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Language and Ethnic Minority Rights

Lionel Wee

in Language without Rights

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This chapter traces three identifiably distinct groups or movements associated with the concept of language rights and reviews the differences and similarities between these groups. Despite their differences, the three movements share a particular conception of language, one that assumes the existence of neat and clear boundaries between languages. Also, for all three movements, the prototypical cases motivating the appeal to language rights involve speakers of ethnic minority languages. These observations serve to delineate the conceptual and empirical scope of language rights.

Canada and the Canadian Charter of Rights and Freedoms (1982)

David Erdos

in Delegating Rights Protection: The Rise of Bills of Rights in the Westminster World

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This chapter examines the socio-political genesis of the Canadian Charter of Rights and Freedoms (1982). The first part of the chapter examines the immediate political origins of this instrument. It is found that, as an elite federal political project, the Charter was triggered by a felt need to create a new unifying institution to counter the centrifugal forces of Québécois nationalism. The powerful, largely self-interested, and prospective nature of this 'threat to political stability' trigger encouraged elites to push for a fully constitutional instrument, something

which was largely achieved. This trigger also led to a substantive focus on protecting rights integral to building up a pan-Canadian identity including, most particularly, intra-provincial anglophone and francophone linguistic rights. The second part of the chapter explores background social pressure for a constitutional bill of rights during this time. It is found that civil libertarians and social equality seekers, both given added political saliency by the continuing postmaterialization of the Canadian economy and society, were critical advocates of a constitutional bill of rights, helping the federal government defeat counter-mobilization by recalcitrant provincial premiers. In turn, these groups critically structured many of the most important substantive aspects of the Charter. The chapter closes by considering the origins of the aboriginal rights protections and the absence of a right to private property within the Charter.

Language policy and politics

Reem Bassiouney

in Arabic Sociolinguistics

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This chapter provides a snapshot of different language policies in the Arab world, implemented ones and unimplemented ones, and of the ever-evolving relation between language, ideology, nation and state in the Arab world. Section 5.2 begins with a definition of language policy. Section 5.3 examines the general concept of nation and juxtaposes it with that of state, then discusses the relation between the Arab nation and language. Because both ideologies and policies in the Arab world have been shaped by the history of colonisation in the area, mainly British and French colonisation, Section 5.5 compares and contrasts French and British patterns of colonisation and their impact on ideology and policies. Some countries are examined in detail: Algeria, Morocco, Tunisia, Syria, Lebanon, Egypt, Sudan, Israel, and the Palestinian territories. Section 5.6 considers the linguistic situation in Libya and the Gulf countries, and Section 5.7 discusses Arabic language academies and their main objectives. Section 5.8 provides a case study of two interviews with two presidents of Arab countries Syria and Yemen. Section 5.9 concentrates on the concept of linguistic rights with reference to the Arab world, and finally English and globalisation are discussed in Section 5.10.

Affirmative Action for Latinos

Howard McGary (ed.)

in *Debating Race, Ethnicity, and Latino Identity: Jorge J. E. Gracia and His Critics*

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This chapter challenges Jorge J. E. Gracia's particular defense of affirmative action for Latinos. In his book *Latinos in America* (2008), Gracia evaluates the labels "Hispanic identity" and "Latino identity," pointing to the difficulties associated with lumping Latinos together under one label. He also explores the justness of the marketplace for Latinos, the policy of affirmative action, and linguistic rights, and situates Latino understandings of who they are within the boundaries of Latino philosophy understood in the context of American and world philosophies. The chapter describes two forward-looking strategies for affirmative action, one based on utility and one based on justice, and one backward-looking strategy, the rectification of past wrongs. It questions Gracia's proposal for dismissing the backward-looking strategy in favor of the two forward-looking ones, arguing that the forward-looking strategies do not provide proper justification for favoring one social group over another—something that is necessary in affirmative action.

Non-Territorial Autonomy

Markku Suksi

in *Minority Accommodation through Territorial and Non-Territorial Autonomy*

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Three institutional forms of non-territorial autonomy (NTA) are presented as possible mechanisms of governance: personal autonomy, functional autonomy, and national cultural autonomy. National cultural autonomy is singled out for a more detailed study against the backdrop of Bauer and Renner's theories, looking particularly at Estonia, Finland, and Serbia. Because territorial autonomy is clearly more common as a form of organization, different non-territorial forms of autonomy have remained in the sidelines. The need to tailor-make each solution means that setting up non-territorial forms of autonomy is probably perceived as difficult, complex, and arduous. Therefore, and somewhat unjustifiably, the category of NTA is commonly populated by examples of national cultural autonomy. If NTA is set up, such institutions should not become vehicles

of symbolism and of façade participation, but be tasked with realistic functions and the necessary public power for the promotion of, inter alia, the linguistic rights of minorities.

Hispanics/Latinos, Labels, and Latino Philosophy

Renzo Llorente

in *Debating Race, Ethnicity, and Latino Identity: Jorge J. E. Gracia and His Critics*

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This chapter challenges Jorge J. E. Gracia's views about the nature of identity, the meaning of ethnic labels, the sociology of American philosophy, individuation, and linguistic rights. It focuses on four aspects of Gracia's book *Latinos in America* (2008) that it deems problematic in one way or another: Gracia's treatment of the relationship between Latino and Hispanic; his defense of "Latino," as opposed to "Hispanic," as a group label; his conception of Latino philosophy; and his treatment of the debate over language rights. Given that Gracia changes the terminology from "Hispanics" that he favored in *Hispanic/Latino Identity* (2000) to "Latinos" in *Latinos in America*, the chapter argues that Gracia's position with respect to the use of these labels in the two books is inconsistent. It also claims that Gracia does not provide sufficient evidence for the political connotations of "Latino," thus undermining its usefulness, nor for the introduction of the label "Latino philosophy" to refer to a philosophy that combines Latin American philosophy and the philosophy of Latinos in the United States.

Hispanics/Latinos and Philosophy

Jorge J. E. Gracia

in *Debating Race, Ethnicity, and Latino Identity: Jorge J. E. Gracia and His Critics*

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In this chapter, Jorge J. E. Gracia responds to various criticisms of his notion of ethnic philosophy, the use of the label "Latino philosophy" to refer to the philosophy produced both in Latin America and in the United States, the understanding of this philosophy as an ethnic philosophy, and linguistic rights and affirmative action for Latinos. Gracia refers to his two books, *Latinos in America* (2008) and *Hispanic/Latino Identity* (2000),

to defend his position regarding these issues, including the controversy surrounding the use of the labels “Hispanics” versus “Latinos.” He comments on the distinction between ethnos and ethnicity, the political advantages of the use of “Latino,” the difference between Latin American philosophy and Latino philosophy, and the nativism and nationalism that seem to be behind much of the discussion of linguistic rights.

Debating Race, Ethnicity, and Latino Identity

Iván Jaksic (ed.)

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This book recounts a series of discussions between philosopher Jorge J. E. Gracia and fifteen prominent scholars on race, ethnicity, nationality, and Hispanic/Latino identity in the United States. These debates relate to two distinct traditions: the philosophy of race begun by African Americans in the nineteenth century, and the search for an understanding of identity initiated by Latin American philosophers in the sixteenth century. Participants include Linda M. Alcoff, K. Anthony Appiah, Richard J. Bernstein, Lawrence Blum, Robert Gooding-Williams, Eduardo Mendieta, and Lucius T. Outlaw Jr. The resulting dialogues reflect the analytic, Aristotelian, Continental, literary, Marxist, and pragmatic schools of thought. The debates cover the philosophy of Hispanics/Latinos in the United States and then move on to the philosophy of African Americans and Anglo Americans in the United States and the philosophy of Latin Americans in Latin America. Gracia and his interlocutors discuss the nature of race and ethnicity and their relation to nationality, linguistic rights, matters of identity, and affirmative action. They bind the concepts of race and ethnicity together in ways that open up new paths of inquiry. Gracia's familial-historical theory of ethnic and Hispanic/Latino identity operates at the center of each of these discussions, providing access to the philosopher's arguments while adding depth to issues that can be difficult to understand.

Latino and Latin American Philosophy

María Cristina González and Nora Stigol

in *Debating Race, Ethnicity, and Latino Identity*: Jorge J. E. Gracia and His Critics

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This chapter challenges Jorge J. E. Gracia's notion of a Latino philosophy as well as of Latino philosophers. In his book *Latinos in America* (2008), Gracia addresses three questions that constitute the core of the so-called Latino challenge: What is it to be Latino? What is the place of Latinos in America? And how do Latinos think about themselves and their identity? In his response, Gracia develops and uses a theoretical tool to identify Latinos that he dubs the Familial-Historical View. He examines various conspicuously controversial issues related to Latino identity such as their linguistic rights, the advantages and disadvantages of affirmative action for Latinos, and the place of Latinos in the marketplace within the field of professional philosophy. Finally, he performs an in-depth examination of Latino philosophy. This chapter argues that Gracia fails to take into account the important differences between Latin American philosophy and the philosophers who work in Latin America and in the United States.