

# Linguistic Human Rights

## Overcoming Linguistic Discrimination

*Edited by*

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*in collaboration with*

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# Contents

Introduction	
<i>Robert Phillipson – Mart Rannut – Tove Skutnabb-Kangas . . .</i>	1
<b>I THE SCOPE OF LINGUISTIC HUMAN RIGHTS</b>	
Section introduction . . . . .	25
Combining immigrant and autochthonous language rights: a territorial approach to multilingualism	
<i>François Grin . . . . .</i>	31
On the limits of ethnolinguistic democracy	
<i>Joshua A. Fishman . . . . .</i>	49
Linguistic human rights and educational policy in Russia	
<i>Alexei A. Leontiev . . . . .</i>	63
Linguistic human rights, past and present	
<i>Tove Skutnabb-Kangas – Robert Phillipson . . . . .</i>	71
Typology of language legislation	
<i>Joseph-G. Turi . . . . .</i>	111
Personal names and human rights	
<i>Björn H. Jernudd . . . . .</i>	121
<b>II COUNTRY STUDIES: TOWARDS EMPOWERMENT</b>	
Section introduction . . . . .	135
Language policy in the United States: a history of cultural genocide	
<i>Eduardo Hernández-Chávez . . . . .</i>	141
The discourse of disinformation: the debate on bilingual education and language rights in the United States	
<i>Jim Cummins . . . . .</i>	159
Beyond linguistic policy: the Soviet Union versus Estonia	
<i>Mart Rannut . . . . .</i>	179
Māori language rights in New Zealand	
<i>Tīmoti S. Kāretu . . . . .</i>	209

The Sámi Language Act <i>Ole Henrik Magga</i> . . . . .	219
Australia's language policies and minority rights: a core value perspective <i>J. J. Smolicz</i> . . . . .	235
Combating educational disadvantage among Lebanese Australian children <i>John Gibbons — William White — Pauline Gibbons</i> . . . . .	253
III POST-COLONIAL DILEMMAS AND STRUGGLES	
Section introduction . . . . .	265
Indigenous education in Latin America: policies and legal frameworks <i>Rainer Enrique Hamel</i> . . . . .	271
Linguistic rights for Amerindian peoples in Latin America <i>Rainer Enrique Hamel</i> . . . . .	289
"Minority" cultures and their communication rights <i>Lachman M. Khubchandani</i> . . . . .	305
Kashmiri, a majority-minority language: an exploratory essay <i>Makhan L. Tickoo</i> . . . . .	317
Language rights in postcolonial Africa <i>Robert Phillipson — Tove Skutnabb-Kangas</i> . . . . .	335
Killing a mother tongue — how the Kurds are deprived of linguistic human rights <i>Tove Skutnabb-Kangas — Sertaç Bucak</i> . . . . .	347
Appendix	
Extracts from selected UN and regional documents covering linguistic human rights, proposals for such and resolutions on language rights . . . . .	371
Consolidated bibliography . . . . .	413
Notes on contributors . . . . .	453
Language index . . . . .	457
Person index . . . . .	462
Subject index . . . . .	468

## **Indigenous education in Latin America: policies and legal frameworks<sup>1</sup>**

*Rainer Enrique Hamel*

In Latin America most Indian<sup>2</sup> peoples are still far from enjoying the fundamental indigenous rights<sup>3</sup> which are considered essential to create a context for autonomous development and thus the survival of indigenous ethnias.<sup>4</sup>

In the first place, the right to use their own languages for official and educational purposes has been denied to the vast majority of Amerindian peoples since colonization, because the dominant societies considered the languages an obstacle to assimilation and national homogenization. Second, to grant the right of self-determination and control to a minority would contradict fundamental legal, ideological, and socio-economic convictions about the nation and the state, including the military doctrine of national security imposed by the USA during the era of military dictatorships since the sixties.

The central controversy underlying this conflict refers to the question whether it is possible to build plurilingual and pluricultural states that are able and willing to reconcile the forging of a national identity and unity with the preservation of linguistic and cultural diversity.

It is doubtless the project of building homogeneous, monolingual and monocultural nation states shaped on the European model that emerges as the main obstacle to an independent, ethnicity-based development of Indian education. After independence most Latin American constitutions based on a liberal and positivist philosophy extended the general principles of freedom and equality to all citizens including the Indians. Since no one should be discriminated against because of their race, language, gender, or religion, education had to be equal for everyone and was supposed to contribute to the overall objective of creating a homogeneous population. As we shall see later, the inherent contradiction between the postulated formal equality and the factual inequality turned the abstract legal principle into its opposite and helped to maintain discrimination in most cases.

In this paper I shall first give some basic data about the indigenous population in Latin America. Next, the main strategies and models of indigenous education in Latin America will be outlined, including some data on the legal framework of education. Third, Indian education will be exemplified with the cases of Mexico and Brazil, Latin American's most important countries, that contrast in almost all aspects of indigenous population and education. Finally, I shall draw some conclusions about differences and similarities in indigenous education in Latin America.

### *Amerindian population*

Today more than 30 million Indians representing approximately 400 ethnolinguistic peoples<sup>5</sup> live in Latin America.<sup>6</sup> An extreme diversity of numbers<sup>7</sup>, demographic density, linguistic (and sociolinguistic) differentiation, and degrees of assimilation are characteristic of their actual conditions of life. Taking into account this heterogeneity, three main groupings could be distinguished among Amerindian peoples (cf. *América Indígena*, L, 1, 1990: 20).

The first and most important comprises at least 80% of the indigenous population and is concentrated in two *macro-ethnias* located in the areas where highly differentiated societies existed before the European conquest; one occupies the *Mesoamerican plateau* containing central Mexico (6 to 8 million), Guatemala (3.4 million), and Belize (24.000)(cf. Suárez 1983). Some 80 languages are spoken by this ethnic family, among them Náhuatl (the main language of the ancient Aztec empire) and Mayan as the most important ones. The other one is located in the *Andean area* from the south of Columbia to the north of Chile, including Ecuador, Peru, and Bolivia as the most important countries with Amerindian population (cf. Rodríguez et al. 1983). Here 2 languages, Quechua (12 millions) and Aymara (3 million), are dominant.

The second grouping is subdivided into more than 300 languages and comprises some 7 million members scattered over the whole of the Latin American territory. Their main areas of residence are located in Central America (except Guatemala and Belize), the Caribbean coast of South America, the Amazonian basin, and the extreme south of the continent (Argentina and Chile). Different from the first, this ensemble of Amerindian micro-ethnias is characterized by low demographic density, high linguistic diversity, and a wide variety of stages on the continuum of

socioeconomic and cultural assimilation that range from still fairly isolated hunter and gatherer societies to almost fully assimilated groups.

The third and relatively new grouping is growing fast at the expense of the other two (cf. *América Indígena*, L, 1, 1990): it comprises the *urban indigenous population* of several millions that share the living conditions of the urban sub-proletariat dwelling in the huge shanty-towns that surround Latin American big cities. Capitals like Lima, Mexico and Guatemala City, La Paz, or Quito bear the mark of an increasing Amerindian population that interfere decisively with recent urban processes and the forging of new multicultural societies.<sup>8</sup>

From the perspective of the national states and their indigenous population, Latin America could be subdivided into 5 groups of countries: 1. *Uruguay* and *Caribbean* countries like *Cuba*, where the Indian population has been exterminated; 2. countries like *Brazil* (0.17%), *Costa Rica* (0.8%), *Argentina* (1%), *Venezuela* (1.5%), *Columbia* (2.2%), *El Salvador* (2.3%), *Paraguay* (2.3%)<sup>9</sup>, and *Honduras* (3.2%) with a minute or relatively small percentage of Amerindian population; 3. countries like *Chile* (5.7) with a somewhat larger indigenous population but with relatively little weight in socioeconomic and political terms; 4. *Mexico* (9%)<sup>10</sup>, *Peru* (27%), and *Ecuador* (33.9%) where the aboriginal population plays a significant historical, ideological and political role since they descend from ancient highly complex cultures, apart from their demographic weight; 5. and finally countries like *Bolivia* (59.2%) and *Guatemala* (59.7%), where the Indian peoples not only belong to ancient cultures but also amount to more than half of the population.

### *Indigenous education in Latin America: basic strategies*

In Latin American history two radically divergent types of indigenous policies were translated into action to deal with the "Indian problem". One considered trying to integrate the Indian population impossible or of little value; consequently, this policy combined segregation with genocide causing the total extermination of the aboriginal population in Uruguay and most Caribbean countries; a reduction to extremely small numbers in Argentina<sup>11</sup>, Brazil, and some other countries where genocide has still been practised in recent years; or it brought about a partial extermination as in Chile until the end of the 19th century.

The other position considered the so-called "integration"<sup>12</sup> of Indian populations a necessary and possible policy that would lead to a disso-

lution of aboriginal tribes through their mixture with the colonial society and the "white race", as happened in Mexico, Guatemala, and, partially, in the Andean states.

In the latter countries two basic strategies to reach the proposed aims developed over time in the fields of language policy (cf. Heath 1972; Orlandi 1988; Escobar 1988; Albó 1988a, b; Plaza — Albó 1989, etc.) and education for Indians (cf. Rodríguez et al. 1983; Zúñiga et al. 1987; López 1989; López — Moya 1990).

The first and generally dominant strategy considered the assimilation (i. e. dissolution) of Indian peoples and the suppression of their languages as a prerequisite for building up a unified nation state. A second position favoured the preservation of Indian languages and cultures in this process, without giving up the ultimate aim of uniting nation and state. Up to a certain point, this controversy was reflected in education and Spanish teaching — the main pillars of cultural policies for the Indians — through two basic approaches which differed considerably in their cultural and educational philosophy and methods, their view on socio-cultural integration, and, above all, in their procedure of using and teaching Spanish as the national language.

The first strategy imposed direct Hispanization: the national language was considered to be the only target and medium of instruction; teaching materials, content, and methods were the exclusive preserve of the dominant society, in accordance with the objective of assimilation. Speaking in modern terms, we would call this procedure a *submersion programme*.

*Transitional programmes* reflected the second strategy; they applied diverse bilingual methods where the Indian language played a subordinate, instrumental role as language of instruction and for initial alphabetization. This alternative emerged in the 1930s and 1940s as experimental programmes<sup>13</sup> because of the absolute sociopolitical and educational failure of the submersion programmes. The Indian languages were no longer considered to be an obstacle, but a useful tool for cultural transition. The principle that anyone learns better in her or his mother tongue was becoming generally accepted at that time.<sup>14</sup>

No clear *maintenance programmes* materialized in that period. Nevertheless, some of the most progressive pilot projects led by pro-Indian anthropologists did contain elements of maintenance programmes, mainly through L1 literacy and a series of contextual ethnic activities. Given their limited pedagogical resources, and — in the long run — political support, however, they eventually turned into transitional programmes.



Important changes have begun to surface since the 1970s. The emergence of Indian movements throughout the continent (cf. Grupo de Barbados 1979; Bonfil 1981; Rodríguez et al. 1983), progressive nationalist governments in some countries, and a growing awareness of the multilingual and multiethnic nature of their states among the more critical sections of society — all these elements are contributing to the rise of alternative, genuinely bilingual, intercultural and pluralistic models of Indian education. Such projects appeared as official policy or pilot projects in Peru in the 70s, and in Ecuador, Mexico, Guatemala, and Nicaragua in the 80s.

Clearly opposed to previous models, the new programmes are based on a pluricultural conception of the state and full respect for Indian peoples and their ethnic rights. They claim as their target the maintenance or revitalization of Indian cultures and languages (cf. *América Indígena*, XLVII, 3, 4, 1987). According to the new philosophy, indigenous culture in the curriculum should not be restricted to content (Indian folktales and songs), but cover the full range of material, social, cognitive, and linguistic aspects of culture.<sup>15</sup> The consequent pursuit of such a perspective has even raised doubts about the appropriateness of formal education — an occidental, dominant institution par excellence — for Indian peoples as such.

Until today, however, pluriethnic programmes of Indian education represent a goal, sometimes an officially declared policy, rather than a real practice (cf. Varese 1983). Important backlashes, as in Peru, or ambiguities, as in Mexico, often occur due to changing political constellations. And, of course, many theoretical, methodological, and practical problems remain unsolved. (cf. Amadio 1987a; Modiano 1988).

### *Pluriethnic education and the Indian movement*

Whereas in the submersion and transitional models, Indian groups and individuals played a more passive than active role, and legal aspects remained rather marginal, in the struggle for a pluralist maintenance model of education, both *Indian movements* and the question of *Indian educational and linguistic rights*<sup>16</sup> become a central issue.

It appears that the most conscious Indian organizations have already gone beyond traditional demands such as access to education that could be satisfied within the established system. The new element in their struggle consists in the fact that some movements now question the

*legitimacy* of the state to design and impose models of assimilation, transition, or even maintenance in indigenous education. A genuine bilingual intercultural model of native education would seem to require at this stage that there exists an Indian movement strong enough and capable of taking over control and developing a basic programme for native education, possibly with the support and advice of experts outside the ethnia; and that the dominant classes of the state cede sufficient economic, political, and cultural autonomy and resources for the minority peoples to organize themselves according to their own principles. Only then a new relationship of *integration*, i. e. a process of mutual negotiation and change (cf. Skutnabb-Kangas 1991d), could be initiated that might eventually lead to minority programmes of maintenance and enrichment without segregation.

The legal basis and the multicultural awareness of both minorities and dominant groups for such a framework of autonomy is, however, far from the reality in Latin America. Although all countries in the area grant the right to public education and equality of access in their constitutions, more than half of them do not establish any specific legislation concerning the education of linguistic minorities. Among those that do, *Bolivia*<sup>17</sup>, *Peru* and *Mexico* stipulate that literacy should be achieved through L1 to facilitate transition to L2 as soon as possible. Others like *Brazil*, *Columbia*<sup>18</sup>, *Ecuador*, *Panama* and *Guatemala* decree bilingual intercultural education without any specific definition of purpose (transitional or otherwise) or limit education in the indigenous languages to the audio-oral skills like Paraguay.

*Peru* represents a fairly unique case in the recent Latin American history of Indian education (cf. Paulston 1988a; López — Moya 1990). Between 1968 and 1975, a progressive military regime under Velasco Alvarado initiated a series of radical reforms including the expropriation of strategic resources and large land estates ("latifundios"). In this context, the military government also tried to break the power of the urban and rural oligarchy in the domains of culture and language in order to establish a genuinely multiethnic space for the indigenous cultures. For the first time, education was not considered only an instrument to hispanize and assimilate the Indian population, but a tool for permanent bilingual and bicultural development beyond the narrow barriers of the school (cf. Escobar 1975, 1983; Pozzi-Escot 1988; Cerrón-Palomino 1989). However, the violent reaction of the white and mestizo bourgeoisie against being forced to learn Quechua impeded any real bilingual programme for the majority to be put to practice.

Generally speaking, the overall objective of almost all constitutions and educational laws is to assimilate the Indians as individuals into the nation. Legal prescriptions range from covert prohibition of use of the Indian languages at school to rare cases of overt maintenance-oriented permission.<sup>19</sup>

### *Indian education in Mexico and Brazil*

As an example of the wide range of cases I shall examine the programmatic debates and practical implementations of Indian education in Mexico and Brazil, the two most important countries in terms of economic, political and demographic weight (80 and 140 million inhabitants) in Latin America. At the same time they represent polar cases that contrast in most aspects concerning Indian minorities: their quantitative role, the countries' history of colonization ("mestizaje" and assimilation vs. genocide and segregation), legislation (non-recognition but acceptance as citizens vs. paternalistic legal tutelage), and educational programmes (governmental policies and monopoly institutions vs. negligence and private initiatives).<sup>20</sup>

#### *Mexico*

Mexico corresponds to the general picture of language policy and Indian education sketched above.<sup>21</sup> There was no question about the necessity and possibility of integrating the native peoples, who formed the majority of the population until the second half of the 19th century; systematic genocide has never been a real option as in some other Latin American countries. The question was rather *how* integration should be achieved. Throughout history the two basic approaches — direct Hispanization vs. transitional bilingual education — developed and were used at different times (cf. Sánchez Cámara — Ayala 1979; Scanlon — Lezama Morfín 1982).

In 1988, 7,671 pre-primary and 18,446 primary school teachers, all of them Indians, offered services to some 690,000 children of school age. Until 1988, 84 primers and teacher's manuals in more than 36 of the 56 Indian languages were printed, together with other teaching materials (cf. González Gaudio 1988).

During the past administration (1982 to 1988) the Office of Indian Education (Dirección General de Educación Indígena — DGEI) in the

Federal Ministry of Public Education, developed a programme of bilingual and bicultural education that was to provide instruction to all Indians from pre-primary (kindergarten) through grade 6.

The programme proposed a radical change of perspective as compared to previous curricula in that it recognized the necessity of teaching literacy in the vernacular language. The education of monolingual Indian children should start at the age of 5 with 2 years of alphabetization in the vernacular language (pre-school year and 1st grade). Spanish audio-oral skills for communicative and academic purposes should be introduced in the 2nd year; and only in the 3rd grade were reading and writing skills to be taught in Spanish, in the hope that transfer strategies would help to acquire these skills relatively fast. During the 7 years of elementary education (pre-school + 6 grades), the Indian languages should function as the main languages of instruction in all subjects. Furthermore indigenous cultural topics were to be introduced in the curriculum.

Generally speaking, this curriculum takes into account important findings from international research (cf. Cummins 1984; Cummins – Swain 1986; Harley et al. 1990). It contains the necessary characteristics of a maintenance programme which could in principle, depending on modalities of application, produce additive bilingualism and foster cultural and ethnic identity. At the same time, it could contribute to reaching satisfactory levels of academic achievement and communicative skills in both languages.

During the 1984–85 and 1985–86 school years, the programme and existing teaching materials were tested in some 40 pilot schools in the Nahuatl, Zapotec, Mixtec, and Mixe language areas. Unfortunately, no results of this evaluation are known. The pilot projects were interrupted and the massive adoption of the programme that had been planned for 1987 has been suspended because of political opposition that was never made public.

Since 1990 we face a new setback in relation to prior decisions in educational policy. Thus L1 literacy is again being severely questioned in the context of an overall programme of educational modernization (cf. SEP 1990) that claims to prepare Mexican students for the new challenges in connection with the new Free Trade Agreement with the USA and Canada.

At the present a great variety of pedagogical practices are in use in the Indian Educational System. They include direct Spanish teaching as the basic method, using the monolingual Spanish primer as the only textbook, intuitive (i. e. non systematic) use of the vernacular as language

of instruction, and many other improvised procedures. These reflect the inadequacies of teaching materials, and the immense range of ethnic, sociolinguistic, and administrative diversity which is characteristic of Mexican Indian education (cf. Hamel 1984, 1988b).<sup>22</sup>

The central debate in Mexico, a controversy that is hardly ever carried out in public, focusses on the following issues:

1. To what extent is the government prepared to grant relative autonomy to the system of Indian Education? By the end of the last administration in 1988, it seemed that autonomy was granted to teach literacy and other content matters in L1 where appropriate; but teaching content had to be kept homogeneous and must follow the national compulsory curriculum for Spanish-speaking children. In other words, bilingualism was accepted to a certain extent, yet biculturalism was not.
2. To what extent are Indian-language literacy skills and content matters desirable for the pedagogical development of the child? Are there research findings that not only prove or demonstrate the convenience of developing literacy and other cognitively demanding skills in L1, but also convince the Mexican politicians and experts who are the policy-makers? Up to now, almost no research findings from studies in Mexico on these topics are available.
3. To what extent is a programme based on L1 literacy acceptable to Indian communities who have always considered the public school as a means of Hispanization and assumed upward social mobility? Most inquiries among Indians only reproduce the well-known stereotype that Indian communities really want to use only the official language at school.<sup>23</sup>
4. To what extent do the emerging Indian movements develop educational objectives and models of their own that may enter and, eventually, substitute the official curricula?<sup>24</sup>

### *Brazil*

Brazil is a typical representative of those countries that combined genocide with segregation and paternalistic tutelage in the past (cf. Ribeiro 1970), reducing the indigenous population from some 5 million at the time of colonization to 200.000 today.<sup>25</sup>

For a long time, Indian peoples lived under military control. The government made little effort to provide Indians with public education.

By 1980, only 5 language groups out of 170 received specific education by state agencies. Catholic missions and over 25 foreign protestant sects set up local educational projects that ranged from submersion programmes to fully bilingual programmes with L1 instruction (cf. Melià 1979; Montserrat 1989). Altogether less than 10% of the Indian population of school age were offered formal education by 1980 (cf. Varese — Rodríguez 1983). According to my own experience in 1989, this situation has improved significantly, due to the work of a number of non governmental organizations (NGOs), some of which have developed very promising experimental programmes and produced some teaching materials.<sup>26</sup> Unfortunately, very few of these programmes are sufficiently documented<sup>27</sup>, and virtually no solid research on bilingual education exists.

On the other hand, important gains for Indian rights were achieved with the new Constitution in 1988 (cf. Hamel, this volume). Article 210 concerning public education establishes that Portuguese is the language of instruction in primary education. Nevertheless, Indian communities are granted the right to use their mother tongues and their own learning procedures during primary education. Throughout 1989 and 1990 intensive debates took place to elaborate proposals for specific laws, decrees, and the regulation of Indian education. For instance, a new bill on education (*Diretrizes e Bases da Educação Nacional*, article 52) submitted to Parliament in 1989 (cf. *Boletim Jurídico*, 1, 5, 1989:3) contains important specifications for Indian community education. They demand bilingual and intercultural education for Indian peoples that helps to foster Indian social organization, cultures, customs, languages, beliefs, and traditions. Programmes should strengthen the sociocultural use of mother tongues and elaborate specific methods for L1 and L2 teaching. Teacher training for Indian staff, flexible curricula, evaluation programmes and procedures, as well as differentiated teaching materials and time-tables according to agricultural cycles, etc. are also on the agenda.

All these legal improvements could no doubt inspire optimism if it were not for the well-known fact that legal protection did not prevent the dominant society from committing acts of genocide over many years. At the time of writing, it is still too early to evaluate or even know in detail the outcome of the legislation process. Even less do we know what real changes in Indian education may emanate from legislation.

Compared to Mexico the situation of many Indian peoples in Brazil is that of relative isolation and preservation of important traits of their traditional tribal culture; they have been subjected though to rapid change

during recent years. The clearcut ethnic boundaries (cf. Barth 1969) between the Brazilian dominant, non-Indian society and the Indian peoples has a considerable influence on the debate about Indian education. Different from Mexico again, there is hardly any question that Indians need some kind of specific education of their own.

Two chains of argument concerning *literacy in L1 or L2* could be identified.

1. The first advocates of *literacy in L1* based on a justification that is common elsewhere (cf. Montserrat 1987): *Technical and professional* arguments support the view that alphabetization in L2 is difficult due to learners' limited competence in that language; literacy in L1 is faster, afterwards strategies of transfer to L2 can operate. *Political and cultural* arguments include the higher valorization of Indian culture through L1 education; every individual's right to acquire literacy in her or his own language; and that literacy in L1 contributes to a modernization and standardization of Indian languages which is necessary for their survival.
2. The other position advocates *L2 literacy*. Whereas in Mexico L2 literacy is justified on the basis of folk theories like "maximum exposure", and with the necessity to assimilate, to grant upward mobility, etc., in Brazil the sharp ethnolinguistic dualism serves to justify L2 literacy (cf. Ladeira 1981) on the *technical* grounds that literacy in L1 would only produce "semi-literates" anyway; or the support of L2 literacy is based on *political and cultural* arguments such as Fishman's well-known postulate that cultural and linguistic maintenance could only be guaranteed if a clear division of functions and forms between the cultures and languages (diglossia and di-ethnia) is preserved.<sup>28</sup> Since the school is considered to be an instrument of the dominant occidental society and belongs to the "they-code" universe, Indian languages and cultures should be kept out of school in order to avoid their hegemonization, assimilation, and refunctionalization.<sup>29</sup> Furthermore, literacy in L1 is supposed to provoke violent changes in a non-literate society and reflects an ethnocentrist view which takes the written language as the best form to transmit knowledge, even cultural knowledge from a society based on orality. Furthermore, literacy in L2 (and oral acquisition of Portuguese) are needed for contact and wider communication; their learning avoids most of the problems mentioned before.

The two positions represent specific variants of the international controversy between proponents and opponents of L1 literacy (cf. Skutnabb-Kangas 1986). In my view it would be inadequate in the Brazilian case to identify opponents of L1 literacy altogether with an assimilation-oriented, generally conservative position, and, vice versa, proponents with progressive supporters of maintenance, as happens in the USA and elsewhere.<sup>30</sup> The two sets of arguments reflect different views of ethnicity, cultural contact, the role of the school as an institution, and political control in a socio-economic and cultural context which contrasts significantly with other situations (e. g. migrants in industrialized countries). On the whole, basic psycholinguistic issues related to language choice and acquisition are dealt with much less than the central political question of political and ethnic control, which occupies a salient position in the Brazilian debate. Thus, alphabetization as an occidental mode of world view, cognition, and communication are seen as a menace to orality-based Indian cultures as such, irrespective, up to a certain point, of the language chosen. Inspired by Freire's tradition of grounding alphabetization in the creation of political and cultural awareness, researchers and activists are involved in developing methods, techniques, and materials that are meant to reduce the effect of alienation and help Indian ethnicities to achieve control over their education.<sup>31</sup>

In sum, Brazilian education for Indian minorities shows both weaknesses and encouraging perspectives in its legal and educational aspects. Given small numbers, extreme linguistic diversity, and a comparatively low — but growing — level of Indian participation and control, the position of Indian organizations is still rather defensive. On the other hand, important steps forward have been made in recent years in terms of political organization, the legal framework, national and international awareness<sup>32</sup>, and educational experience. According to most observers, the Indian movement made considerable gains in Indian ethnic rights with the new constitution (Sierra 1993 b). As claims Montserrat (1989), the immediate task is now to formulate and promulgate specific laws and regulations, and to design a national policy of Indian education.

At the level of local projects, significant experience has been gained through pilot projects which show the viability and also the limits of a wide range of approaches. The most innovative, successful, and participative projects and experiences of Indian bilingual and bicultural education are carried out by NGOs. One central problem in most initiatives is little endurance and continuity, lack of materials and professional



support, as well as absence of documentation and research about on-going projects.

In my view, the most important strategy to follow at present would be to support, encourage and initiate local projects, starting wherever possible from an Indian initiative. New experiments and pilot projects would have to be accompanied by integrative, multidisciplinary research capable of evaluating and testing specific aspects of the process, and of furnishing constant feedback to the educational process itself.

### *Mexico, Brazil, Latin America: convergence and divergence*

This brief comparison highlights Mexico and Brazil as two contrastive poles on a continuum of Latin American legal frameworks, educational programmes, and debates on indigenous education. Many of the differences are due to fundamental contrasts in the Indians' historical, socio-economic, and cultural modes of existence in each country.

Whereas in Mexico the historical role of Indian peoples for the foundation of the nation and their reciprocal, inclusive identity — as Indians *and* Mexican citizens — is hardly denied by anyone, Brazilian Indians remain separated from the nation in the consciousness of probably a majority in both societies. In addition to small numbers, this explains, at least in part, why it seems much easier in Brazil than in Mexico (or Peru, Bolivia, and Ecuador) to grant a certain autonomy in education as regards cultural content, methods, and language. In Mexico, by contrast, the "raison d'état" does not allow an important, supposedly integrated portion of the national population to break away from "mainstream" society in such a crucial, highly ideological field as public education.

In general terms, the dominant groups in Latin American societies persist with varying strategies in their resistance against sharing power with the indigenous minorities and against transforming their nations into pluricultural states. Education is one of the crucial fields in this controversy. The hegemonic strategy still pursues assimilation through a variety of submersion or transitional programmes. Exceptionally programmes can be found that come at least near to real bilingual maintenance courses, mainly through various different processes: either through initiatives launched and strongly supported from outside the indigenous group<sup>33</sup>; in situations where indigenous groups succeed in subverting existing programmes, or where their movements gained enough strength to establish a certain degree of autonomy in education (e. g. the Shuar

in Ecuador, cf. Laje 1983; Kummer 1985). In the long run, true bilingual maintenance programmes will probably have a chance to consolidate where they are based on indigenous movements strong enough to have achieved autonomy and control over their own education.

### Notes

1. Investigation for this paper is related to the Research Project "Language acquisition and academic development of Indian primary students", sponsored by the Mexican National Council for Research and Technology (Consejo Nacional de Ciencia y Tecnología – CONACYT) under the title D113–903962. A travel grant provided by CONACYT under title A128CC0E900410 to present this paper at the IX World Congress of Applied Linguistics in Thessaloniki, Greece, is gratefully acknowledged. I am also grateful to Tove Skutnabb-Kangas and Robert Phillipson for their very valuable comments on an earlier version of this and my other chapter in this volume.
2. Ever since the definition of the new territories as part of the Indies ("El Consejo de las Indias", etc.) at the beginning of Spanish and Portuguese colonization, the term "Indian" has become a widespread symbol of identification in Latin America in many concepts like "Indoamérica, indianidad"; today it bears no relationship with India for Latin American speakers. No doubt the word "indio" had and still has a discriminating connotation in a number of contexts and has therefore been replaced by the less specific "indígena" (= indigenous) in public and academic discourse. Over the past decades, however, the Indian population themselves have increasingly vindicated the term "indio" and its derivatives (cf. Bonfil 1981), perhaps in a similar process that made black people in the USA want to be called just blacks. For all these reasons, I shall adhere to the common habit in Latin America of using "Indian", most of the times in its combination "Amerindian", alongside with indigenous.
3. See e.g. the Draft Universal Declaration of Indigenous Rights (1989) which not only demands the recognition of an abstract right to use indigenous languages and to have access to education through the native idiom, but connects these demands with the fundamental claim of autonomy to organize and control the contexts of local language use and education according to the ethnia's own cultural patterns and traditions, and to dispose of the necessary resources for this purpose.
4. Schermerhorn's (1970) criteria (real or putative ancestry, memories of shared historical past, cultural focus on one or more symbolic elements for an ethnic group) may serve as a starting point to define ethnic groups on the macro-level topics dealt with in this article. My own sociolinguistic studies about Mexican Indians on the micro-level of social and verbal interaction (1988a), however show the limits of such global definitions. Very often, if not normally, ethnicity, like identity (cf. Wald – Poutignat 1982), exists in a fragmentary and contradictory way in the ethnic members' consciousness and action. It is constantly negotiated and has to be seen rather as a relation (like power, hegemony, etc.) than a substance (cf. Skutnabb-Kangas' (1990) concept of ambo-definitions (relational identifications) of ethnicity).
5. It is not my purpose to engage here in the complex debate about language classification. Typologies range from 300 to 600 languages for the American continent, according to

intrinsic principles of linguistic classification (cf. Arana de Swadesh et al. 1975; Suárez 1983; Muntzel — Pérez González 1987; Maurais 1991). Important classifications are Ruhlen (1987) for Amerindia, Suárez (1983) for Mesoamerica, and Rodríguez (1986) for Brazil.

6. Statistics about Indian demography are very poor in most countries; moreover, criteria to define membership of an ethnic minority are extremely difficult to establish since they imply complicated aspects of identification, identity, and ethnolinguistic consciousness (cf. Stavenhagen 1984; Rodríguez et al. 1983), among other criteria. Thus, the Mexican census of 1910 counts 51 language groups, the one of 1950 only 30, and the 1980 census 41 (cf. Valdés 1988). As almost everywhere, official census data tend to underestimate the indigenous population, whereas figures forwarded by indigenous groups and activists sometimes grossly overrate the aboriginal population.
7. According to Ruhlen (1987: 204), only 17 languages count more than 100,000 speakers (figures in millions): Quechua (7.00), Guaraní (3.00), Aymara (1.50), Náhuatl (= Aztec) (1.00), Quiché (Mayan) (.87), Yucatec (Mayan) (.53), Zapotec (.50), Mapudungu (= Mapuche, Araucarian) (.44), Cakchiquel (Mayan) (.41), Mazahua (.35), Totonac (.27), Kekchi (Mayan) (.27), Mam (Mayan) (.26), Mixtec (.25), Hñan'ñhú (= Otomí) (.22), Mazatec (.12), Tzotzil (Mayan) (.11). The rest of the language groups only have a median of 1,400 speakers. (Note that Ruhlen 1987 gives much lower figures than other sources do).
8. State authorities do not normally recognize this urban population as belonging to an ethno-linguistic minority. Since there has been very little research on these new groups until recently (but see Pellicer 1988), they will not be dealt with in this text.
9. Paraguay is a special case; some 40,000 Amerindians organized in 17 language groups exist today (cf. Bartolomé 1989). Apart from these ethnic groups, the majority of the population speak Guaraní, which is divided into two distinct varieties: indigenous Guaraní, an ethnic language used mainly in the domain of religion; and Paraguayan Guaraní, the supra-regional "lingua franca" strongly influenced by its contact with Spanish (cf. Melià 1974, 1988). Paraguay is the only country in Latin America with a predominantly bilingual population: in 1982, 48.3% Paraguayans were bilingual (Guaraní and Spanish), 41.1% monolingual in Guaraní, and only a tiny minority of 4.2% spoke only Spanish (cf. Corvalán 1989; von Gleich 1989).
10. Figures about indigenous population in Mexico diverge significantly. The smallest is given by the national census of 1980 with 9.0% (5.18 million, counting the indigenous population above 5 years compared to the total population above 5 years, cf. Valdés 1988: 38); the largest by Mayer — Masferrer (1979): "La población indígena en América Latina", in: *América Indígena*, XXXIX, 2, with 12.4% for about the same period (quoted in Masferrer 1983).
11. During the last century, when Independence was already achieved and Indians were granted citizens' right, the government organized various military expeditions into Indians' land to exterminate the native population in a very similar procedure to the USA (cf. Stavenhagen 1988 a).
12. The use of the term "integration" (vs. assimilation) follows a long tradition in Latin American debates about indigenous minorities (cf. Amadio 1987a for a classification, also Hamel 1988b). Its use is no doubt extremely ambiguous. Following the dominant philosophy of the homogenous nation state, it means in most of the cases "assimilation", i. e. the covert incorporation (= "salvation") of the *individual* into the dominant society at the price of giving up her/his ethnic group identity. Nevertheless, important efforts

have been made throughout this century to achieve the difficult aim of integrating Indian ethnias *without* destroying their cultural base, as we shall see later on. For a more detailed typology from Europe that includes definitions of submersion, transitional programmes, etc., see Skutnabb-Kangas (1988a).

13. The school of Warisata in Bolivia in 1931, cf. Montoya (1983), or the well-known Tarasco project in Mexico since 1939, cf. Aguirre Beltrán (1983).
14. It was perhaps not coincidental that the Mexican delegation, representing the Tarasco project, exercised a substantial influence on the UNESCO Conference at Paris in 1952 where the famous resolution on vernacular language education was adopted (cf. UNESCO 1953).
15. See the advances of Native Inuit education in Canada in relation to cultural curriculum (Stairs 1988; Stairs – Leavitt 1988).
16. On the topic of linguistic and educational human rights, and their relation to indigenous movements in Latin America, see my other chapter in this volume.
17. A recent overview of indigenous education programmes in Bolivia is Amadio – Zúñiga (1989).
18. Columbia is the only Latin American country that delegates the whole responsibility of Indian education to the Catholic church through a concordat with the Vatican (cf. Stavenhagen 1988a).
19. Cf. the analytical framework in Skutnabb-Kangas – Phillipson (1989a), Skutnabb-Kangas (1990a), and Skutnabb-Kangas – Phillipson, this volume.
20. My discussion benefits from information and experience from two on-going, collective research projects I am currently involved in. Their fundamental aim is to analyze, evaluate, and partially intervene in specific local processes of Indian bilingual education. The one in Mexico (cf. Hamel – Muñoz et al. 1989) is carried out by a team of researchers from various Mexican universities; it studies the process of L1 and L2 development during 2 successive school years in 5 Indian schools in 3 different language areas (Nahuatl, Mixe, Totonaca) that clearly contrast in their characteristics and levels of ethno-linguistic and cultural vitality (maintenance vs. shift). The Brazilian project is carried out by a team from Campinas university (UNICAMP) in a Guaraní area near Sao Paulo (cf. Cavalcanti et al. 1989). It is helping to set up and start an experimental programme of bilingual bicultural primary education based on the guidelines established by the community. It also trains young Guaranís from the village to become teachers and ethnic researchers.
21. The standard book on the history of language policy in Mexico which is particularly useful for the colonial and independent period is Heath (1972).
22. Contrary to what many authors (Varese 1983; Varese 1987; Hernández Moreno – Guzmán G. 1982; Amadio 1987b; Modiano 1988, etc.) affirm about contemporary Mexico, in 1991 systematic alphabetization in vernacular languages is not the real policy in public Indian education, and in probably more than 90% of the schools in the bilingual system it does not take place.
23. The complexity and – in part – ideological fallacy of Indians' expectations regarding school objectives and programmes in Latin America are analysed elsewhere (cf. López 1988a; Hornberger 1988, 1989; Hamel 1988b).
24. In one village from the Mixe region (see the Mexican research project mentioned in footnote 20), the community decided in 1989 that they wanted to develop their own curriculum for literacy in L1 which is now being implemented in the 1st and 2nd grade (cf. Hamel 1990b).

25. For the first time in history, the Brazilian Indian population has begun to increase again in absolute numbers since 1930 (cf. Rodrigues 1986).
26. On the other hand, the process of gaining autonomy in this domain is constantly menaced by contracts on Indian education between the government (via its principal state agency, the Fundação Nacional do Índio, FUNAI) and foreign religious missions like the well-known Summer Institute of Linguistics, or even much more radical and culturally disruptive sects like MEVA, MNTB, etc. The first freely elected government for almost 30 years that took office in 1990 initiated a restructuring of FUNAI which operated as a militarized apparatus of control in the past (cf. Sierra 1993 b).
27. Among the few exceptions cf. Comissão Pró-Índio 1981; Projeto Interação 1987; Montserrat 1989; Cavalcanti et al. 1989).
28. The postulate that establishes diglossia and di-ethnia (i. e. a clear-cut separation of forms and functions) as a *conditio sine qua non* for linguistic minority maintenance (Fishman 1964, 1967, 1980; see also 1989) seems to survive over time as one of the strongest axioms in the sociology of language, in spite of numerous refutations by native (Pedraza Jr. et al. 1980; Dejean 1983) and other (Eckert 1981; Hamel 1988a, 1990a, 1990c) researchers.
29. See Spolsky — Irvine (1982), Hornberger (1989), and many others who support the hypothesis that, under certain circumstances, ethnic group refusal to use their language at school may not reflect language shift but maintenance.
30. The debate demonstrates once more that the opposition between L1 and L2 literacy does not constitute a sufficient theoretical framework in itself to explain both psycholinguistic and socio-political processes involved in minority education. Cummins (1984, 1988, 1989, etc.) and others (cf. the discussion in Rivera 1984) have sustained this caveat against both a number of well-established popular theories (maximum exposure, mismatch), and a reductionist interpretation of Cummins' own theoretical framework.
31. "Alphabetization, which is not necessarily related to the school, is a necessity generated by the situation of contact. To alphabetize is not a neutral activity. When operationalized in a way that minimizes interference in traditional Indian education, it could be a weapon that helps the Indian in her/his relationship with the dominant society; inasmuch as it substitutes traditional education it becomes a weapon against the Indian, a factor of social division in a society that used to be egalitarian ..." (my translation; from a debate on Indian education, cf. Sampaio Grizzi — Dalva — Lopes da Silva 1981: 17).
32. The transition from a military to a civilian regime, and intensive debates about Indian rights in the Constituent Assembly that formulated the new Constitution during 1987 and 1988 drew national and international attention to the deplorable situation of Brazilian Indians. Many Brazilian citizens no doubt realized for the first time that Indians existed in their country.
33. E. g. the Puno project in Peru which developed and implemented primers in Quechua and Aymara for all 6 grades of primary education that was sponsored by the German GTZ, a governmental development agency, between 1976 and 1989 (cf. López 1988a, forthcoming; Hornberger 1988, 1989); or a recent programme on bilingual intercultural education in Ecuador sponsored by the same institution, (cf. *Pueblos indígenas y educación*, 15, 16, 1990).

Linguistic rights are the human and civil rights concerning the individual and collective right to choose the language or languages for communication in a private or public atmosphere. Other parameters for analyzing linguistic rights include the degree of territoriality, amount of positivity, orientation in terms of assimilation or maintenance, and overtness. Linguistic Human Rights. Tove Skutnabb-Kangas. The Oxford Handbook of Language and Law.Â Dominant linguistic groups often feel a need to formally codify their language rights only when dominated groups, for example indigenous/tribal peoples, or minorities of various kinds (ITMs), start demanding LRs for themselves. Most people connect LRs mainly to ITMs, and most LRs are found among special minority or indigenous rights rather than general human rights (HRs). â€˜Language rightsâ€™<sup>TM</sup> and â€˜linguistic rightsâ€™<sup>TM</sup> are human rights that have an impact on the language preferences or use of state authorities, individuals and other entities. Language rights are usually considered broader than linguistic rights and this guide uses both terms to discuss both the necessary minimum and possible extra measures that should or can be taken to effectively implement the rights of linguistic minorities.