimination clauses accommodate for the respect of individual linguistic rights within the canton. On the national level, institutional arrangements are provided to ensure equal representation and participation of the main linguistic groups in legislation, jurisdiction and administration. However, the empirical limitations of the Swiss model of power-sharing between linguistic groups have not gone without notice. Legally, the regional model with its focus on the principle of territoriality does not resolve the problem of reconciling individual linguistic rights with the promotion of the identity of linguistic minorities. Moreover, this model often reinforces economic and political inequality, because it does not take into account the inferior status of minority languages such as Italian in Switzerland. Finally, it aggravates mutual ignorance between linguistic groups, because it lacks mechanisms such as multilingual education which would strengthen social cohesion on the national level (cf. Furer 1992; Rossinelli 1992; Grin and Sfreddo 1996). In Belgium, where a similar model of regional power-sharing has evolved, the public discussion of these limitations has resulted in a constitutional reform, in which the principle of territoriality has been complemented by the principle of linguistic self-determination. Hence, both the three Regions (Walloon, Flemish and Brussels Region) and the three Communities (French, Flemish, and German-speaking Community) enjoy autonomous status and are co-ordinated by a highly complex institutional arrangement (Delgrange 1995). The controversies over the Swiss and the Belgium model of consociationalism show that urbanization, increased mobility and economic interdependency seriously limit the empirical effectiveness of the regional variant of multicultural language policies to implement linguistic rights.

Similar limitations of multicultural language policies adopting a regional approach can be discerned in the process of European integration. Within the framework of the EC and the EU, the preservation of linguistic diversity has mainly been understood as a political goal on the supra-national level, leaving unaffected the ideal of national monolinguism.[23] Since the early 1990s, however, accelerated European integration has given rise to a new concern for regional or linguistic minorities, to sharp criticism of the ideal of national monolinguism, and to the promotion of multicultural language policies on the national and sub-national level. This has, for instance, led to the adoption of the EUROPEAN CHARTER FOR REGIONAL OR MINORITY LANGUAGES (1992) by the Council of Europe (cf. Giordan 1992b). Based on the principle of territoriality, however, the CHARTER only supports the regional variant of multicultural language policies, while it explicitly excludes the linguistic rights of immigrants. The exclusion of immigrant languages from this policy strategy, however, is at odds with their increasing relevance in European societies - there are, for instance, about two million Turkish or Arab speaking immigrants in Europe. Although there have been attempts, for instance in the European Committee on Migration, to foster integration and equal opportunities policies towards immigrants, language policies have mainly followed the assimilationist or differentialist model. While it is true that public debate in several countries, especially in Belgium, Germany and the Netherlands, is increasingly becoming aware of the cultural, legal and economic importance of maintaining the linguistic identity of

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[23] The wish to preserve linguistic and cultural diversity on the supra-national level is articulated in several EC and EU documents, most recently in the Preamble and Article 126 of the Treaty on the European Union signed in Maastricht in 1992. For an analysis of the European Community's language policy see Coulmin 1991, who argues for practical multiculturalism with a focus on the economic aspects of language use.

immigrants, for instance through "immigrant minority language instruction" (IMLI), educational policies in most European countries have been reluctant in shifting to a socio-cultural model of multicultural language policies which would include the protection and promotion of immigrant minority languages.[24]

Since the *socio-cultural* model of multicultural language policies overtly supports the linguistic identity of both regional and immigrant minorities and includes strategies such as IMLI, it is not surprising that it was first adopted by countries facing large-scale immigration, especially by Canada and Australia. In Canada, increases in immigration have resulted in attacks on the policy of anglo- or franco-conformity and in the eventual adoption of the "policy of multiculturalism within a bilingual framework" in 1971, confirmed by the 1988 Multiculturalism Act. In the area of education, fluency in both the mother tongue and one of the two national languages has been the primary objective of multicultural language policies, and it has been implemented by supplementing national language(s) instruction by IMLI and bilingual education (cf. Fortier 1994). While social integration of immigrants coming from diverse linguistic backgrounds has been generally strengthened by multicultural language policies in Canada, the case of Quebec illustrates some problems of multicultural language policies within a bilingual framework. The adoption of multicultural language policies in the 1970s tended to weaken the status of French and to favor the use of English as high-status language of upward mobility among immigrant and ethnocultural communities in Quebec (cf. Cummins 1984). As a reaction, Quebecois language policies have shifted to preferential treatment of French in order to affirm the identity of a "distinct francophone society" - although with limited success (cf. Bourhis 1994). In Australia, the adoption of multiculturalism meant the shift from a strictly monolingual and assimilationist policy to the recognition of linguistic rights of both Aboriginals and immigrants from diverse linguistic backgrounds (cf. Ozolnis 1993). The motivating factor for this change in public policy being the valuing of Asian languages as important tool for international trade, it was only in the 80s that public policy regarded the recognition of identity claims of linguistic groups and the promotion of internal cultural and linguistic diversity as the foundation of social integration in Australia. The strategies of multicultural language policies, codified in the National Policy on Languages program, are aimed at facilitating education in both English and immigrant languages (IMLI) and instruction on cultural diversity, at establishing multilingual media, such as the Special Broadcasting Program which disseminates information in up to 63 languages, and at providing public services for non-English speakers, such as the *Translating and Interpreting Service* (Smolicz 1994). As early as the mid-1980s, however, it was observed that since the national language was still functioning as the main instrument of communication, the "ethnic option", that is the mere promotion of minority identities, ran the risk of reinforcing existing power differentials in the economic and political sector (Bullivant 1984). As a consequence, public policy in Australia has moved to more complex models of multicultural language policies promoting the use of minority languages while, at the same time, furthering linguistic competence in a language of wider communication.

It can be concluded that multicultural language policies not only confirm with international human rights standards pertaining to linguistic rights, but also seem to be

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[24] The Research Group on Language and Minorities at Tilburg University is currently carrying out a comparative study on language policies in European countries to investigate problems and chances of adopting IMLI in national educational policies (cf. Extra 1997).

empirically more effective in reducing ethnic conflict than the assimilationist and the differentialist policy strategy, if they succeed in balancing the legitimacy of particular linguistic identities and the linguistic requirements of a functioning economic and political system.[25] Respecting the differentiation between a "separate domain" and a "common domain", therefore, constitutes an effective democratic response to the structural dilemma of social integration in contemporary nation-states. The following explores in some more detail the development of language policies in the Kyrgyz Republic, in order to assess the potential of multicultural language policies to manage ethnic conflict under conditions of post-Soviet state formation.

3.·Developing multicultural language policies in the Kyrgyz Republic

The basic assumption of this paper is that constitutional reforms, democratic legislation and public policies responding to ethnic conflict should be guided by a social science analysis of the causes of such conflicts and the eventual effects of public policies. This is even more pertinent for ethnic conflict in Post-Soviet societies where ethnic and language policies have been informed by the still influential Soviet school of ethnology and its primordialist theory of ethnicity (Banks 1996: 17-24; Tishkov 1997: 7-12). Formulating multicultural language policies in post-Soviet societies, therefore, presupposes a critical analysis of existing ethnic policies. Post-Soviet language policies have been strongly affected by the ethno-cultural model of the nation-state and the ideal of monolinguism, the result being a moderate form of differentialist language policies. Thus, Article 5 of the Kyrgyz constitution states:

1. The official language of the Kyrgyz Republic shall be the Kyrgyz language.

2. The Kyrgyz Republic shall guarantee preservation, equal and free development and functioning of the Russian language and all other languages which are used by the population of the Republic.

3. Infringements of the citizens' rights on the ground of absence of knowledge and command of the official language shall not be allowed.

While certain basic linguistic rights seem to be acknowledged in this provision, the political instrumentalization of the Kyrgyz ethno-linguistic identity in the process of state formation and nation building has, as mentioned above, caused ethnic conflict along linguistic lines and has resulted in considerable Russian emigration. In addition to its potential of generating ethnic conflict, such a moderate differentialist language policy violates the rights of members of linguistic minorities. It is true that language policies in the Kyrgyz Republic need to respect the specific demands of the formerly dominated Kyrgyz fraction of the population. To the extent that ethnic identity is symbolically expressed through language, public recognition of the identity claims of the Kyrgyz people indeed implies the preferential treatment of the Kyrgyz language in education, media and public services. But the promotion of the Kyrgyz language must not be carried through at the expense of the linguistic rights of Russian and other minority speakers in the Kyrgyz Republic. Moreover, special status seems to be appropriate for the Russian language, which has operated as primary language in the educational

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[25] On the basis of a comparative empirical survey on ethnic conflict management carried out by UNRISD, Stavenhagen summarizes that multicultural ("pluralist") ethnic policies were best for managing ethnic conflict in general, while he acknowledges that the effectiveness of any particular policy can be expected to depend on a variety of specific circumstances (Stavenhagen 1996: 202).

system, as language of inter-ethnic communication and as an important link language for economic and political integration in the Central Asian region. Therefore, the adoption of multicultural language policies, for instance by establishing bilingual education and multilingual media system in the framework of a pluralistic political system, seems to be a context-sensitive and more democratic strategy of promoting social integration in the new Kyrgyz Republic.

The ethno-national thrust of the constitutional and legal provisions regulating language use in Kyrgyzstan has in fact been an issue of many public controversies. The protest not only of Russians but also of urbanized and highly educated Kyrgyz against the subordination of the Russian language and the growing awareness of the negative repercussions of monolingual language policies, such as increased ethnic conflict, emigration and disintegration in the region, have eventually resulted in far-reaching modifications of the monolingual doctrine. After a series of jurisdictional and legislative activities, in which, for example, the legislature voted to accord the Russian language equal status in the Constitution by an amendment to Article 5 in May 1993, Russians and Germans were granted dual citizenship and a decree was passed to make Russian an official language in those regions where the majority of the population spoke Russian, and the Lower House of the Parliament approved Russian as an official language in March 1996 and passed a revision of Article 5 of the Constitution which states:

"In the Kyrgyz Republic, the Russian language can be used as an official language".[26]

Similarly, the President of the Republic has recognized the importance of Russian as the language of inter-ethnic communication and has therefore supported the adoption of official bilingualism in Kyrgyzstan (Akaev 1997: 148). All these developments suggest that there has been a successive evolution from strict monolingualism to more pluralist language policies, combining the regional with the socio-cultural variant of multiculturalism. This, however, has by no means precluded the strengthening of the Kyrgyz language in the areas of education and public media. On 16 January 1998, for instance, the President signed a decree which promotes the idea of corpus planning of the Kyrgyz language and establishes a special council responsible for co-ordinating and controlling the use of Kyrgyz as a state language.[27] However, these attempts have to be regarded in the framework of an evolving pluralistic language policy. The support of the Kyrgyz language in the educational system, for instance, has been complemented by the establishment of institutions with non-titular languages of instruction, such as the Kyrgyz-Russian-University, the Kyrgyz-Uzbek University, the Kyrgyz-American Faculty and the Kyrgyz-Turkish University. Also, the strengthening of Kyrgyz media has not hindered the proliferation of various Russian and Uzbek newspapers, radio and television channels and has therefore strengthened a pluralistic civil society. The scope of this paper does not allow for an empirically based evaluation of the effectiveness of this shift to multicultural language policies. However, the return of many Russian emigrants to Kyrgyzstan can be regarded as a first indicator for the success of more pluralist language policies in managing language conflict.

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[26] It has to be noted, however, that by January 1998 this amendment has not yet passed the Upper House of the Parliament.
[27] Cf. RFE/RL Newsline, 17 January 1998; *Vecherny Bishkek*, 4 February 1998; and CISLMP - Bishkek, 8 February 1998.

Conclusion

Several conclusions can be drawn from the analyses presented in this paper. Firstly, it could be shown that ethno-linguistic conflicts in Kyrgyzstan were induced by the state's differentialist language policies which, in turn, were a side-effect of the social dynamics of post-Soviet state formation and nation building. Implementing principles of democratic governance in this specific context seems to require a shift from differentialist to multicultural language policies. Secondly, the main argument of this paper suggests that multicultural policies in general are *both* well-adapted to implement human rights standards pertaining to minorities *and* more likely to achieve social integration in multi-ethnic societies than assimilationist and differentialist policies. Although their actual success remains to be evaluated by comparative empirical research (cf. Medrano 1996), they seem to provide a more viable policy strategy for the management of ethnic conflict, in so far as they correspond to the structural transformation of patterns of social integration in the nation-state under conditions of globalization. Thirdly, the paper has demonstrated that an interdisciplinary approach, co-ordinating social science with legal and policy analysis on a conceptual and substantive level, is highly fruitful for analyzing problems of democratic governance in multicultural societies and has great potential for further theoretical development. It is in this direction that policy-relevant research on social integration in societies characterized by cultural, linguistic or religious diversity should be advanced in the framework of UNESCO's MOST Programme.

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