

The Guarantee of Language Rights and the Realization of Cultural Capital

A Study on the Status of Language Rights of Ethnic Minorities in China

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ABSTRACT

Cultural capital is rooted in the social structure and institutional legal environment. Language, as one of the important carriers of culture, plays an important role in the acquisition of cultural capital. Language rights have the function of constructing a system and legal guarantee for the realization of cultural capital. This research is based on relevant Chinese laws and is combined with specific interviews and research to observe the protection of language rights in practice and analyze its impact on the realization of cultural capital. China has corresponding legal protection for language rights at the institutional level, which has promoted the realization of the cultural capital of language minorities to a certain extent, but there is still room for improvement.

Keywords: language rights, cultural capital, Bourdieu

I. INTRODUCTION

China's Constitution, the Law on Regional Ethnic Autonomy, and the Law on National Common Language guarantee language rights. In such a set of social structure and legal system framework, studying how cultural capital can be realized through the protection of language rights, especially what kind of regional and ethnic differences exist in the practice of language rights in education and employment, is of great significance to explain how language rights affect the learning and use of language and the realization of cultural capital.

Bourdieu proposed the concept of cultural capital in his practical economics, and advocated abandoning the binary opposition between economy and non-economy and starting with the economic logic of all social practice activities and the operating rules of different capitals in practice to fully understand social phenomena. He classified the forms of cultural capital: the first is the embodied form: the cognitive system or temperament tendency embedded in the individual; the second is the objective form: it is embodied as materialized cultural products; the third is the institutionalized form: identification at the

collective level and specific institutional arrangements. [1]

The realization process of cultural capital can be observed through aspects such as education and social employment. Especially for linguistic minority group, the learning and use of native languages and common language of the country play an important role in the acquisition of cultural capital.

II. LANGUAGE RIGHTS

Language rights are the general term for a series of rights formed around the choice of using mother tongue or other languages. The purpose of language rights is to protect the freedom of the right subject in language choice, to prevent the implementation of policies or measures aimed at language assimilation by the public power of the state, and to prevent relevant rights subjects from involuntary language conversion. [2]

Standard Chinese is China's national common language, and there is an institutionalized power relationship hidden in it. By mastering the Chinese language and characters in the education system, members of the society can obtain a wider range of knowledge and various certificates, thereby

promoting the realization of cultural capital. Nevertheless, China's policy on the inheritance and protection of minority languages is dedicated to clarifying the legal and important status of the languages of all ethnic groups. [3] The Chinese Constitution and related laws abandon the two concepts of "national language" and "official language", and take care of the equality of all ethnic groups in national symbols. [2]

Language rights are embodied in China's Constitution, Law on Regional Ethnic Autonomy, Law on National Common Language and other laws: "...All nations have the freedom to use and develop their own language..." [4] "...The country promotes the national standard Mandarin." [5] "When performing their duties, the organs of self-government in ethnic autonomous areas shall use one or several languages commonly used in the locality in accordance with the provisions of the regulations on the autonomy of the ethnic autonomous areas." [6] "The organs of self-government in ethnic autonomous areas guarantee the freedom of all nations in the area to use and develop their own languages..." [7] "... Schools (classes) and other educational institutions that enroll mainly ethnic minority students should use textbooks in ethnic minority languages and teach in ethnic minority languages if conditions permit; according to the situation, Chinese courses should be offered from the junior or senior grades of elementary schools to promote the national standard Mandarin and standard Chinese characters." [8] "The organs of self-government in ethnic autonomous areas educate and encourage cadres of all nations to learn language from each other. Cadres of the Han nationality must learn the languages of the local ethnic minorities. While studying and using the spoken and written languages of their own nations, they must also learn the national standard Mandarin and standardized Chinese characters. State functionaries of ethnic autonomous areas who can proficiently use two or more local commonly used spoken and written languages shall be rewarded." [9] "The state promotes Mandarin and standardized Chinese characters." [10] "Citizens have the right to study and use the national common language. The state provides conditions for citizens to learn and use the national common language. Local people's governments at various levels and their relevant departments shall take measures to promote Mandarin and promote standardized Chinese characters." [11] It can be seen that language right is a non-exclusive right, which not only guarantees the right to learn the ethnic minority language, but also the right to learn the national common language.

III. THE ACQUISITION OF LANGUAGE RIGHTS AND CULTURAL CAPITAL

From the perspective of Bourdieu's cultural capital theory, school education and social participation are important ways to obtain cultural capital. The study selected the Inner Mongolia Autonomous Region and the Yi region in southwestern China to observe the situation of language rights in school education and social employment, and explain how the differences in the practice of language rights affect the realization of the cultural capital of the language using group under the same national legal system.

A. Relevant situation in Inner Mongolia Autonomous Region

The Inner Mongolia Autonomous Region is a provincial-level ethnic regional autonomous area in China. At the end of 2018, of the 25.338 million permanent population in the region, the Mongolian population was 4.666 million, accounting for 18.42%, and most of them learn and use the language of their own ethnic group. [12] Inner Mongolian ethnic primary and secondary education mainly adopts Mongolian as the language of instruction for various subjects, and also offers courses in national common language. In addition, there are also kindergartens teaching in Mongolian. In the interview, both Mongolian students who received higher education outside of Inner Mongolia, and Mongolian people working in Inner Mongolia, including Mongolian returned talents with overseas study experience, did receive education mainly in Mongolian language. They took the college entrance examination in their native language, entered the university to study, and mastered the national common language. These interviewees who accepted Mongolian as the language of instruction stated that their Chinese level, especially writing and reading level, even surpassed Mongolian level. Their language learning experience reflects that although the school education is taught in Mongolian, except for Chinese and English courses, the rest of the subject materials use Mongolian textbooks. However, due to the social language environment, including the media and other information acquisition channels that provide sufficient opportunities for contacting Chinese as well as the use of Chinese for professional learning at colleges or universities, the increase in the frequency of using Chinese at work and other factors have strengthened their Chinese ability. One of the interviewees shared the experience of local employment recruitment: "If a person applies for a general job, the written test must be conducted in the national common language, and the interview can be conducted in Chinese or Mongolian, and the scores shall be included in the total score with same proportion.

For bilingual positions, the written test must be written in Mongolian, and the interview must be in the national common language." In the fields of education and employment, local language rights have been well implemented.

The learning and use of Mongolian language is still facing problems: the number of people receiving education in Mongolian language has been greatly reduced. From 2000 to 2009, the population of Mongolian in Inner Mongolia Autonomous Region increased by 292,900, but the number of the students receiving lessons in Mongolian decreased from 270,600 in 2001 to 213,100 in 2008. The circulation of Mongolian textbooks in the first grade of primary school decreased from 120,000 in the 1980s to 20,800 in 2009. From 2001 to 2008, the number of ethnic elementary schools and ethnic middle schools in the whole region decreased by 1,203 and 112 respectively. After 2010, under the relevant policies of the local government, the number of students receiving education in Mongolian has increased, but there are still up to two-thirds of Mongolian school-age children who have not received education in Mongolian-taught schools. [12]

B. Relevant situation in Southwest Yi District

The Yi nationality is one of the ethnic groups with the most widespread distribution in southwest China, distributed mainly in following four provinces and regions: Sichuan, Yunnan, Guizhou, and Guangxi provinces. In the sixth census of China in 2010, the national Yi population exceeded 7.76 million. [13] The Yi people have their own language. At present, most of the Yi people still use Yi language, but the proportion of the younger generation using Yi language is drastically decreasing, and the teaching institutions in Yi language are extremely lacking. The Yi people are mainly distributed in Liangshan Yi Autonomous Prefecture in the junction of Sichuan and Yunnan. It is a prefecture-level ethnic autonomous region with 17 counties and cities under its jurisdiction. As of the end of 2019, the prefecture has a registered population of 5,310,300, and a population of 2,588,800 of Yi nationality, accounting for 53.84% of the total population. [14]

Only a small number of schools or classes in Liangshan Yi Autonomous Prefecture use Yi language as the language of instruction. In the rest of the autonomous areas of the Yi nationality, there are no schools or classes with Yi language as the language of instruction, and most areas don't even have Yi language classes. In Liangshan Prefecture, there are two main teaching models involving Yi language: one is that, in addition to Chinese and English subjects, Yi language is used as the teaching language for all subjects, which is called "The First Model"; the other is that, only the Yi

language is taken as a language course, and the rest of the subjects are taught in Chinese, which is called "The Second Model". There are no kindergartens where classes are taught in Yi language. In 1995, there were 217 primary schools and 10 middle schools of "The First Model" in the prefecture. In 2014, there were only 17 primary schools and 3 middle schools of "The First Model". [15] The number of schools of "The Second Model" has not changed significantly since the 1990s. In 2014, there were 863 primary schools and 90 middle schools adopting "The Second Model" in the prefecture. [15] But in fact, Yi language courses of "The Second Model" were often occupied by other courses. Even the best ethnic middle school in the prefecture doesn't offer Yi language courses. Those who can still maintain Yi language skills in adulthood are basically the students who participated in these two types of models, or those who didn't go to kindergarten, grew up in rural or townships, and then went to study in the city. In places such as Weining and Hezhang in Guizhou where the distribution of the Yi ethnic group is relatively concentrated, the students who can maintain Yi language communication as adults are basically the students who didn't go to kindergarten, or students whose teachers used Yi-Chinese bilingual assistance for teaching in their early stage of primary school entrance. However, such a model basically doesn't exist today. An interviewee from Guizhou said: "Even in the villages inhabited by the Yi people, during just past over a decade, the Yi language has changed from the main environmental language to the language used only by the elderly." A similar situation begins to appear in Liangshan. Although Yi language can also be used by students to take the university entrance examination, the results are only recognized by individual majors in a few universities. In employment, only certain positions can use part of Yi language in interviews, but the proportion of score conversion is only 10%, and at the same time, 10% of the Chinese language score will be lost as a price. As a result, many candidates with Yi-Chinese bilingual ability have fewer advantages than monolingual Chinese candidates in the employment and recruitment examination, which hinders the realization of cultural capital.

C. Comparison between the two places

The protection of language rights in the above two places is reflected, but the protection in the Yi region is poor and fails to meet the basic requirements of the relevant laws. The Yi region lacks guarantees to provide Yi language teaching. In the critical period of preschool mother tongue learning, the teaching of Yi language is even more blank. The number of ethnic schools in both places is decreasing, but Inner Mongolia has taken corresponding measures after 2010 to strengthen

the use of Mongolian in school education. In the field of employment, it is obvious that Mongolian has received better attention locally. In terms of national common language learning, both places have been well guaranteed. The differences in the protection and implementation of language rights have created a gap in the realization of cultural capital between the language minorities in the two places. For example, the proportion of cadres is 2.22% of the Mongolian ethnic group and only 0.58% of the Yi population; the proportion of professional and technical personnel is 8.29% of the Mongolian and only 2.52% of the Yi ethnic group. [16] The factors causing such differences are not single, but whether the language rights are adequately protected is one of the important reasons. The staff of the education and employment department of the Yi region said: "At the end of the last century when Yi language education received the most attention, the employment situation of the Yi people was better." Some of the older generation of Han cadres who came to work locally in Yi region said: "The protection of the right to learn and use the Yi language is very important for Yi compatriots to receive education and participate in social construction."

IV. CONCLUSION

China's protection of the language rights of ethnic minorities is reflected in law and practice, but there is still a gap between practice and law. Legally, the languages of all ethnic groups enjoy equal status, but in practice, there are obvious regional and ethnic differences. All ethnic groups have a positive attitude towards the learning and use of the national common language. In addition to the changes in the language environment, all ethnic minorities can now master the national common language very well, but they are increasingly worried about the inheritance and development of their own ethnic language. Whether in Inner Mongolia or Southwest Yi ethnic area, more and more people regard whether preschool education is conducted in the ethnic language as one of the key factors for the preservation and inheritance of the language. However, there is a lack of protection in this respect at the legal and practical levels. Relevant Chinese laws have guaranteed language rights, but there is still room for improvement in specific implementation details. In today's environment, language should be regarded as a right and resource. The diversity of languages in China not only provides space for the protection of language rights, but also provides China with abundant resources. If the language rights are more fully guaranteed, the cultural capital of various language-using groups will be better realized, the gap in the realization of cultural capital will be

narrowed, and the cohesion of the country and society will be increased.

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