

# Online Research @ Cardiff

This is an Open Access document downloaded from ORCA, Cardiff University's institutional repository: <http://orca.cf.ac.uk/91008/>

This is the author's version of a work that was submitted to / accepted for publication.

Citation for final published version:

Bonotti, Matteo 2017. Political liberalism, linguistic diversity and equal treatment. *Journal of Multilingual and Multicultural Development* 38 (7) , pp. 584-594. 10.1080/01434632.2016.1192179  
file

Publishers page: <http://dx.doi.org/10.1080/01434632.2016.1192179>  
<<http://dx.doi.org/10.1080/01434632.2016.1192179>>

Please note:

Changes made as a result of publishing processes such as copy-editing, formatting and page numbers may not be reflected in this version. For the definitive version of this publication, please refer to the published source. You are advised to consult the publisher's version if you wish to cite this paper.

This version is being made available in accordance with publisher policies. See <http://orca.cf.ac.uk/policies.html> for usage policies. Copyright and moral rights for publications made available in ORCA are retained by the copyright holders.



# Political Liberalism, Linguistic Diversity and Equal Treatment

Matteo Bonotti

Politics and International Relations  
Cardiff University  
Law Building  
Museum Avenue  
Cardiff  
CF10 3AX  
Wales, UK

[BonottiM@cardiff.ac.uk](mailto:BonottiM@cardiff.ac.uk)

+44 (0)2920 688594

**This is an Accepted Manuscript of an article due to be published by Taylor & Francis in the *Journal of Multilingual and Multicultural Development*, and will be available at [http://www.tandfonline.com/](http://www.tandfonline.com) DOI: <http://dx.doi.org/10.1080/01434632.2016.1192179>.**

## Abstract

This article explores the implications of John Rawls's political liberalism for linguistic diversity and language policy, by focusing on the following question: what kind(s) of equality between speakers of different languages and with different linguistic identities should the state guarantee under political liberalism? The paper makes three claims. First, language policy under political liberalism should guarantee the equal basic rights and liberties of all citizens, regardless of language(s) spoken. This may require positive forms of state intervention, such as the provision of interpreters and translators in courts of law or hospitals. Second, while permissible under political liberalism, symbolic recognition by the state of all languages is not required, because the notion of self-respect does not involve the ability to identify with the institutions of one's own political community. Finally, while neither the protection of citizens' basic rights and liberties, nor the guarantee of their self-respect, demands multilingual policies, the latter may be required under political liberalism by the principle of fair equality of opportunity. This last step involves recourse to democratic deliberation in order to ascertain people's linguistic identities, the costs they associate with the enjoyment of available opportunities, and their resulting demands with regard to language policy.

**Keywords:** language policy, linguistic diversity, John Rawls, political liberalism, equality, democratic deliberation.

## Introduction

Despite the vast body of scholarship on John Rawls's (2005a) political liberalism, little attention has been paid to the role of language and linguistic diversity within this statement on justice and legitimacy.<sup>1</sup> Even more surprising is how Rawls himself, in *Political Liberalism* (2005a) but also throughout his scholarship, mostly overlooks how linguistic diversity may affect the basic structure of liberal democratic polities. This may be due to Rawls's American background. For Joseph Carens, "Rawls could not have been a Canadian. Whatever one's views about Quebec and French language issues, no Canadian would think it appropriate to ignore the problem of language in a comprehensive discussion of justice, just as no American writing about justice would leave out the issues of race and religion" (Carens 2000, 5). Overall, in spite of his growing focus on the fact of reasonable pluralism in democratic societies, which strongly influenced the political shift in his later work, Rawls never considered how reasonable pluralism also concerns language and linguistic identity.

Rawls's political liberalism is grounded in "Westphalianism" – the assumption that "the basic unit of justice is the monocultural nation-state, which is unified in terms of language, history and nationality" (De Schutter 2008, 109). Rawls's account seems to presuppose that while citizens of liberal polities may have significant disagreements over their comprehensive (ethical, philosophical, religious) conceptions of the good, they are likely to share the same language and linguistic identity. In the *Law of Peoples* (Rawls 1999b, 24), for example, he affirms that the formulation of political principles can more easily be carried out under the assumption that liberal societies are "united by common sympathies [...] dependent upon a common language, history, and political culture, with a shared historical consciousness." He then adds that "if we begin in this simplified way, we can work out political principles that

will, in due course, enable us to deal with more difficult cases where all the citizens are not united by a common language and shared historical memories” (Rawls 1999b, 24-5).<sup>2</sup>

My starting point in this article is the idea, often highlighted in the normative scholarship on linguistic justice, that language, unlike religion, cannot be disestablished (see Van Parijs 2011). Essentially, a state cannot function without a language; its institutions, public services, hospitals and schools simply cannot operate without recourse to at least one language. Furthermore, while language always has an instrumental or communicative function, it also has, for many people, a non-instrumental role, either as a crucial aspect of their identity or as an attribute that deserves recognition because it contributes to one’s self-respect (Patten 2001). By adopting only one official language (or a limited number of official languages), a state may therefore impose illegitimate coercive measures on people with certain linguistic identities and as a result fail to guarantee their self-respect.

A parallel with religion can be useful. According to Cécile Laborde, plural religious establishment is legitimate under political liberalism “if equality between believers of different religions is interpreted as mandating even-handed support of all by the state” (Laborde 2013, 72). Similarly, it has been argued that equality between persons with different linguistic identities warrants even-handed state recognition and support of all languages or as many as the state can reasonably recognize and support (De Schutter 2008). This seems to be not only permissible but even mandatory under political liberalism; first because disestablishment is not an option in the realm of language, and second because language almost always carries a dual instrumental and non-instrumental value. Yet the issue is more complex than these brief remarks suggest. The question that immediately arises is the following: given that linguistic disestablishment is not an option, what kind(s) of equality

between speakers of different languages and with different linguistic identities should the state guarantee under political liberalism? In exploring this question, the paper proceeds in three main parts.

First, I argue that language policy under political liberalism should guarantee the equal basic rights and liberties of all citizens, regardless of language(s) spoken and linguistic identity. This may require positive forms of state intervention, such as the provision of interpreters and translators in courts of law or hospitals. Second, I claim that the value of self-respect, which is central to Rawls's theory, does not directly justify the adoption by the state of multilingualism policies, such as the symbolic recognition of all languages by the state or the adoption of a regime of linguistic territoriality. Finally, I argue that while neither the protection of citizens' basic rights and liberties nor the guarantee of their self-respect demands multilingual policies, the latter may be required under political liberalism by the principle of fair equality of opportunity. This last step involves recourse to democratic deliberation in order to ascertain people's linguistic identities, the costs they associate with the enjoyment of available opportunities, and their resulting demands with regard to language policy.

### **Linguistic Diversity and the Equal Basic Rights and Liberties of Citizens**

The first and most basic way in which the state under political liberalism should treat speakers of all languages equally, regardless of their language and their linguistic identity, concerns the protection of their basic rights and liberties. This is clearly expressed by Rawls in the first principle of justice. He states: "[e]ach person has an equal claim to a fully adequate scheme of equal basic rights and liberties, which scheme is compatible with the same scheme for all; and in this scheme the equal political liberties, and only those liberties,

are to be guaranteed their fair value” (2005a, 5). The basic rights and liberties of citizens include “freedom of thought and liberty of conscience; the political liberties and freedom of association, as well as the freedoms specified by the liberty and integrity of the person; and finally, the rights and liberties covered by the rule of law” (2005a, 291).

In relation to language, this implies that all citizens ought to enjoy “toleration and accommodation rights” (Patten 2009, 107) regardless of the language(s) they speak and their linguistic identity. For example, individuals should have the negative right to express their views in their own language (e.g. in books, newspapers or in public) (Patten and Kymlicka 2003, 34). The state can infringe this right through censorship but also physical harm, as when during the Inquisition in Spain “gypsies who were found guilty of speaking their own language had their tongues cut out” (Patten and Kymlicka 2003, 23).

In some instances, the effective enjoyment and exercise of certain basic rights and liberties may require positive forms of state intervention. One’s right to a fair trial, for example, can only be guaranteed if one has the chance to fully understand and communicate what is being said in a court of law. Similarly, one’s bodily integrity can only be secured if one can communicate his or her symptoms and understand medical advice in hospitals or clinics (e.g. Patten 2001, 696). One way of ensuring that such rights are effectively enjoyed is by implementing a regime of official bilingualism or multilingualism in public services. In this way, “members of the public have a right, sometimes subject to a “where numbers warrant” qualification, to receive public services and communications in those languages” (Patten and Kymlicka 2003, 19). Official bilingualism or multilingualism can thus be reasonably justified by appealing to the need to guarantee citizens’ basic rights and liberties.

Yet such measures are not required for that purpose. The state can offer services in only one official language and still guarantee the basic rights and liberties of all citizens by providing interpreters and translators in courts of law or hospitals. These measures would not differ from state funding of chaplaincies in state prisons or army barracks, which are aimed at guaranteeing prisoners' and army personnel's freedom of conscience and religious exercise (Bonotti 2012; Laborde 2013), rather than reflecting the state's endorsement of one or more religious doctrines. Interpretation and translation services can therefore be sufficient to guarantee individual basic rights and liberties, especially if the state also promotes the learning (and intensive teaching) of the official public language among all its citizens (Patten 2001). The requirement would be for every citizen to have an opportunity to learn the official language, for example as a second language (see Weinstock 2003, 268). In summary, with regard to basic rights and liberties, official state multilingualism is permissible but not required under political liberalism.

### **The Symbolic Function of Language**

The conclusion, reached in the previous section, that official monolingualism accompanied by accommodation measures may be sufficient to guarantee every citizen's basic rights and liberties, seems to overlook an important dimension of Rawls's theory. This is the idea of "self-respect," which for Rawls is "perhaps the most important primary good" (Rawls 1999a, 386). It amounts to "a person's sense of his own value, his secure conviction that his conception of the good, his plan of life, is worth carrying out" (Rawls 1999a, 386). Moreover, it involves "a confidence in one's ability, so far as it is within one's power, to fulfill one's intentions" (Rawls 1971, 386). Crucially, self-respect has a strong political dimension since it "depends upon and is encouraged by certain public features of basic social institutions" (Rawls 2005a, 319).

One way of protecting citizens' self-respect would be for the state to grant some form of symbolic recognition to all languages (or to as many as it reasonably can) in order to guarantee equality of self-respect for all their speakers. This position is defended, for example, by Philippe Van Parijs (2011),<sup>3</sup> for whom granting symbolic recognition to a multitude of languages is a way to achieve "parity of esteem" between them and guarantee the equal self-respect of their speakers.<sup>4</sup> Indeed, when a dominant language in a multilingual polity is systematically preferred to other languages in all contexts, it is akin "to situations in which it is always the members of the same caste or gender that need to bow when meeting members of the other, or to get off the pavement where it is too narrow for two people to walk past each other" (Van Parijs 2011, 119). As a result, Van Parijs argues that state institutions and measures "can help by expressing, recognizing, asserting the parity of esteem between (some of) the languages with which members of the society concerned identify" (Van Parijs 2011, 120). This kind of symbolic recognition conveys the following message: "No, it is not true that your language is inferior, less worthy, less noble. Just see how it is given the same space or time as the other(s), or possibly one that is different but then for reasons publicly given that could not be interpreted as demeaning" (Van Parijs 2011, 121).

The European Union (EU) provides perhaps the clearest example of how parity of esteem among different languages can be institutionalized. The EU recognizes twenty-four official working languages, and citizens of member states have the right to communicate with its institutions in any of the officially recognized languages. Also, most EU legislation is translated into all official languages. While the internal business of the European Commission is mostly conducted in English, French and German, the European Parliament is a fully multilingual institution and all MEPs have the right to use their mother tongue (or any



language of their choice) during parliamentary debates (Van Parijs 2011, 117-32; see also Bonotti 2013).

What are, then, the implications of the idea of self-respect for language policy under political liberalism? Certainly, for Rawls, the state ought to provide citizens with the “social bases of self-respect,” which include “equal basic rights and liberties, the fair value of the political liberties and fair equality of opportunity” (Rawls 2005a, 82). These are the “public features of basic social institutions” (Rawls 2005a, 319), which should be guaranteed for speakers of all languages. I have discussed equal basic rights and liberties in the previous section and I will focus on fair equality of opportunity in the next section. In addition, as Catriona McKinnon has pointed out, “mutual respect [in political life] is evinced in inclusive public justificatory debate about matters of justice, couched in the language of public reason” (McKinnon 2012, 18). This, she claims, contributes to self-respect, which “depends on a person’s conception of herself as worthy of being given justifying reasons by any other person capable of having expectations of her that she act in a certain way” (McKinnon 2012, 18).

Does this idea of self-respect, however, also require the state and its institutions to grant all languages as much symbolic recognition as they reasonably can? One may initially give a positive answer to this question, and claim that to provide self-respect for all citizens under political liberalism involves guaranteeing their ability “to identify with their political institutions” (Laborde 2013, 86). However, we should not overestimate the implications of this conclusion for language policy in diverse societies, and assume that self-respect also demands that citizens be able to enjoy a symbolic identification with their political institutions.<sup>5</sup> In fact, as Daniel Brudney points out, arguing that “alienation from the political community is in fact a bad thing, bad enough so that it would be irrational to risk any citizen

being alienated” (Brudney 2005, 823) would require appealing to a comprehensive doctrine, i.e. “the strong-connection-to-the-polity thesis” (Brudney 2005, 823), about which people may reasonably disagree. This would therefore contravene (rather than fulfil) the ideal of public reason and state neutrality that, we have seen, is essential to guaranteeing all citizens’ self-respect under political liberalism.

In this connection it is interesting to note that Sweden, a EU member state, has proposed to replace the existing EU translation and interpreting system with one in which those services are not automatically made available to all member states but only to those that voluntarily demand them and, crucially, are willing to pay for them (Van Parijs 2011, 242-243 note 22). Sweden’s request, which may soon also be endorsed by other EU member states, signals the absence of a reasonable agreement among EU citizens and member states regarding the importance of symbolic recognition as a way of guaranteeing the self-respect of speakers of different languages. It is plausible to assume that the same kind of disagreement also exists within individual EU member states (and within any state in general).

An alternative proposed measure aimed at guaranteeing the self-respect of speakers of different languages is the implementation of a regime of linguistic territoriality (Van Parijs 2011; Kymlicka 1989, 1995, 2001) based on the idea that “languages should be territorially accommodated, such that on each particular territorial unit only one language group is present or officially recognized” (De Schutter 2008, 105). However, as De Schutter (2008) points out, in such a case it would again be wrong to assume the presence of a reasonable agreement regarding the demands of self-respect, among speakers of different languages and, crucially, of the same language. More specifically, “people may not have a shared understanding of...[their]...language identity interest: different people within the same polity and territory

may have different language identity interests” (De Schutter 2008, 112). This also applies to speakers of the same language.<sup>6</sup> In line with De Schutter, I therefore conclude that in societies characterized by a reasonable pluralism of linguistic identities, the adoption of linguistic territoriality, as a coercive way of realizing the value of self-respect, is disrespectful towards those citizens who do not assign any significant identity value to the protected language, even if the latter is their own language.<sup>7</sup>

The foregoing analysis undermines the view that Rawls’s conception of self-respect requires that the state design its institutions so as to grant all languages some form of symbolic recognition, or to implement a regime of linguistic territoriality. Like the protection of individual rights and liberties, therefore, the safeguard of citizens’ self-respect fails to *directly* justify the need for multilingualism policies under political liberalism. Yet, as I noted earlier, for Rawls the ‘social bases of self-respect” (Rawls 2005a, 82) include basic rights and liberties, on the one hand, and fair equality of opportunity, on the other hand. Having discussed basic rights and liberties in the previous section, in the next and final section I will focus on the principle of fair equality of opportunity. More specifically, I will show that this principle (and therefore, *indirectly*, the idea of self-respect) does sometimes demand the adoption of multilingualism policies.

### **Linguistic Diversity and Fair Equality of Opportunity**

So far I have argued that from the perspective of Rawls’s political liberalism it is permissible, but not required, for the state to adopt official multilingualism, if what is at stake is the need to guarantee basic rights and liberties and equality of self-respect. There is, however, a third sense in which political liberalism should guarantee the equal treatment of individuals who speak different languages or express a range of linguistic identities. This concerns Rawls’s

view, stated in the second principle of justice, that “[s]ocial and economic inequalities...are to be attached to positions and offices open to all under conditions of fair equality of opportunity” (Rawls 2005a, 6).

In this section, I would like to consider the linguistic implications of fair equality of opportunity by focusing on one particular domain: education. I do this for two reasons: firstly, education is the main domain that Rawls considers when discussing in *Political Liberalism* (Rawls 2005a, 248) how to realize his principle of fair equality of opportunity; and secondly, education is especially important with regard to language matters, since the language(s) *in* which we learn and the language(s) *which* we learn, clearly affect our future opportunities to access social, economic and political positions, regardless of which specific language(s) those positions are available in.

According to Rawls, the principle of fair equality of opportunity should not be included among the constitutional essentials, due to the inevitably wide disagreement concerning whether and how it can best be realized (Rawls 2005a, 229-30). Like the “difference principle,” which constitutes the second part of the second principle of justice, it should be left open to the democratic contestation of ordinary politics.<sup>8</sup> As I have shown elsewhere (Bonotti 2012), this can have interesting implications with regard to religion and, more specifically, for the issue of state support of religious schools. As regards to language in education, should the state promote monolingual education, accompanied perhaps by transitional bilingualism, or should it allow instead for bilingual education or even parallel school systems?

One way of drawing the implications of the principle of fair equality of opportunity for language in education is to argue that it only requires a right to publicly funded education but not a right to be educated in one's native language. At most, political liberalism may require that for those children whose native language(s) differ(s) from the one(s) in which education is conducted, relevant measures – intensive language training, for example – should be made available by the state so that they can be quickly integrated into the educational system.<sup>9</sup> This conclusion would seem consistent with Rawls's account of education. While education should not aim to promote a comprehensive liberal doctrine, it should prepare children “to be fully cooperating members of society and enable them to be self-supporting” (Rawls 2005a, 199). Educating children in the official public language certainly contributes to preparing them for life within society, so that they have an equal opportunity to participate in its social, economic and political activities (e.g. Pogge 2003).<sup>10</sup> Monolingual education is therefore permissible under political liberalism, and it can be justified by appealing to public reasons.

Yet, while permissible, monolingual education is not required by political liberalism. What political liberalism demands is that children develop the ability to be self-supporting and to participate fully in their polity's social, economic and political activities, and this only seems to require a working knowledge of the language(s) in which those activities are normally carried out. As Daniel Weinstock observes, if working knowledge is all that is needed, and if it “can be taught simply through language teaching and through broader access to the majority's culture as a whole, there is little reason for the state to prohibit schooling in languages other than that of the majority, provided that it includes learning the majority language as well” (Weinstock 2003, 268). Furthermore, many empirical studies have shown the effectiveness of bilingual education at developing the academic skills of pupils and, therefore, enhancing their opportunities and prospects for social mobility (Willig 1985, 1987;

Ramírez, Yuen, and Ramey 1991; Thomas and Collier 2002). This literature also highlights the flaws of previous works that defended monolingual education (e.g. on the limits of English-only education, see, e.g., Danoff et al. [1978]; Baker and de Kanter [1981]).

This implies that bilingual education can provide children with at least the same range of future educational and professional opportunities that monolingualism would offer them. That means that both options are permissible under political liberalism. Yet bilingual education is generally more expensive than monolingual education. If all we are concerned with, as political liberals, is to ensure that we prepare children for full participation in society, it would be odd to opt for the more expensive option when we could achieve the same goal through a cheaper one. As the amount of public money required for bilingual education – unlike the amount required for merely symbolic forms of language recognition – is not trivial, it is necessary for those who support it to provide a reasonable justification for it, different and supplementary to the one that also justifies monolingual education. In other words, it needs to be assessed whether and for what reasons fair equality of opportunity can best be ensured by enabling children to have access to bilingual education rather than monolingual (e.g. English-only) education.

Such reasons, I argue, can be found by considering the high costs of linguistic assimilation. As per Kymlicka (1989, 175):

“People are bound, in an important way, to their own cultural community. We can’t just transplant people from one culture to another, even if we provide the opportunity to learn the other language and culture. Someone’s upbringing isn’t something that can

just be erased; it is, and will remain, a constitutive part of who that person is. Cultural membership affects our very sense of personal identity and capacity.”

Hence, while assimilation into the majority cultural and linguistic community (e.g. through monolingual English-only programmes) may in theory open up a wide range of economic and educational opportunities for members of minorities, it is a distressing process that may leave many unable to benefit from those opportunities. Crucially, the costs associated with linguistic assimilation are not something political liberalism should or can be indifferent to. Indeed, while for Rawls state legislation should be guided by “neutrality of aim” rather than “neutrality of effect” (Rawls 2005a, 193-4), political liberalism should also pay attention to the uneven impact of state policies on the citizenry, and to the unreasonable burdens that specific policies (e.g. monolingual education) may impose upon certain people (Rawls 1999a, 153-4; Laborde 2013; Quong 2006).

However, we should be careful not to ascribe to people certain cultural commitments and linguistic identities, and to assume that all people attribute value to their language as a source of identity. These claims are problematic because they do not give sufficient weight to the subjective element at stake in the evaluation of opportunities, including those offered by linguistic assimilation. Individuals generally make a “judgment” call as to whether the costs involved in taking advantage of an opportunity are too high, either through empirical observations or by appealing to “what we know in general about human interests and human psychology” (Miller 2013, 102). For example, if we observe that “most Sikhs are unwilling to attend schools that prohibit turbans, and are prepared to send their sons to poorer schools rather than abandon the norm, that is good evidence about the magnitude of the costs” (Miller 2013, 104).

But why not go any further than this? Why not ask people about their cultural commitments and beliefs rather than ascribing such commitments to them? Why not ask about how burdensome the costs involved in taking advantage of certain opportunities are for them and their children? In fact, this is the view that Miller himself defends, by arguing that “only democratic debate can yield the kind of information that we need to apply the principle [of equality of opportunity] in a multicultural context” (Miller 2013, 112). As Monique Deveaux points out, “[w]ithout an accurate representation of how particular customs are practiced and affect different individuals, it is difficult to conceive of reforms that will help to protect and empower vulnerable individuals” (Deveaux 2006, 93).

This is even more important in the case of linguistic identities, for two reasons. First, we should engage in democratic deliberation in order to find out about people’s preferences with regard to existing or proposed language policies, and how burdensome they may find them in relation to their linguistic identities. Second, we should also employ democratic deliberation to find out whether people actually *have* the linguistic identities that we think they have. As noted earlier, speaking one language does not mean automatically valuing it as a source of identity rather than as a mere instrument of communication (see De Schutter 2008).

Take Ukraine, for example, where the recent crisis has brought long-standing linguistic divides to the fore. As a result of its troubled history and Soviet legacy, Ukraine displays “vast discrepancy between ethnic and language identities on one hand and between language identity and practice on the other” (Kulyk 2013, 282). More specifically, as a result of the USSR’s promotion of Russian as the lingua franca across its component republics, “most people switching to Russian in their language practice adhered to their Ukrainian ethnic



identity which the regime did not pressure them to renounce, and many also retained the notion of Ukrainian as native language which thus meant an attachment rather than practice (for descendants of those who had switched to Russian, it was often the language they never learned or used but nevertheless identified with)” (Kulyk 2013, 282). Given that languages can have both communicative and identity dimensions, we should assume that the type of discrepancy that exists in Ukraine can also be found, to differing degrees, in other and perhaps even most societies. This makes it even more pressing, for political theorists interested in language policy, to move beyond mere assumptions and judgments about people’s linguistic identities, and rely instead on the more solid knowledge and understanding of such identities that can result from engagement in democratic deliberation (as well as from greater attention to empirical research).

Political liberalism cannot be immune from this challenge. Political liberals, that is, should not make any assumptions as to whether members of linguistic minorities – autochthonous or allochthonous – wish to preserve their linguistic identity or be assimilated into the mainstream language and culture. Linguistic identities, the importance that people attach to them, and the costs associated with renouncing them in order to take advantage of available opportunities, should emerge from democratic deliberation rather than being taken for granted. This is consistent with Rawls’s view, mentioned earlier, that the issue of whether and when the principle of fair equality of opportunity is realized should be object of democratic deliberation and contestation. It will be up to individuals and groups to mobilize in favour of different policy proposals (see Laitin and Reich 2003), with none having the right to establish a specific language policy regime through constitutional or legal means.

The view that Rawls's political liberalism encourages deliberation is, of course, not new. Rawls's view of public reason, we have already seen, requires citizens to justify their position with regard to fundamental matters of justice on the basis of reasons all other citizens could reasonably accept as free and equal. It should not be assumed, however, that such reasons are already predetermined and therefore render public deliberation redundant. On the contrary, as Anthony Simon Laden points out, in order to assess whether a reason is acceptable by our fellow citizens "we will actually have to go and see whether it can be by offering it to our fellow citizens and seeing what sort of responses it brings" (Laden 2001, 197; see also Bonotti 2015). This means that political liberalism provides the foundations for what Laden calls "deliberative liberalism" (Laden 2001, 5).<sup>11</sup>

Furthermore, Rawls points out that "[s]ocial changes over generations also give rise to new groups with different political problems. Views raising new questions related to ethnicity, gender, and race are obvious examples, and the political conceptions that result from these views will debate the current conception. The content of public reason is not fixed, any more than it is defined by any one reasonable political conception" (Rawls 2005a, li). Rawls is therefore not insensitive to the need for a dynamic and constantly changing kind of public reasoning, which allows political values to be redefined and revised on the basis of changing social, cultural and historical circumstances.

Rawls's political liberalism, therefore, allows scope for the kind of democratic deliberation that is necessary in order to decide how the principle of fair equality of opportunity (for Rawls, a fundamental principle of justice) is best realized in the realm of language policy, including education policy. It is through the democratic deliberation involved in the process of public reasoning that individuals can offer their reasons in support of monolingual or

bilingual policies to their fellow citizens, revealing their linguistic identities and the opportunity-related costs that different policies may entail for them. As Sarah Song points out, this process is crucial since “[w]hat counts as sufficiently burdensome such that the groups should be accommodated in some way cannot be determined in advance of deliberative enquiry” (Song 2007, 75). This exchange of “*mutually acceptable reasons*” (Song 2007, 71, original emphasis), which closely mirrors Rawls’s conception of public reasoning, is necessary since “[w]hile the state or employer (or other institution involved in the conflict) bears the burden of justifying the burden imposed on the group, the minority group bears the burden of explaining how a particular law or policy imposes a burden on them” (Song 2007, 75).

Most importantly, according to Rawls’s “wide” (Rawls 2005b, 462) view of public reason, when citizens engage in this process of deliberation they can also appeal to their comprehensive doctrines as long as “in due course proper political reasons – and not reasons given solely by comprehensive doctrines – are presented that are sufficient to support whatever the comprehensive doctrines introduced are said to support” (Rawls 2005b, 462). This also implies that a Rawlsian-inspired democratic deliberation avoids the risk, highlighted by Monique Deveaux, that “[a]n idealized model of deliberation that [...] rules out certain kinds of reasons in advance in the hope that these will not impact deliberation, may succeed only in reinforcing the advantages enjoyed by powerful participants in deliberation” (Deveaux 2006, 105-106).

A conception of democratic deliberation grounded in the ideal of public reason also helps to prevent the potential majoritarian implications of democratic contestation. If deliberation reveals the importance that members of certain linguistic minorities attribute to their

linguistic identity, and to the costs resulting from the imposition upon them of monolingual policies, it is unreasonable for democratic majorities not to legislate accordingly. As we have already seen, the uneven impact of linguistic assimilation on the citizenry is not something political liberalism should or can be indifferent to (Rawls 1999a, 153-4; Laborde 2013; Quong 2006). Ignoring that impact would be unreasonable - especially when it has been highlighted during public deliberation by members of linguistic minorities as one of the reasons in support of (or against) certain language policies concerning fair equality of opportunity. Interestingly, Deveaux invokes the need for “a *stronger* requirement of consensus so that majority views do not automatically hold sway in decision-making or come to dominate dissenting views” (Deveaux 2000, 169, original emphasis). She then highlights that this consensus involves “fair procedures for political deliberation and decision-making” (ibid.) but not the kinds of “conversational constraints” (Deveaux 2000, 170) imposed by the ideal of public reason. However, we have already seen that that ideal does not prevent citizens from invoking their comprehensive doctrines during the process of public deliberation, as that process is necessary in order to establish which reasons will count as “public.”

## **Conclusion**

The implications of political liberalism for linguistic diversity and language policy have been neglected in the vast body of Rawlsian scholarship. In this paper, I have especially examined what kind of equality the state should guarantee speakers of different languages under political liberalism. Both monolingualism and multilingualism policies, I have argued, are permissible under political liberalism with regard to the protection of citizens’ basic rights and liberties and of their self-respect. I have then discussed the implications of Rawls’s idea of fair equality of opportunity for language policy and argued that even though official

monolingualism is in principle permissible under political liberalism, it would be unreasonable to implement when the burden it imposes upon certain individuals and groups are excessive. In these instances various forms of official multilingualism (including bilingual education) may therefore be warranted. This implies that once deliberation has helped us to ascertain people's linguistic identities, the costs they associate with the enjoyment of available opportunities, and their resulting demands with regard to language policy, justice requires that such demands are fulfilled (within practical limits and "where numbers warrant") in order to guarantee fair equality of opportunity for speakers of all languages, and regardless of what democratic majorities may think.

## Acknowledgments

I am extremely grateful to Rémi Léger, Huw Lewis and an anonymous reviewer for their thoughtful, constructive and extensive feedback on earlier drafts of this paper. I would also like to thank Lynn Dobson, Yael Peled, Mathias Thaler, the members of the Political Theory Research Group at the University of Edinburgh, and the audience at the Ideals and Reality in Social Ethics Conference 2014, University of South Wales, for their comments on earlier versions of the paper.

---

<sup>1</sup> For a notable exception, see De Shutter (2008).

<sup>2</sup> While Rawls's assumption is obviously wrong, as most if not all western societies are de facto and increasingly de jure multilingual, it does not preclude the possibility that all citizens *could* share a common language, if not as a common mother tongue at least as a common lingua franca which they could learn and in which they could deliberate. In this sense, Rawls's assumption differs from the much stronger one made by Will Kymlicka, for whom "democratic politics is politics in the vernacular" (Kymlicka 2001, 213), i.e. in one's mother tongue, and democratic political debate is possible "across...religious/ideological/racial cleavages" (Kymlicka 2001, 212) but not across linguistic borders. As it has been shown elsewhere (Archibugi 2005; Bonotti 2013; Van Parijs 2011, 30), Kymlicka's assumption is flawed because people clearly *can* deliberate (and do so effectively) in a language which is not their mother tongue.

<sup>3</sup> For the idea that self-respect demands the public recognition of cultural identities, see also James Tully (1995) and Iris Marion Young (1990).

<sup>4</sup> I overlook here the difference between "self-respect" and "self-esteem" which, unlike in Van Parijs's analysis, are normally treated as two different concepts in contemporary political theory. For my present analysis, it suffices to point out that Van Parijs himself acknowledges Rawls's idea of self-respect as a clear point of reference for his analysis (Van Parijs 2011, 238 note 1).

<sup>5</sup> I am assuming that symbolic state recognition of languages is truly "symbolic." This may not always be the case. Laborde, for example, argues that state recognition of religious symbols involves "too trivial amounts of taxation to raise significant issues about the fairness of public fund allocation" (Laborde 2013, 81). Yet costs seem to be important in relation to the symbolic recognition of languages. For example, while "only" 1% of the EU's budget is earmarked for language services (Gravier and Lundquist 2011, 81), this amount corresponds to approximately half of Burundi's GDP (Van Parijs 2011, 242 note 21). Whether and when the costs of symbolic language recognition are "trivial" may thus be a matter of dispute.

---

<sup>6</sup> See, for example, the case of Ukraine that I discuss later in the paper.

<sup>7</sup> According to De Schutter, linguistic territoriality contravenes the view that “a shared understanding on one comprehensive doctrine can be maintained only by the oppressive use of state power and should therefore not be considered as an ideal” (2008, p. 112).

<sup>8</sup> In this paper, I set aside a discussion of the “difference principle” in relation to language and linguistic justice.

<sup>9</sup> This would still be compatible with guaranteeing the right of minority language speakers to set up private bilingual schools in their own language at their cost, as long as such schools respect the basic rights and liberties of individual children, certain minimum curriculum standards, and guarantee an adequate learning of the majority language – so that children’s fair equality of opportunity to succeed in the broader society is not undermined.

<sup>10</sup> It may be the case, of course, that fair equality of opportunity is not sufficient to prevent further injustices. According to Van Parijs (2011), for example, native proficiency in the dominant language in a multilingual polity can be considered as a natural talent and therefore may not be covered by the principle of fair equality of opportunity. Native speakers, that is, are more likely than non-native speakers to succeed in the social and economic spheres. However, if non-native speakers end up worse off as a result, then the Rawlsian “difference principle” justifies redistributing resources from the wealthier native speakers to the poorer non-native speakers, even though no specific reference to language is required to justify this (Van Parijs 2011, pp. 98-99). I do not have the space to address these issues here.

<sup>11</sup> The deliberative democratic implications of Rawls’s political liberalism have also been famously developed by Joshua Cohen (1989), and by Amy Gutmann and Dennis Thompson (1996). They have also been acknowledged by Rawls himself (Rawls 2005b, p. 448).

## References

- Archibugi, Daniele. 2005. “The Language of Democracy: Vernacular or Esperanto? A Comparison between the Multiculturalist and Cosmopolitan Perspectives.” *Political Studies* 53 (3): 537–555. doi: 10.1111/j.1467-9248.2005.00543.x.
- Baker, Keith A., and de Kanter, Adriana A. (1981). *Effectiveness of Bilingual Education: A Review of the Literature*. Washington, DC: Office of Planning, Budget and Evaluation, US Department of Education.
- Barendt, Eric M. 2005. *Freedom of Speech*. 2<sup>nd</sup> ed. Oxford: Oxford University Press.
- Bonotti, Matteo. 2012. “Beyond Establishment and Separation: Political Liberalism, Religion and Democracy.” *Res Publica* 18 (4): 333-349. doi: 10.1007/s11158-012-9194-2.
- Bonotti, Matteo. 2013. “Politics without the Vernacular: Liberal Culturalism and the Language Policy of the European Union.” *Politics* 33 (3): 196-206. doi: 10.1111/1467-9256.12006.
- Bonotti, Matteo. 2015. “Political Liberalism, Free Speech and Public Reason.” *European Journal of Political Theory* 14 (2): 180-208. doi: 10.1177/1474885114538257.
- Brudney, Daniel. 2005. “On Noncoercive Establishment.” *Political Theory* 33 (6): 812–839. doi: 10.1177/0090591705280371.
- Carens, Joseph H. 2000. *Culture, Citizenship, and Community. A Contextual Exploration of Justice as Evenhandedness*. Oxford: Oxford University Press.
- Cohen, Joshua. 1989. “Deliberation and Democratic Legitimacy.” In *The Good Polity*, edited by Alan Hamlin and Philip Pettit, 17-34. London: Blackwell.
- Danoff, M. N., G. J. Coles, D. H. McLaughlin, and D. J. Reynolds. 1978. *Evaluation of the Impact of ESEA Title VII Spanish/English Bilingual Education Programs. Volume III: Year II Impact Data, Educational Process, and In-depth Analysis*. Palo Alto, CA: American Institutes for Research.
- De Schutter, Helder. 2008. “The Linguistic Territoriality Principle - A Critique.” *Journal of Applied Philosophy* 25 (2): 105-120. doi: 10.1111/j.1468-5930.2008.00397.x.

- 
- Deveaux, Monique. 2000. *Cultural Pluralism and Dilemmas of Justice*. Ithaca and London: Cornell University Press.
- Deveaux, Monique. 2006. *Gender and Justice in Multicultural Liberal States*. Oxford: Oxford University Press.
- Gravier, Magali, and Lita Lundquist. 2011. "Getting Ready for a New Tower of Babel." In *Linguistic Diversity and European Democracy*, edited by Anne Lise Kjær and Silvia Adamo, 75–96. Farnham: Ashgate.
- Gutmann, Amy, and Dennis Thompson. 1996. *Democracy and Disagreement*. Cambridge, MA: Belknap Press).
- Kulyk, Volodymyr. 2013. "Language Policy in Ukraine: What People Want the State to Do." *East European Politics and Societies* 27 (2): 280-307. doi: 10.1177/0888325412474684.
- Kymlicka, Will. 1989. *Liberalism, Community, and Culture*. Oxford: Clarendon Press.
- Kymlicka, Will. 1995. *Multicultural Citizenship*. Oxford: Clarendon Press.
- Kymlicka, Will. 2001. *Politics in the Vernacular*. Oxford: Oxford University Press.
- Laborde, Cécile. 2013. "Political Liberalism and Religion: On Separation and Establishment." *Journal of Political Philosophy* 21 (1): 67–86. doi: 10.1111/j.1467-9760.2011.00404.x.
- Laden, Anthony Simon. 2001. *Reasonably Radical: Deliberative Liberalism and the Politics of Identity*. Ithaca and London: Cornell University Press.
- Laitin, David D., and Rob Reich. 2003. "A Liberal Democratic Approach to Language Justice." In *Language Rights and Political Theory*, edited by Will Kymlicka and Alan Patten, 80-104. Oxford: Oxford University Press.
- McKinnon, Catriona. 2012. *Climate Change and Future Justice: Precaution, Compensation, and Triage*. Abingdon and New York: Routledge.
- Miller, David. 2013. "Liberalism, Equal Opportunities and Cultural Commitments." Chap. 4 in *Justice for Earthlings*. Cambridge: Cambridge University Press.
- Patten, Alan. 2001. "Political Theory and Language Policy." *Political Theory* 29 (5): 691-715. doi: 10.1177/0090591701029005005.
- Patten, Alan. 2009. "Survey Article: The Justification of Minority Language Rights." *Journal of Political Philosophy* 17 (1): 102-128. doi: 10.1111/j.1467-9760.2008.00321.x.
- Pogge, Thomas W. 2003. "Accommodation Rights for Hispanics in the United States." In *Language Rights and Political Theory*, edited by Will Kymlicka and Alan Patten, 105-22. Oxford: Oxford University Press.
- Quong, Jonathan. 2006. "Cultural Exemptions, Expensive Tastes, and Equal Opportunities." *Journal of Applied Philosophy* 23 (1): 53-71. doi: 10.1111/j.1468-5930.2006.00320.x.
- Ramírez, J., S. Yuen and D. Ramey. 1991. *Final Report: Longitudinal Study of Structured English Immersion Strategy, Early-Exit and Late-Exit Transitional Bilingual Education Programs for Language-Minority Children*. San Mateo, CA: Aguirre International.
- Rawls, John. 1999a. *A Theory of Justice*. Revised ed. Oxford: Oxford University Press.
- Rawls, John. 1999b. *The Law of Peoples*. Cambridge, MA: Harvard University Press.
- Rawls, J. 2005a. *Political Liberalism*. Expanded ed. New York: Columbia University Press.
- Rawls, John. 2005b. "The Idea of Public Reason Revisited." In *Political Liberalism*, expanded ed., 435–490. New York: Columbia University Press.

- 
- Song, Sarah. 2007. *Justice, Gender, and the Politics of Multiculturalism*. Cambridge: Cambridge University Press.
- Thomas, W. P., and V. P. Collier, (2002). *A National Study of School Effectiveness for Language Minority Students' Long-Term Academic Achievement*. Santa Cruz, CA: Center for Research on Education, Diversity and Excellence, University of California-Santa Cruz.
- Tully, James. 1995. *Strange Multiplicity: Constitutionalism in an Age of Diversity*. Cambridge: Cambridge University Press.
- Van Parijs, Philippe. 2011. *Linguistic Justice for Europe and the World*. Oxford: Oxford University Press.
- Weinstock, Daniel M. 2003. "The Antinomy of Language Policy." In *Language Rights and Political Theory*, edited by Will Kymlicka and Alan Patten, 250-70. Oxford: Oxford University Press.
- Willig, Ann C. 1985. "A Meta-Analysis of Selected Studies on the Effectiveness of Bilingual Education." *Review of Educational Research* 55 (3): 269-317. doi: 10.3102/00346543055003269.
- Willig, Ann C. 1987. "Examining Bilingual Education Research Through Meta-Analysis and Narrative Review: A Response to Baker." *Review of Educational Research* 57 (3): 363-376. doi: 10.3102/00346543057003363.
- Young, Iris Marion. 1990. *Justice and the Politics of Difference*. Princeton; Oxford: Oxford University Press.