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Introduction

Asian Societies with linguistic diversity have faced serious problems of loss or decline of vernacular and indigenous languages in modern times. Globalization and urbanization have brought a sea change in the pattern of language planning in education and its use in public domain. These have resulted in an augmented or exclusive focus on proficiency in international language like English, and as a result, education in or through regional or indigenous language has suffered a great setback. It has also adversely affected development of indigenous languages.

Since each language is distinct storehouse of culture, social resource, key to the knowledge system and a means to competence and entitlement, its conservation through widespread use and learning is an appropriate policy. But, several practical problems threaten implementation of this policy: language policy in the Constitution that is merely tolerant of diversity but not persuading for pedagogy in the concerned regional languages even at the primary level of education may result in low key treatment of the regional languages; the question of feasibility arising out of inadequate number of students may obstruct use of the language in education; inherent difficulties like lack of script or literacy resources or computer-ability may impede its conservation and development; absence of research, publication and immersion courses, either sponsored by the State or the linguistic community or private agency may fail to keep the language alive; and absence of enthusiasm on the part of learners to learn it in view of greater economic benefit like access to job opportunities flowing from learning national or international language may abort the planning strategy. Added to this, various factors such as non-availability of English medium schools in rural areas, costly admission fee in urban English

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schools, poor facilities in vernacular schools, inclination of parents to choose modern schools with English education for their children and regional government’s policy of promoting education in regional language have created wide divergences and complexities in the social life and challenged the multi-linguistic social fabric and harmony. Poverty, rural bias, and social backwardness stand in contrast to advantages of urbanism, access to international schools and modern sophistication. All these have challenged the triangular balance amidst access, equity and quality in the matter of education that ought to ideally prevail. Society is aligned into two different worlds where the people have unequal opportunities, advantages and burdens in the matter of language education. In such situations, the right to choice of language for study or of medium of study becomes highly contested, thus establishing the proposition that inequality is inimical to liberty.

Non-user of microscopic minority languages has rendered many of them extinct, some are on the verge of loss, and future of many is uncertain. Scholars have warned that half of the world’s 6,600 languages will not survive the 21st century.1 Speech Communities, whose strength is less than 10,000 are likely to witness demise of their languages in near future unless deliberate and effective methods of their conservation are put into action.2 When unstable bilingual or multilingual speech communities shift from regressive minority language to dominant language, there begins the process of decline, and when it takes place en masse in course of time resulting in wiping off the use of minority language, extinction of language occurs.3 Exclusive

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3 David Crystal, Language Death (Cambridge : Cambridge University Press, 2002); Richard Nordquist, ‘Language Death’, http://forums.about.com/n/pfx/forum.aspx?nav/messages&Webtag=ab.grammar While in Australia dominant presence of English rendered 90% of aboriginal languages moribund or extinct, the effect of dominant language of Russia upon other speech communities was by rendering 50% of the local languages extinct.
use of dominant language or official language by the State in public communications and avoidance of the use of non-official language is an oppressive act resulting in language loss. Approaches of minority communities to voluntarily abandon the use of their language because of false sense of shame, fear of losing social and economic opportunities by not learning dominant language and non-availability of facilities to learn minority language pave the way of loss of language. Non-user of one’s own language at the levels of family, school, community and public life is the feature of language loss. Stopping the use of local language in education or in other public use as a consequence of globalization and increased use of English has such impact. Apart from policy in the matter of language education, the policy about territoriality of languages, permissibility and actual use of vernacular or indigenous languages in legislature, administration, due process proceedings and in public place or market has great bearing on survival and flourish of languages.

The official policy of ‘English only’ as followed in some of the States in the US and Australia had serious adverse effect upon indigenous languages in those jurisdictions. Practiced in various states like Pennsylvania, Nebraska, Alaska and Arizona since 1850s, the policy in the name of ‘civilizing the Indians’ and misconceived notion of ‘protection of children from barbarous native dialects’ or for avoiding the parochial languages of Europe that had potentiality of bringing the problems of bilingualism and multilingualism, had provoked to raise the issue of both equality and liberty. Although peripheral remedies were also asserted by the victims through courts in the US, the mainstream operation of the ‘English only’ policy had its own adverse impact upon survival of indigenous languages. Due to spread of the mass culture and ubiquitous availability of electronic devices that promoted it brought such a situation that during the last two decades

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5 The present study will be focusing on language in education.


there has occurred a drastic fall in number of living native languages. According to Peter Tiersma, in contrast to 182 indigenous languages taught to children in early 1990s in the US and Canada, at present, only 40 or so are naturally passed on to children.\(^8\) In Australia, as David Crystal notes, the presence of English has devastated 90% of the aboriginal languages.\(^9\) The story of Latin America and Africa has also similar pointers because of the underside of globalization that could have been either averted or mitigated, whereas efforts to conserve language diversity are seriously activated.\(^{10}\) As per the report of People’s Linguistic Survey of India, 2013, India has lost 250 languages over the last 50 years.\(^{11}\) Threat to survival of indigenous languages is substantial in numbers: Afghanistan (22), Bangladesh (10), Bhutan (15), India (198), Nepal (73), Pakistan (26) and Sri Lanka (4).\(^{12}\) In other parts of the globe, in the Middle East and China also, pro-English policy has established an unprecedented Anglophonic flourish.\(^{13}\) But in China, the policy of Mother Tongue Medium (MTM) continues at primary stage although intensive learning of English as a language subject is prescribed and seriously undertaken in response to globalization.\(^{14}\) The fear of linguistic imperialism arising from dominance of a language, which

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\(^8\) Peter Tiersma, *supra* n. 6 p. 260; Canadian constitutional policy is providing for bilingualism for accommodating English and French languages in legislature, courts, administration, education and public use. Although indigenous languages do not get the same status as that of French and English, special rights of ethnic minorities as distinct cultural communities have potentialities of language protection.


\(^{10}\) Rainel Enrique Hamel, ‘Regional blocks as barrier against English hegemony? The language policy of South America’ in Jacques Maurais and Michael Amaurais (Ed), *supra* n. 2 p. 111, at 124, 129; in Africa, the dominance of ex-colonial languages like English, French and Portuguese in education has been posing the problem of disappearance of African languages while the efforts to restore native African languages are going on. See Roland Breton, ‘Sub-Saharan Africa’ in Jacques Maurais and Michael Amaurais (Ed), *supra* n. 2 p. 203 at 214-5.

\(^{11}\) A private initiative (Bhasha Bharati Research and Publication Centre) headed by Ganesh Dev, an eminent linguist scholar of Vadodara, undertook this survey and published the first report on 5th September 2013. See Chitra Padmanabhan, ‘We are talking more and using less words’; Kaushik das Gupta, ‘Loss of Wisdom’; Anupam Chakravarty, ‘English wiped out indigenous languages but not in India’ *Down to Earth*; Anupam Chakravarty, Survey tracks down one speaker in Mahji, *Down to Earth*; Shiv Sahay Singh, ‘Language Survey reveals Diversity’ *The Hindu* 22nd July, 2013


\(^{13}\) Stefan Kaiser, ‘Language in Japan and other eastern Asian Countries’ in Jacques Maurais and Michael Amaurais (Ed), *supra* n. 2 p. 188 at 200-1;

\(^{14}\) Tejaswini Niranjana, ‘Beyond the Language Tussle’ *The Hindu*, 6th December, 2014
presently helps globalization as it helped colonization in the past, is increasingly clear especially when MTM is not followed.\textsuperscript{15}

The Indian sub-continent – consisting of India, Pakistan, Afghanistan, Bangladesh, Nepal, Sri Lanka, Bhutan and Maldives – has huge number of languages with bigger and smaller sizes of speech communities, some with immense resources and some with very less. Linguistic haves and linguistic have-nots are prone to mutual competitions, wherein incubating the have-nots from hostile treatments has potentiality of helping the language survival.\textsuperscript{16} Retention of language identity in the sub-continent has a political overtone and wider sensitivity. Break-up of the Republic of Pakistan on language issue and emergence of Bangladesh as a product of socio-lingual and political movement demonstrates the need for protecting native language and avoiding imposition of language upon a resenting or unwilling speech community.\textsuperscript{17} Hence, language loss is a matter of great concern and emotional issue in multicultural society.

While these SAARC countries have high degree of multilingual features, there are both similarities and differences in the matter of problems, policies and experiences faced by them relating to the issue of language loss. The socio-lingual profile of them points out threat to rich linguistic diversity, a threat arising from hype of globalization and commercialization of education. The much discussed constitutional policy on official, national and regional languages; use of language in various public forums; scope of right to conserve language; minority language educational right; mother tongue medium of instruction; rights of private

\textsuperscript{15} Robert Phillipson, \textit{Linguistic Imperialism} (Oxford: Oxford University Press, 2002); also see Saadi Agha, 'Ethnicity and Linguistic Imperialism' \textit{The Pakistani Spectator}, January, 19, 2010

\textsuperscript{16} V R Krishna Iyer J considered non-scheduled indigenous languages without literary resources as 'linguistic have-nots', and exempted their speech communities from language test in public service examinations. \textit{Javed Niaz Beg v. Union of India}, AIR 1981SC 794

\textsuperscript{17} See speech by Sheikh Mujibur Rehman in the Constituent Assembly of Pakistan dated 7\textsuperscript{th} February 1956 and 16\textsuperscript{th} February 1956 extracted in Zahid Hossain, \textit{The Voice of Freedom} (Dhaka: bangle Academy, 2011) 63-5, 97-100; the peaceful protest by Dhaka University students against making Urdu sole official language without equal right for Bengali in 1952 was dealt by police firing that killed a number of students; the language movement became widespread and resulted in recognition of Bengali in education and administration in East Pakistan. The cultural difference, economic exploitation and political dissatisfaction resulted in emergence of Bangladesh in 1971. See pp. 164-7; also see John H Mansfield. "Religious Freedom in India and Pakistan: The matter of Conversion." \textit{Comparative Constitutionalism in South Asia}. Eds. Sunil Khilnani, Vikram Raghavan and Arun Thiruvengadam. New Delhi: Oxford University Press, 2013. 265. Also see Mohammad Abdul Qadeer, \textit{Pakistan} (London: Routledge, 2006) 25-6
schools; the basis, scope and limits of parents’ right to choose the type of education for their children; and administrative measures for language conservation have their own impact upon the environment for survival of languages. The disturbing fact that India has lost considerable number of languages in the recent past; that the erosion phenomenon continues as in other countries; that the black letter approach by the judiciary has ignored the issue of language loss; and that Pakistan and other neighbors are bothering about adverse effect of English medium education calls for comparative study of the positions amidst these nations of Indian sub-continent.

The questions taken up for discussion in this paper are: what are the socio-cultural justifications in conserving languages? What is the extent and severity of the problem of language loss or language discrimination in different jurisdictions? Whether legal regime of minority language educational right, right to mother tongue medium of instruction at primary stage and parental right to choose the type of education for their children is conducive for prevention of language loss or language decline? What are the expectations emanating from human right jurisprudence that morally and legally bind the nations? What are the responses and methods in the process of adaptation to the fast changing socio-economic circumstances, and what are their consequences? Are the administrative arrangements for supporting indigenous and vernacular languages for their survival and wider use adequate? What could be the feasible solutions that could overcome the problems within and outside the formal education system? This paper carries out a comparative analysis of the law, policy, and experience of SAARC countries on these issues.

**Justification for Conservation**

Languages are outputs of continuous social contributions and interactions. They are the symbols of social identity, and are embedded in historical evolution of the society or of the speech community. Myers McDougal and others view, “Language is a rudiment of consciousness and close to the core of personality; deprivations in relation to language deeply
affect identity.” Continuity or loss of language much depends upon people’s competence and willingness to use them as vehicles of communication. The power of a language does not reside in language itself, but in its demographic, economic and political correlates. Some of the languages suffered moribund condition or death because of failure on the part of majority to use them. For example, Sanskrit, in spite of its rich literary resource, failed to appeal to common people to learn and use, whereas popular vernacular languages flourished because of their robust use daily transactions. Sudipta Kaviraj views, “Socially, linguistic competence confers upon people capacities, and their absence correspondingly takes them away.” This linguistic competence arises out of mass education in that language and its increased use in public life, private conversation and writing, while versatility of language depends upon education.

Being embodiment of cultural expression, each language is bundle of intimate social feelings and is a mark of communitarian identity. Hence, diversity in language is a natural state of affairs. It unites people through its common forum for communication and common tradition of centuries of development. Linked with expressional acts and cultural rights, it is a public or

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19 “Language is not merely a means of interpersonal communication and influence. It is not merely a carrier of content, whether latent or manifest. Language itself is content, a referent for loyalties and animosities, an indicator of social statuses and personal relationships, a marker of situations and topics as well as of the societal goals and the large-scale value-laden arenas of interaction that typify every speech community.” J. Fishman, The Sociology of Language (1972) 4 cited by Myers McDougal et al, supra 9 p. 152
20 Jean Laponce, ‘Babel and the market: Geostrategy for minority languages’ in Jacques Maurais and Michael A Morris (ed), supra n. 2 p. 58 at 59
21 Sudipta Kaviraj, ‘Writing, Speaking, Being: Language and Historical Formation of Identities’ in Asha Sarangi (Ed), Language and Politics in India (New Delhi: Oxford University Press 2009)312 at 316-26. For an optimistic approach about Sanskrit’s wider acceptance due to efforts of Sanskrit Commission and governmental Policy, see Sumathi Ramaswamy, ‘Sanskrit for the Nation’ in Asha Sarangi (Ed), Language and Politics in India (New Delhi: Oxford University Press, 2009) 93
22 Sudipta Kaviraj, supra n. 21 at 313
23 Babu Rajab Ali, the famous Punjabi poet (1894-1979) sang: “The quail coos and the nightingale sings Each in its own language Punjabi is the language of your mothers and fathers”
24 According to UNESCO, “There is growing awareness that languages play a vital role in development, in ensuring cultural diversity and intercultural dialogue, but also in attaining quality education for all and strengthening cooperation, in building inclusive knowledge societies and preserving cultural heritage, and in mobilizing political will for applying the benefits of science and technology to sustainable development.” UNESCO declared 21st of February as International Mother Language Day.
common resource. It conveys entire thinking and wisdom of community. It stores the taxonomy of flora and fauna, knowledge of traditional medicine, folklore and art, and religious and ethnic expressions.

Regarding any of the social resources as in case of natural resources, society has the responsibility of safeguarding it as a public trust so that future generation will also gain its benefit. The discourse is familiar with the approach of environmental protection. Douglas A Kibbee views, "......the loss of language is the permanent, irrevocable loss of a certain vision of the world, comparable to the loss of an animal or plant. Losing a language, however few the numbers of speakers is, takes away part of our human heritage." Hence, free market theory of global language strategy or the idea of survival of the fittest is an argument of predatory relations; but strengthening the competence of all languages to survive is a convincing proposition. As Rigberto Menchu, a Nobel Laureate, has pointed out, "Language is the channel through which people's cultures are transmitted. Only by ensuring its use and development at all levels can the tragedy of the disappearance of languages, which ultimately means impoverishment of humanity, be prevented."

Continuation of all languages is essential for equality of status and opportunity of various languages in a multilingual society. Deprivation of opportunity of enlightenment and skill in any language has the consequence of depriving access to information, power, privilege, employment, legal remedy and social interaction. This argument holds good for both

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25 When humanity loses languages in massive scale, a unique vision of the world is lost. With every language that dies we lose an enormous cultural heritage; the understanding of how humans relate to the world around us; scientific, medical and botanical knowledge; and most importantly, we lose the expression of communities' humor, love and life. In short, we lose the testimony of centuries of life. David Harrison observed that to allow language to become extinct along with the ecology and culture they encode is to risk erosion whose value once lost is never to restore or quantify. Kaushik Das Gupta, infra n. 26
26 Kaushik Das Gupta, 'The Loss of Wisdom' in Down to Earth, 9th August 2013
27 Douglas A. Kibbee, supra n. 2 at 47. Tove Sktnabb-Kangas views that people who lose linguistic and cultural identity may also lose an essential element of social process that teaches respect for nature and understanding of natural process, and holds that cultural diversity is linked to biodiversity and requisite for health of world's ecosystem. Tove Sktnabb-Kangas, 'Linguistic Human Rights' in Peter Tiersma et al (Ed) supra n. 6 P 247
29 Myers McDougal et al, supra n 18 pp. 155 - 7. Understanding of or participation in various stages of due process proceeding requires knowledge of such language or recognition of right to know in one's own language. Right to
indigenous and international languages, and serves as justification for English medium schools and an argument for enhancing the status or competence of vernacular or indigenous language. Regarding the latter, it may be stated that although the strength of speech community may vary, their survival shall not be a matter of market place choice. If vulnerability of the speech community in terms of numbers is the reason for its exclusion, minority right is at great threat, which a democracy has to avert by adopting appropriate policy. UNESCO has considered that language is a component of social and economic development. Linguistic injustice occurring in language loss causes a deep inroad into a cluster of human rights. We cannot take language right in education in isolation. Its use in due process system, legislative policy making, administrative remedies, access to public employment, access to information and opportunity of expression provide all justification for its conservation so that its comprehensive use will benefit the speech community.

Since proficiency in official and international languages provides access to employment, business, higher education, democratic participation and understanding of knowledge system and law, right of language education has great human right dimension. Having primary education in one’s own mother tongue, choice of the medium of instruction, immunity from imposition of any language in the course of study and access to higher education or employment through use of one’s own language are some of the components recognized through judicial interpretation of language right.

Language Profiles in the Indian sub-continent

silence or Miranda warnings, and right to courtroom discourse much depend upon language survival. See Peter Tiersma and Lawrence Solan (Ed), supra n. 6 Parts V and VI

There is growing awareness that languages play a vital role in development in ensuring cultural diversity and intercultural dialogue, but also in attaining quality education for all and strengthening cooperation, in building inclusive knowledge societies and preserving cultural heritage, and in mobilizing political will for applying the benefits of science and technology to sustainable development. UNESCO

Access to legal remedies, awareness of rights, and service in known language are the factors involved in human right dimension of language. Languages, with their complex implications for identity communication, social integration, education and development, are of strategic importance for people and the planet. UNESCO; See Peter Tiersma and Lawrence Solan (Ed), supra n. 6 Parts V and VI

See P Ishwara Bhat, Law and Social Transformation in India (2009) Chapter 6
The Indian sub-continent has great many numbers of languages because of historic, geographic and social reasons. Sanskrit, the Indo-Aryan language was language of the rulers and the learned elite during the ancient period. Prakrit (Pali) and Ardh Magadhi emerged as new prominent languages because of the Buddhist and Jain movements. In the South, the Dravidian languages- Tamil, Kannada, Telugu, Malayalam and Tulu- are prevalent, which in course of time got the influence of Sanskrit. A number of languages spoken by tribal communities – Santali, Bodo, Khasi, Jaintia, Mundari, Kurukh, Khandesi, Sambalpuri, Mizo, Bhoti, Lepcha, Limboo etc. – living in far flung remote areas of forest exist because of geographical vastness and seclusions arising from hills, rivers and forests. By gathering support from local dialects and elite Sanskrit, Prakrit and Magadhi, another cluster of languages like Hindi, Bengali, Assamese, Marathi, Oriya, Kashmiri, Konkani, Gujarati, Sindhi Punjabi, and others emerged as prominent regional languages and got popularity because of production and availability of new religious literature. Persian language became official language amidst medieval rulers because of their acquaintance with it from whose land they had hailed from. Colonialism introduced English, French, Dutch and Portuguese languages with an official policy of superiority of colonial language and utter neglect of local languages resulting in naked impoverishment of them.\(^{33}\) The spread of religion, conducting of trade, immigration and introduction of new political rule after foreign invasion had their impact of bringing linguistic diversity amidst the geographical area of present SAARC nations. The diversity with regional variation and concentration of speech communities continues in all the jurisdictions: India, Pakistan, Bangladesh, Sri Lanka, Nepal, Afghanistan, Bhutan and Maldives.

At present, India has 22 scheduled languages,\(^{34}\) 100 non-scheduled languages (whose speech communities have more than 10,000 people) and more than 650 minor languages without any

\(^{33}\) Macaulay viewed vernacular languages as totally unfit for scientific and modern education and observed, “It seems to be admitted on all sides, that the intellectual improvement of those classes of people who have the means of pursuing higher studies can at present be effected only by means of some language not vernacular amongst them. (Macaulay, 1853: 2) cited in Alia Amir, ‘Chronicles of English Language Education in Pakistan: A Discourse analysis of Milestones in the Language policy in Pakistan’ Lingkopin University, Sweden 2008 http://www.english.ucsb.edu/faculty/raley/research/english/macaulay.html

\(^{34}\) Recognized in the Eighth Schedule to the Constitution are: Assamese, Bengali, Bodo, Dogri, Gujarati, Hindi, Kannada, Kashmiri, Konkani, Maithili, Malayalam, Manipuri, Marathi, Nepali, Odia, Punjabi, Sanskrit, santhali, Sindhi, Tamil, Telugu and Urdu. In addition to the status of constitutional recognition, there are other advantages
one language as the language spoken by majority. According to the 2001 Census, in the order of speech community’s size, the percentage of people speaking scheduled languages range from 41.03% (Hindi), 8.11% (Bengali), 7.19% (Telugu), 6.99% (Marathi), 5.91% (Tamil), 5.01% (Urdu), 4.48% (Gujarati), 3.69% (Kannada), 3.5% (Odiya), 3.21% (Malayalam), 2.83% (Punjabi), 1/28% (Assamese), 1.18% (Maithili), 0.63% (Santhali), 0.54% (Kashmiri), 0.26% (Nepali), 0.25% (Sindhi), 0.24% (Konkani), 0.22% (Dogri), 0.14% (Manipur) and 0.13% (Bodo).\(^3\) Many of the non-scheduled and minor languages are in the form of dialects or spoken by indigenous communities. The Peoples Linguistic Survey of India, a non-governmental initiative, handled by Ganesh Devy, reported in 2013 that there are over 780 languages and 66 scripts all over India. The richest language diversity states include Arunachal Pradesh (90), Assam (55), Gujarat (48), West Maharashtra (39) and Bengal (38). An alarming point of the report is that India has lost as many as 250 languages over the past 50 years.\(^\) Continuation of English as official language of the Centre and use of English in higher judiciary, higher education and higher administration made English to retain its prominent place in public life.

Other South Asian countries also have multiple languages. In Pakistan (where the population is 176 million people out of whom 174 million are Muslims) linguistic diversity prevails: 44.15% (Punjabi), 15.42% (Pashto), 14.10% (Sindhi), 10.53% (Siraiki), 7.57% (Urdu), 3.57% (Balochi) and 4.66% (Other languages).\(^4\) Urdu is the national language as recognized in the Constitution.\(^5\) The historical reason for this position consists in use of Urdu amidst urban elite community


\(^{38}\) Article 251(1) provides, “The National language of Pakistan is Urdu, and arrangements shall be made for its being used for official and other purposes within fifteen years from the commencing day.”
during and after the Mughal period, and recognition of the need to put forward it as the
national identity and badge of cultural hegemony.\(^{39}\) There are as many as 61 living languages.
Imposition of Urdu upon East Pakistan without recognition of Bengali was met with protest, but
had to be remedied. Retention of English as additional language of official communication
made English to be a language of power and prestige. With the emergence of globalization,
English Medium schools became prominent as the urban elite people preferred them to
traditional madarassa.

In Afghanistan, more than 40 languages and 200 dialects are prevalent: 2 official languages at
the national level-50% Dari (Parsian) and 35% (Pasthu); 11% Turkic Language (primarily Uzbeki
and Turkmani), Pachaie, Nuristani, Baluchi or Pamiri at the regional level; other minor
languages include Nuristani, Pamir, Brahui, Hindko, Kyrgyz etc.\(^{40}\)

In Nepal, slightly more than 50% of population have Nepali as mother tongue; Mugu, Dolpo,
Mustang and Manang, and Tibetan languages in NW Nepal; Yoholmo, Jirel, and Sherpa in East
Nepal; Magar, Gurung and Tamang in central Nepal; and Terai, Indo-Aryan, Tibeto-Burman,
Munda and North Dravidian in South Nepal.\(^{41}\)

IN Bhutan, official language – Dzongkha – is spoken by majority out of 700,000; immigrant
languages include Assamese (109,000) Bantawa (19,200), Eastern Magar (21,300), Eastern
Tamang, Hindi (31,900), Limbu (63,500), Santali (13,600), Sherpa (4,200), Western Gurung
(43,300).\(^{42}\)

In Bangladesh, there are 42 languages: Bengali being mother tongue of 110 million out of 153
million (70%), other speech communities are: Bihari (250,000), Burmese (300,000), Chakma

\(^{39}\) Rahman T, *Language Policy, Identity and Religion: Aspects of the Civilizations of Muslims in Pakistan and North
India* (Islamabad: Quaid Azam University, 2010) 23, 22; also see Hywel Coleman and Tony Capstick, *Language in
Education in Pakistan Recommendation for Policy and Practice* (British Council: 2012) available at
http://www.teachingenglish.org.uk/sites/teaching/fillies/

\(^{40}\) ‘Languages of Afghanistan’, available at http://afghanistan.saarctourism.org/language.html, accessed on 2\(^{nd}\)

\(^{41}\) Sueyoshi, Ingrid Toba and Novel Kishor Rai, ‘Diversity and endangerment of languages in Nepal’, UNESCO

\(^{42}\) ‘Ethnologue Languages of the World: Languages of Bhutan’, available at http://archive.ethnologue.com/16/show
(150,000), Garo (120,000), Marma (150,000), Rangpuri (10 milion) 6%, Sylheti (7 million) 4, Santhali (150,000).43

In Sri Lanka, Sinhala (official and national language) is spoken by 74% of the population, people speaking Tamil constitute 24%.44 In Maldives, the official and national language is Dhivehi (also called Mali) spoken by absolute majority; minority languages include : Male, Huvudu, Mulaku, Addu, Sinhala and Indian languages.45

While the above language profile is a picture of rich variety of languages, the small sizes of some of the speech communities, difficulty on the part of state of provide education in all the languages and lack of collective will to pursue educational interest in such languages have been the sources of threats to their versatile character. With the growing popularity of English language in the technological world and globalised society, diversion of attention or shift from native languages has unfortunately occurred in all the SAARC countries.

**Human Rights Approach to Minority Language Education, Mother Tongue Medium and Parental Right of Choice**

International human rights regime, which governs SAARC countries also, has its clear impact of making language right a component of human right.46 In order to have definite implication for avoidance or mitigation of language loss, it ought to entail elimination of discrimination and extension of positive help, as per the scholars who propound linguistic human rights.47 In the context of multiple minority or indigenous languages, affirmative obligations go beyond mere

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44 [http://www.sltda.lk/population_and_languages](http://www.sltda.lk/population_and_languages) accessed on 14 December 2014;
46 As per the Bangalore Declaration on Economic, Social and Cultural Rights 1995, obligating the judiciary to give effect to international human instruments in case they are not inconsistent with domestic law even in absence of specific adoption, and in light of Vishaka v. State of Rajasthan, AIR 1997 SC 3011; (1997)6 SCC 241 and other cases implementing the international human rights, these international language/human rights provisions shall have distinct impact upon domestic law.
policy of non-discrimination and “aim at ensuring a person’s capacity to enjoy a secure linguistic environment in her/his mother tongue and a linguistic group’s fair chance of cultural self-production.”

Individual positive linguistic human rights are to be synergized with collective positive rights and duties. In order to make right to change or shift language (right to choose language) a real right, the social, economic and political advantages that weigh in the process of choice between mother tongue and one’s future shall stand neutralized. Thus, the basic approach shall be combination of individual and collective rights, and a synthesis of equality and liberty. In this light, the following textual provisions of international instruments may be considered. Broadly, the language education right has following dimensions: State’s duty to provide for Mother Tongue Medium of instruction to the children of all speech communities; right of the linguistic minorities and speech communities to conserve and develop their language; their right to carry out educational activity by managing their educational institutions autonomously; state’s supervisory power to make the rights effective and make it equally available; and the right of choice on the part of parents to have the kind of education which they choose for their children.

According to Article 27 of the International Covenant on Civil and Political Rights, “In those states in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.” Article 4 (3) of the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, 1993, states, “States should take appropriate measures so that, wherever possible, persons belonging to minorities may have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue.” Article 4(4) states, “States should, wherever appropriate, take measures in the field of education, in order to encourage knowledge of the history, traditions, language and culture of

49 Tove Skutnabb-Kangas, supra n. 47 pp. 240-1
the minorities existing within their territory. Persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.” Article 13 (1) states, “Indigenous people have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.” States shall take effective measures to ensure that this right is protected.  

In the UNESCO Convention against Discrimination in Education, 1960, the State parties agree (Art. 5[c]) that “it is essential to recognize the right of members of national minorities to carry on their own educational activities, including the maintenance of schools and, depending on educational policy of each State, the use or the teaching of their own language.” UNESCO has given recognition to mother tongue education on grounds of psychological, sociological and linguistic grounds.  

UN Convention on the Rights of the Child, 1989 provides, “In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in harmony with other members of his or her group, to enjoy his or her own culture, to profess and practice his or her own religion, or to use his or her own language.” The UNESCO Universal Declaration on Cultural Diversity 2001 encouraged mother tongue and bilingual education at primary stage. The UNESCO Position Paper, “Education in Multilingual World’ 2003 said, “Instruction in mother tongue is essential for initial instruction and literacy and should be extended to as late a stage in education as possible.” The UNICEF papers in international conferences in 1993, 1996, 1998 and 2001 consistently adhered to the policy that language instruction at the beginning of one’s education should be mother tongue. UN Declaration on Rights of Indigenous People has recognized the rights of indigenous people to establish and control educational systems and institutions providing education in their own language, indigenous children’s right to have state

51 Article 13 (2) UNDRIP  
53 Article 30 UN Convention on the Rights of the Child, 1989  
54 The policy was implemented in Hong Kong, Papua New Guinea, Kenya, Indonesia, Europe and South America.
education at all levels and forms without discrimination, and State’s duty to take all measures in order for indigenous individuals the right to have access to education in their own culture and provided in their own language.\(^{55}\)

The Hague Recommendations Regarding the Educational Rights of National Minorities 1996, formulated by Organization for Security and Cooperation in Europe prescribe Mother Tongue Medium in primary and secondary levels of education.\(^{56}\) The Framework Convention for the Protection of National Minorities, adopted and enforced by the Council of Europe in 1998 has provided,

> The Parties undertake to recognize that every person belonging to a national minority has the right to learn his or her minority language. In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the Parties shall endeavour to ensure, as far as possible and within the framework of their education systems, that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language.” (Article 14)\(^{57}\)

This implies that the State has the duty to provide for mother tongue medium of instruction.\(^{58}\) It also recognizes and protects rights of persons belonging to a national minority to set up and to manage their own private educational and training establishments. (Article 13)

Regarding parental right, provisions can be found, whose ambit has certain amount of controversy. Article 26(3) of the Universal Declaration of Human Rights states, “Parents have a prior right to choose the kind of education that shall be given to their children.”\(^{59}\) According to Article 2 of the Protocol to the European Convention of Human Rights, “In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the

\(^{55}\) Article 14  
\(^{56}\) Articles 11 to 13  
\(^{58}\) See for discussion, Durk Gorter and Jasone Cenoz, ‘Legal Rights of Linguistic minorities in the European Union’ in Peter M Tiersma and Lawrence M Solan (Ed), *supra* n. 6 p. 260 at 267  
\(^{59}\) Reference to this provision was made in *Islamic Academy of Education v. State of Karnataka*, 2003 (3) SCALE 325 at 388 per Sinha J.
right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions." Whether parental choice extends to language selection even by opposing State’s MTM policy in order to prefer access to English medium schools; who has to decide about such choice – is it parent or State; and on what criterion the scope of choice shall be decided are the issues involved in the application of parental right of choice. It is clear from the international human rights discourse and case law, which will be elaborated later, that the parental rights of choice is basically purposive in character, and not absolute, and shall be located as part of protection against forced language shift, and not a free license for language shift to non-mother tongue. The approach of some of the American States in the matter of mother tongue medium of instruction has not been reflecting the idea of language rights as human rights, and the state policy has been contested and remedied on grounds of violation of liberty and equality clause.

**Constitutional, Legal and administrative Measures**

Constitutional and legal measures in the SAARC countries have responded to the multilingual situation prevalent in their regimes, and addressed the issues with sensitivity and deliberate care. In India, Pakistan and Sri Lanka the constitution making process took into consideration the prevalent debate about dominant language’s position vis-à-vis regional languages. The issue of diversity of languages has centered round the policy of equal language rights of all. For the decent survival and sustenance of all languages whether and how the SAARC country constitutions have created a comfortable atmosphere by building suitable constitutional framework is a matter to be dealt at threshold and in the light of this larger framework, the question whether the language right in education is properly dealt can be examined.

**General framework of constitutional policy on languages**

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61 See supra note

Amidst the 8 SAARC countries, most of the polities provide for unitary system where dominant language of the nation is constitutionally recognized as the sole official/state language. Most of them are former colonies of European countries and have legacies of biased education policy that is only helping the colonial masters without redeeming effect on native linguistic competence. The post colonial and post modernist attitude for restoration of linguistic wealth along with aspiration to have access to advantages of globalization have made policy formulation a complex task. In India and Pakistan, where federal system is adopted, linguistic territorial organization has provided for use of regional language for the official purposes of the states, and use of official language or English at the national level. District or local administrations in unitary states like Sri Lanka, Afghanistan, Bangladesh, Nepal and Bhutan have accommodated use of local language. Policy of bilingualism amidst Sinhalese and Tamil in Sri Lanka is distinct. Because of the use of provisions relating to fundamental rights or directive principles or fundamental duties equal rights of speech communities have prevailed in most of the countries, especially in the matter of conservation of language. A unique approach of Nepal's interim constitution by declaring that all languages used as mother tongue in Nepal are national languages and Nepali is the official language has made headway towards egalitarian approach in language learning and language conservation. The Afghan provision has also clear orientation for conservation of language diversity. While conservation of language is a community right in some systems, it is a state's duty in other systems. Religious considerations and emotions of national unity have influenced in recognizing Urdu as the national language of Pakistan whereas Hindi gained such position in India due to practical/political consideration that Hindi speech community is nearer to majority and because of its bilingual partnership with other language communities. With these prefatory remarks the country positions can be perused.

Article 16 of the Constitution of Islamic Republic of Afghanistan, 2004 provides,

> From amongst Pashto, Dari, Uzbeki, Turkmani, Baluchi, Pachaie, Nuristani, Pamiri and other current languages in the country, Pashto and Dari shall be the official languages of the state. In areas where the majority of the people speak in any one of Uzbeki,
Turkmani, Pachaie, Nuristani, Baluchi or Pamiri languages, any of the aforementioned language, in addition to Pashto and Dari, shall be the third official language, the usage of which shall be regulated by law. The state shall design and apply effective programs to foster and develop all languages of Afghanistan. Usage of all current languages in the country shall be free in press publications and mass media. Academic and national administrative terminology and usage in the country shall be preserved.

Article 3 of the Constitution of the People’s Republic of Bangladesh, 1972, provides that the state language of the Republic is Bangla.

According to Article 1.8 of the Constitution of Bhutan 2008, “Dzongkha is the National Language of Bhutan.” Article 4.1 says, “The State shall endeavour to preserve, protect and promote the cultural heritage of the country, including monuments, places and objects of artistic or historic interest, Dzongs, Lhakhangs, Goendeys, Ten-sum, Nyes, language, literature, music, visual arts and religion to enrich society and the cultural life of the citizens.” Culture is recognised as evolving dynamic force for evolution of traditional society with values sustainable as progressive society. Citizenship by naturalization requires knowledge of writing and speaking Dzongkha (A 6.3a) non discrimination on account of language (A 7.15) incitement to offence on grounds of language is a good ground for reasonable restriction on FR (A 7.22d)

In India, as per Article 343, the official language of the Union shall be Hindi in Devanagari script. For a period of 15 years from the commencement of the constitution, English shall be continued to be used for all the official purposes of the Union for which it was used earlier. By virtue of Official Languages Act 1963, the use of English for official purposes of the Union is indefinitely continuing. At the State level, regional language/s may be adopted by the Legislatures of the States to be used for all or any of the official purposes of the States (Article 345). For the purpose of communications between Union and the States or States inter-se, the language for the time being used (English) shall be used. The language of the Supreme Court, High court, and of the Bills, Acts and delegated legislations shall be in the English language, until
a parliamentary law provides for otherwise (Article 348). The languages mentioned in the Eighth Schedule shall be duly represented in official Language Commission for the purpose of progressive use of Hindi, for the development of Hindi language by supplying vocabulary support, for the purpose of use of language in Supreme Court and High Courts, by having due regard to the just claims and the interests of persons belonging to the non-Hindi speaking areas (articles 344 and 351).

Article 5 of the Interim Constitution of Nepal, 2007, states that all the languages spoken as mother tongue in Nepal are the national languages of Nepal. (2) The Nepali language with Devanagari script shall be the official language. (3) Notwithstanding anything contained in clause (2) it shall not be deemed to have hindered to use the mother tongue in local bodies and offices. State shall translate the languages so used to an official working language and maintain record thereon.

According to Article 251 of the Constitution of the Islamic Republic of Pakistan, 1973, the national language of Pakistan is Urdu, and arrangements shall be made for its being used for official and other purposes within fifteen years from commencing day. Subject to this clause, English may be used for official purposes until arrangements are made for its replacement by Urdu. Without prejudice to the status of National language, a Provincial Assembly may by law prescribe measures for teaching, promotion and use of a provincial language in addition to the National language.

Article 18 of the Constitution of Sri Lanka, 1978, says, “The Official language of Sri Lanka shall be Sinhalese.” The National languages of Sri Lanka shall be Sinhalese and Tamil. (A19) Either of the national languages can be used in legislature or local authorities (A 20) Administration and court proceeding shall be transacted in Official Language throughout Sri Lanka; but in North and Eastern provinces either of the national languages shall be used (A 22, 24). All laws proclamations and orders shall be in both the National Languages (a 23). All information shall be available in both the National languages. Access to public employment is available with proficiency in either language (A 23). In case of inconsistency between the two versions of legislations, that which is in official language version shall prevail. State shall provide adequate
facilities to both the languages relating to their use on any of the matters referred in this chapter (A 25).

Similarities and differences amidst the above diverse constitutional policies may be now looked into. Political compromises, practical considerations and human right approaches have combined in policy formulation. Continuation of colonial policy in the matter of language in legislation, appellate court proceeding, administration and education has extended the regime of deprivation to the regional languages. Lack of adequate translation of legal and other materials from English to regional languages and even to national language of the country to the extent needed has impeded the language growth.

Indian Constitution has provided for mother tongue instruction and minority language educational right to overcome the problem of minorities arising from linguistic organization of state. Administratively, learning of multiple languages through three language formula had been originally planned in India. In rest of the SAARC countries two language formula or optional three language formula has been experimented. But globalization and urbanization have set new pattern of educational, technical and professional requirement. Adaptation to globalization and urbanization has been socially costly in consequence. Constitutional guarantee of language right has not saved the society from such discomforts. On the contrary, undue expansion of parental right of choice or minority right to establish and administer educational institutions of their choice has supported dominance of English medium schools.

**Conservation of Language, Script or Culture**

Right to conserve language is a vital instrument to combat language loss. Conservation in the context of language calls for pro-active approach rather than mere abstinence from restraints or discriminations as the conservation strategy involves wider and quality use of language. Although there may be differences from jurisdiction to jurisdiction about the issue upon whom this right is conferred, whether on individuals or communities, and what the role of the state is, yet the prominent role of the community in spearheading conservation is the general approach. According to Article 29 of the Constitution of India, all sections of citizens having a distinct language, script or culture or its own shall have the right to conserve the same. Significantly,
the right is conferred upon all linguistic communities and confined to minorities. Political and social agitation for promotion of language is part of the right to conserve language.\textsuperscript{63} Governmental and community support to language conservation by encouragement to language learning, research, publications and literary and cultural congregations are the parts of conservation strategies. Non-discrimination on grounds of language in matters of access to public employment, higher education and public facilities and availability of freedom of expression, assembly and association have greatly enhanced the competence of language communities for conservation of their resources.

Article 28 of the Constitution of Pakistan provides, “Subject to Article 251, any section of citizens having distinct language, script or culture shall have right to preserve and promote the same and subject to law, establish institution for that purpose.” \textsuperscript{64}

Article 23 of Bangladesh Constitution states that the State shall adopt measures to conserve the cultural traditions and heritage of the people, and so to foster and improve the national language, literature and the arts that all sections of the people are afforded the opportunity to contribute towards and to participate in the enrichment of the national culture.\textsuperscript{65}

Article 14 (f) of Sri Lanka’s Constitution provides: every citizen is entitled to freedom by himself or in association with others to enjoy and promote his own culture and to use his own language.\textsuperscript{66} There is prohibition of discrimination on ground of language (Art 12). No language barrier shall be prescribed at entry point of employment, but in-service language skill training may be prescribed. The State shall assist the development of cultures and languages of people (Art. 27.10). State shall strengthen national unity by promoting cooperation and mutuality amidst people irrespective of language difference and ensure equal opportunity and no disability on account of language, race, religion etc (Articles 27.5 and 6).

\textsuperscript{63} Jagdev Sidhanti v. Pratap Singh Daula 1963 (3) SCR 837
\textsuperscript{65} Supra Note 30.
Art. 17 (3) of the Interim Constitution of Nepal states: Each community residing in Nepal shall have the right to preserve and promote its language, script, culture civility and heritage.

According to Article 39 of the Constitution of Maldives: (a) Everyone has the right to participate in the cultural life of the nation, and to benefit from literary and artistic endeavours. (b) The State shall promote education, culture, literature and the arts, within the limits of its resources.

The method of conservation of language may take multiple forms: political campaign, public dissemination, research, training, translation, publication, seminars, conferences, NGO movement and community participation.

One prominent point that can be made out from the above comparative study is that conservation of language is a task that shall be collectively shouldered by the individuals, community and the state. Language movements have significantly contributed towards spreading awareness of the need of conservation, and recognition of political propaganda as a part of conservation strategy in India is on right direction. But inciting to offence on linguistic feelings is prohibited in all the systems. To say that State has no role to play except withdrawal of obstacles is not appropriate, as the task requires a positive help or regulative measure or some reasonable compulsion from the side of the State, and as the State has a duty towards that end.

**Mother Tongue Medium (MTM) Instruction**

MTM is crucial for language survival and effective learning at the early age of the child. But policies of multilingual polities and developing economies of SAARC on this issue have been driven by considerations which are more market oriented and political rather than pure pedagogical ones. Even the scientific educational approach on MTM is tested and challenged by these considerations without seriously looking to the constitutional imperatives. In this section, first the comparative legal regime will be described, which will be followed by discussion.

*Description:*
In India, the constitutional basis for MTM can be traced in Articles 350-A, 29, 30, 21, 21-A, 19 (1)(a) and (g), 45 and 51-A (k). State’s duty, community’s or minority’s right, child’s right, parent’s right and school organizer’s occupational freedom are the factors defining its scope. Right to conserve involves MTM policy because passing on of MT to the child is inter-generational push for language survival. Protection of minority’s MTM is the genuine and basic purpose of Article 30. Educational right, to be more effective, needs MTM. Parental right for MTM is a facet of fundamental right 21, 21-A, 19 (1)(a), and is more justified as based on facts rather than free roaming wish.

Article 350A of the Constitution of India, 1950 says: “It shall be the endeavour of every state and of every local authority within the state to provide adequate facilities for instruction in the mother tongue at the primary stage of education to children belonging to linguistic minority groups, and the President may issue such direction to any state as he considers necessary or proper for securing the provision of such facilities”. The Supreme Court’s dictum in English Medium Students Parents Associations case\(^{67}\) has been to the effect that the State has both right and duty to impart primary education (from first standard to fourth standard) in the mother tongue of the children. But in Tamil Nadu Tamil & English Schools Association v. State of Tamil Nadu\(^{68}\) and Associated Management of Primary and Secondary Schools in Karnataka v. State of Karnataka\(^{69}\), the Madras and Karnataka High Courts took a stand that the directive under Article 350-A cannot justify denial of rights of parents to choose the type of education to their wards, which included choice of medium of instruction also. Further, the right of minority to establish and administer educational institution was also infringed by such policy. The Courts were not convinced about the advantage to students. The argument about globalization’s pressing demand for English skilled candidates was noticed by the judiciary. In appeal, the two

\(^{67}\) (1994) 1 SCC 550.
\(^{68}\) (2000) 2 CTC 344.
\(^{69}\) Associated Management of Primary and Secondary Schools in Karnataka v. State of Karnataka AIR 2008 Kant 2790.
judges' bench of the Supreme Court referred the matter to full constitutional bench which answered the following questions:

(i) What does Mother tongue mean? If it referred to as the language in which the child is comfortable with, then who will decide the same?

"Mother tongue in the context of the Constitution would, therefore, mean the language of the linguistic minority in a State and it is the parent or the guardian of the child who will decide what the mother tongue of child is. The Constitution nowhere provides that mother tongue is the language which the child is comfortable with, and while this meaning of "mother tongue" may be a possible meaning of the 'expression', this is not the meaning of mother tongue in Article 350A of the Constitution or in any other provision of the Constitution and hence we cannot either expand the power of the State or restrict a fundamental right by saying that mother tongue is the language which the child is comfortable with. We accordingly answer question no.(i).

(ii) Whether a student or a parent or a citizen has a right to choose a medium of instruction at primary stage?

"Under Articles 21 and 21A of the Constitution, therefore, a child has a fundamental right to claim from the State free education up to the age of 14 years. The language of Article 21A of the Constitution further makes it clear that such free education which a child can claim from the State will be in a manner as the State may, by law, determine. If, therefore, the State determines by law that in schools where free education is provided under Article 21A of the Constitution, the medium of

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70 State of Karnataka v. Associate Management of (Government Recognised UEM) Primary and Secondary Schools AIR 2013 SC 2930
71 State of Karnataka v. Associate Management of (Government Recognised UEM) Primary and Secondary Schools AIR 2014 SC; Civil Appeal no. 5166-5191 judgment dated 6th May 2014; the Bench included: R.M. Lodha CJI, A.K. Patnaik, Sudhansu Jyoti Mukhopadhaya, Dipak Misra, Fakkir Mohamed Kalifulla JJ. ; The judgment was unanimous and was rendered by A.K.Patnaik J.
72 Paragraph 25
instruction would be in the mother tongue or in any language, the child cannot claim as of right under Article 21 or Article 21A of the Constitution that he has a right to choose the medium of instruction in which the education should be imparted to him by the State. The High Court, in our considered opinion, was not right in coming to the conclusion that the right to choose a medium of instruction is implicit in the right to education under Articles 21 and 21A of the Constitution. Our answer to Question No.(ii), therefore, is that a child, and on his behalf his parent or guardian, has the right to choose the medium of instruction at the primary school stage under Article 19(1)(a) and not under Article 21 or Article 21A of the Constitution."

(iii) Does the imposition of mother tongue in any way affects the fundamental rights under Articles 14, 19, 29 and 30 of the Constitution?

"We are of the considered opinion that though the experts may be uniform in their opinion that children studying in classes I to IV in the primary school can learn better if they are taught in their mother tongue, the State cannot stipulate as a condition for recognition that the medium of instruction for children studying in classes I to IV in minority schools protected under Articles 29(1) and 30(1) of the Constitution and in private unaided schools enjoying the right to carry on any occupation under Article 19(1)(g) of the Constitution would be the mother tongue of the children as such stipulation. We accordingly answer question No.(iii) referred to us and hold that the imposition of mother tongue affects the fundamental rights under Articles 19, 29 and 30 of the Constitution."

(iv) Whether the Government recognized schools are inclusive of both government-aided schools and private and unaided schools?

Kirpal C.J. writing the judgment in T.M.A. Pai Foundation (supra) on behalf of the majority Judges has held that the fundamental right to establish an educational institution cannot be confused with the right to ask for recognition or affiliation.

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73 Paragraph 32
74 Paragraph 42
From the aforesaid discussion of the law as developed by this Court, it is clear that all schools, whether they are established by the Government or whether they are aided by the Government or whether they are not aided by the Government, require recognition to be granted in accordance of the provisions of the appropriate Act or Government order. Accordingly, Government recognized schools will not only include government aided schools but also unaided schools which have been granted recognition."\(^{75}\)

(v) Whether the State can by virtue of Article 350-A of the Constitution compel the linguistic minorities to choose their mother tongue only as medium of instruction in primary schools?

"We have extracted Article 350A of the Constitution above and we have noticed that in this Article it is provided that it shall be the endeavour of every State and of every local authority within the State to provide adequate facilities for instruction in the mother tongue at the primary stage of education to children belonging to linguistic minority groups. We have already held that a linguistic minority under Article 30(1) of the Constitution has the right to choose the medium of instruction in which education will be imparted in the primary stages of the school which it has established. Article 350A therefore cannot be interpreted to empower the State to compel a linguistic minority to choose its mother tongue only as a medium of instruction in a primary school established by it in violation of this fundamental right under Article 30(1). We accordingly hold that State has no power under Article 350A of the Constitution to compel the linguistic minorities to choose their mother tongue only as a medium of instruction in primary schools."\(^{76}\)

The constitutional position in other SAARC countries can be examined now. Article 43 of the Afghanistan Constitution 2004 provides,

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\(^{75}\) Paragraph 43
\(^{76}\) Paragraph 44
education as well as to provide mandatory intermediate education throughout Afghanistan, the state shall design and implement effective programs and prepare the ground for teaching mother tongues in areas where they are spoken.

Article 46

Establishing and administering higher, general and specialized educational institutions shall be the duty of the state. The citizens of Afghanistan shall establish higher, general and specialized educational as well as literacy institutions with permission of the state. The state shall permit foreign individuals to establish higher, general and specialized institutions in accordance with the provisions of the law. Admission terms to higher educational institutes of the state and other related matters shall be regulated by law.

According to Article 21 of the Constitution of Sri Lanka, 1978, “A person shall be entitled to be educated through the medium of either of the national languages.” But this is not applicable in higher education where medium of instruction is a language other than the national languages. Bilingualism shall be ensured in departments and faculties of universities unless education of the subject is imparted in other universities or campuses. Article 27.2h contemplates eradication of illiteracy, and extension of universal and equal access to all levels of education for all language communities.

Article 17 of interim Constitution of Nepal Constitution, 2007, states: (1) Each community shall have the right to get basic education in their mother tongue as provided for in the law. (2) Every citizen shall have the right to free education from the State up to secondary level as provided for in the law. Article 36 (b) of Constitution of the Republic of Maldives, 2008 provides: Primary and Secondary education shall be freely provided by the state. It is imperative on parents and the State to provide children with primary and secondary education.

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Article 17 of Bangladesh Constitution provides, state shall adopt effective measures for the purpose of establishing uniform mass-oriented universal system of free and compulsory education to all children.\textsuperscript{80}

Article 9.16 of Bhutan Constitution states that it is the State’s duty to provide compulsory and free primary education.\textsuperscript{81}

Article 251 of the Pakistan Constitution provides, “Without prejudice to the status of National language, a Provincial Assembly may by law prescribe measures for teaching, promotion and use of a provincial language in addition to the National language.” As a result, in most parts of the country the medium of instruction in State schools is Urdu although Sindhi and Pasto are also used in some provinces. Elite and non-elite private English medium schools and schools run by armed forces which impart English Medium instruction form sizeable sector which deviates from MTM policy. In 2010 the Pakistan Government decreed that English shall be used for the teaching of science and mathematics in state schools from primary level.\textsuperscript{82} According to one estimate, more than 90 per cent of the population of Pakistan speaks mother tongues which are not used in education.\textsuperscript{83} It is viewed by Zubeida Mustafa, “Children have already gained three or four years of language experience in their mother tongue when they start school. If English is to be the school language, these children lose this advantage. The benefit goes to a small minority that is bilingual from the start by virtue of their parents being the products of exclusive English-medium education.”\textsuperscript{84} The parallel system of elite schooling has been criticized as producing linguistic/educational apartheid and weakening or lowering the status of mother tongue.\textsuperscript{85}

\textsuperscript{82} Hywel Coleman and Tony Capstick, Language in Education in Pakistan Recommendation for Policy and Practice(British Council: 2012) 16
\textsuperscript{83} Pinnock 2009: 50 cited in Hywel Coleman and Tony Capstick, Language in Education in Pakistan Recommendation for Policy and Practice(British Council: 2012) 16
\textsuperscript{85} Rahaman T (2004: 74); Shamim (2011) cited in Hywel Coleman and Tony Capstick supra n. 82 p. 16
Discussion:

The major thrust of language policy in education as laid down in the constitutional texts is on MTM instruction. MTM is scientifically the most effective in primary education where the basic concepts are to be internalized within one’s cultural environment. But private practitioners of schooling have catered to the market needs and lured the native language speakers to EM schools in most of the SAARC countries. In India, regional linguistic patriotism and scientific consideration of school system has motivated some of the States to insist on MTM whereas some other states have gone for State administered EM schools. The question whether there could be imposition of MTM or whether parental choice shall prevail over scientific educational policy has created considerable controversies in India. The constitutional development in the Associated Management case can be commented as follows:

Firstly, we will consider meaning of the terms ‘mother tongue’ and competence to decide ‘mother tongue’ of the child. In lay parlance, mother tongue is language in which mother ordinarily speaks in the family. It is a language in which the child familiarizes with the objects, relations and events around. It is a comfort zone of understanding the concepts. Although ordinarily mother’s language is a decisive factor, in families where mother and father belong to different language speaking communities (bilingual home), the dominant use of language within the family may get ascendance as the mother tongue or a third common language of the parents in which the child is brought up may get that status. Thus, ‘mother tongue’ is a question of fact. In Canada, section 23 of the Constitution Act 1982, the criteria such as what is the first language of the parents and in which language the parent has received his/her primary education are to be considered to decide the entitlement to minority language education. In Belgium Linguistic Reference case the competence of Belgium school authorities to identify the maternal language or usual language of the ward by insisting on criteria like enumeration in the school leaving certificate from the last school attended, a language declared by the head of the child’s family as approved by the language inspectorate, and decision by the Commission or
Board of schools as per law was in issue. The Applicants and the Commission argued that the requirement that declaration of the head of the family must be "a statement of fact" and not "the expression of a wish", and the language inspectorate shall verify its accuracy denied full freedom of choice to the parents, and that it was inconsistent with the rights of parents under the Convention. Although the European Court of Human Rights declined to answer the issue as it felt not essential for the decision of the case as the applicants had declared themselves as French speaking and inspectorate had also agreed, the prevalent practice of objective identification of mother tongue is continuing as valid legal position. The dictionary meaning of the phrase means the language which a person has grown up learning from childhood or the language first learned. It also connotes language one identifies with, language one knows best or uses most or that which others identify as native language.

The approach of the Supreme Court to concede the exclusive right to the parent to decide the mother tongue and not to recognize power of the State to regulate this matter is likely to convert choice into expression of wish, even deviating from facts, which is going against purposive character of MTM policy under Article 350-A. In view of genuine concern for MTM and avoidance of abuse through language shift, the development is not on lines of sociolinguistic dimension of language use in education.

Secondly, locating of parental right of choice in education of child in Article 19 (1) (a) alone is problematic. As developed in Myers and Pierce cases in the US, essentially it is an aspect of personal liberty or privacy. In the context of educational right, locating it in Article 21-A is also appropriate. Looking from the angle of conservation of language and educational rights of linguistic minorities, Articles 29 (1) and 30 (1) become relevant site of its location. Since all these provide scope for legal regulation, imposing restrictions outside the ambit of Article 19 (2) is within State’s power. The correlative of Article 350-A is a right of linguistic minority to be

86 "Relating to Certain Aspects of the Laws on Use of Languages in Education in Belgium" v. Belgium (Merits) European Court of Human Rights Strasbourg, 23 July 1968
provided with primary education in its mother tongue. Parents have fundamental duty under Article 51-A (k) to provide education to their children between the age of six and fourteen. This duty can be better performed with MTM because as experienced in school system of India and Pakistan, education in non-MTM is highly responsible for drop in schools and for ineffective learning especially to the non-elite population. Can parental right of choice go to the root of right to effective education, is a question to be addressed. Hence, best interest of the child shall be the only consideration in language choice. Combination of all these factors does not keep the parental right of choice absolute or within the exclusive frame of expressional freedom. In carving out a new unnamed right from named right the established methodology is that the genetic link between the two shall be considered, the nature and purpose shall also synchronize, and possible direct effect upon other rights shall be considered. The judgment does not convincingly proceed with this approach.

Thirdly, in answering the question number (iii) by saying that in spite of uniform expert view about essentiality of MTM for better learning the state has no power of imposing MTM, there is a hands off approach to the whole issue. As Shivali Tukdeo writes, “The judgment does not engage with issues of pedagogy, educational philosophy and instructional practices. Research on right to education has maintained that familiarity with school language is crucial in enrolments and progress in early years and the verdict does not counter this position, it seeks to enable element of choice in education.” Tejaswini Niranjana writes that denial of learning happiness through mother tongue disables effective teaching, and observes, “If exposing a child to English at a very young age is dictated by opportunism and skewed sense of what makes social mobility possible, this choice flies in the face of language and education research as well as the most enlightened pedagogic practices available. If mother tongue or Indian language education is not practical today, it’s because of the enormous lack of good educational resources in those languages, another need that state initiatives have failed to address

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91 Shivali Tukdeo, ‘Supreme Court judgment marks an important turn in the debate on language education policy’ http://indianexpress.com/article/opinion/columsn/the-language-of-choice/99/ accessed on 15 Nov, 2014
adequately." In brushing aside whole body of scientific data and expert view, the Court did not act as expert of experts. It simply held the parental right of choice as absolute. But in a system of interrelated existence of fundamental rights mutually assisting and balancing with each other, the impact of such approach needs to be analysed. Once we recognize the human right dimension of language right to have its conservation, and MTM at primary stage (for a period of four years) is imperative for inter-generation linguistic equity and child’s own best interest, treating parental choice as unlimited becomes unconvincing. Further, such approach puts the parent into a position of unquestionable custodian of child’s rights. Suppose non-MTM results in increased school dropout or in ineffective learning of subjects, and parental choice is primarily responsible for the same, recognizing such position goes to the root of child’s precious right of education, which is explicitly a fundamental right. There is a critical discourse on the extent of justification and quantum of parental right of choice. The story of education starts with Plato’s idea of communitarian rearing of children as if they are assets of the society rather than asset or profit making tool in the hands of parents. Indian gurukula system of learning also believed in schooling system’s superiority over parent’s right. The recognition of libertarian principle in Myers and Nebraska to the effect that “the child is not the mere creature of the State; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations” gave dominant position to the parent. But scrutinised carefully, it suggests emphasis on parent’s high duty to mould the destiny of the child. The words “the child is not mere creature of the State” connote that the State has also crucial role, especially about quality and efficacy of education. If education is not to be treated as commodity, and market forces are not to skew the learning atmosphere, recognition of State’s power to shape curriculum and language planning ought not to be dictated by parental autonomy. To say that child is only a tool in the hands of parent is inimical to child’s interest. When State knows better about what is in the best interest of the child, and parental linguistic fact situation is not the basis for claim for particular medium of instruction, but the wish to shift the child to another language atmosphere in anticipation of economic advantage is the driving consideration, an approach that glorifies parental autonomy at the cost of other fundamental

[92 Tejaswini Niranjana, ‘Beyond the language tussle’ The Hindu, December 6, 2014]
rights does not produce comfortable result. The ‘shift in loco parentis role of the state and reordering the power of authority in education’ become questionable in this light. The high libertarian content the US approach gave to parental right, the latest affirmation being in 2000, becomes misplaced in the Indian circumstance where the parental choice is not justified on the basis of factual situation, but a pretext for language shift inimical to the child’s interests.

Fourthly, Court’s holding about lack of power in imposition of language is too generic, and is relevant only in case of undue regimentation going beyond reasonable regulation. Article 350-A, though a non-enforceable directive obligating the State to provide MTM facility for linguistic minorities in consequence of linguistic territorial organization of states, yet engenders a human right and relies on state’s power of recognition, support and regulation. To say that state has no power under Article 350-A to regulate for MTM is to hinder State’s competence perform duty under Article 350-A. State’s responsibility or duty carries with it the power to perform the duty. Obsession with identity loss debate has blocked true pedagogic efforts. As Pratap Bhanu Mehta views, “Language choice has been so consumed by a politics of identity that we cannot even get a proper cognitive debate on language going.”

Love for elite identity of English tag to help child’s future career is a consideration in other SAARC countries as well. As Rahman describes the situation prevalent in Pakistan, “By supporting English through a parallel system of elite schooling, Pakistan ruling elite acts as an ally of the forces of globalization at least as far the hegemony of English is concerned. The major consequence of this policy is the weakening of local languages and lowering of their status. This, in turn, opposes the linguistic and cultural diversity, weakens the have-nots even

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93 Shivali Tukdeo, supra n. 90
95 The parental right is attacked on the basis of “the Progressive vision of the child as public resource and public ward, entitled both to make claims upon the community and to be claimed by the community.” See Woodhouse, Child Abuse, the Constitution, and the Legacy of Pierce v. Society of Sisters, 78 U. DET. MERCY L. REV. 479 (2001); Children’s Rights: The Destruction and Promise of Family, 1993 BYU L. REV. 497 (1993); From Property to Personhood: A Child-Centered Perspective on Parents’ Rights, 5 GEO. J. ON POVERTY L. & POL’Y 313 (1998). This proposition is countered by Zimmerman, ‘Defending the Parental Right to Direct Education: Meyers and Pierce ass Bulwarks against State Indoctrination’ 17 Regent University Law Review (2005) 311 at 330-1. At 339-345
further and increases poverty by leaving the best-paid jobs in the hands of the international elite and the English using elite of the peripheries.”

Bangladesh has three types of schools: Bangla medium in schools established or aided by State, English medium schools with high fee structure accessed by elite and urban population, and madrassah schools where Arabic and Bangla are taught. But English is a compulsory subject of learning in all schools except Madrasah at all levels since 2003. Education in ethnic minority language is given a low key treatment. The choice of English in educational policy is due to realization of its economic and social importance in the globalized and technological world.

In Bhutan, English is a compulsory subject at secondary and higher levels as it is a language of diplomacy. Generally, three language formula is used whereas use of Nepali as medium of instruction in southern districts was stopped in 1990s in order to facilitate the growth of national language and check the immigration of Nepali speech community to Bhutan.

In Sri Lanka the process of decolonization witnessed Sinhalese only policy, which introduced Sinhalese medium schools all over Sri Lanka soon after independence. Facing protests in Tamil dominant areas, the Government gradually introduced Tamil medium schools in those places. English became compulsory second language in view of its historical, political and practical considerations. English continued dominance in higher and technical education, in diplomacy, in courts and national administration. Amidst the debate about ascendance of vernacular language education as an imperative for restoration of native culture or non-negotiable right of community’s identity and continuance of English language for enabling social and economic

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97 T Rahman cited in Hywel Coleman and Tony Capstick, supra n 82; he also observed “Both globalization and the continuation of colonial language policies by the governments of Pakistan have increased the pressure of English on all other languages. While this has also created an increased awareness of language rights and movements to preserve languages, it has generally resulted in more people learning English. In Pakistan this means that the poor are under more pressure than before because they cannot afford expensive schools that ‘sell’ English at exorbitant rates. As such, linguistic globalization is anti-poor, pro-elitist and exploitative.” ‘Language Policy, Multilingualism and Language Vitality’ http://www.apnaorg.com/book-chapters/tariq/ accessed on 12 December 2014


mobility transcending the island, the above compromise situation has emerged. The demand for restoration of three language formula with English medium has also been considerable in order to replace private tuitions in English and the elite dominance in private English medium schools.

In Nepal, National Curriculum Framework for School Education2007 provides for MTM at primary education, study of English as one of the subjects from grade 4 and compulsory study of Nepali language. The assimilationist approach of Nepali as the sole medium of instruction is substituted by multilingual policy in education. About the role of English language education and equitable access to the same, the debate is actively prevalent as in other developing countries.

Educational Right of Linguistic Minority

For avoidance of language loss, educational right of linguistic minorities has potential help. Article 30 of the Constitution of India states: All minorities whether based on religion or language, shall have the right to establish and administer educational institutions of their choice. The implications of this right include the following positions: (i) The minorities have right to choose medium of instruction. (ii) There shall not be superimposition of majority language as medium of instruction on them. (iii) Autonomy in the matter of administration

100 A Suresh Canagarajah, ‘Dilemmas in planning vernacular/English relations in post-colonial communities’ 9(3) Journal of Sociolinguistics 2005 pp 418-447
104 Ram Ashis Giri views, “There is no doubt that English has established itself as a language of power today, but more importantly, it has become powerful because it has been used as a tool as well as a resource for social mobility, linguistic superiority and educational and economic benefits.” See Ram Ashis Giri, ‘The Politics of ‘unplanning’ of language in Nepal’ 14 Journal of NELTA December 2009, 32 at 39
and admission of students shall be enjoyed by the minorities.\textsuperscript{106} (iv) The minorities may use Article 30 for establishing English medium schools or professional colleges as they are within the ambit of the phrase ‘educational institutions of their choice’.\textsuperscript{107} What is to be noticed in India is that because of construing Article 30 without anchoring the right to the purpose of minority language education, it is allowed to accommodate or facilitate even a shift from mother tongue other tongue. Compared to the Canadian position and other systems of Europe where minority language education is the principle and not unlimited educational rights of linguistic minorities, it is anomalous to have a badge of linguistic minority to have English medium school or engineering and medical college or any profiteering institution without genuine concern for the language whose survival is at danger.

The community’s right to conserve language, as contemplated in Nepal’s Interim Constitution includes the right to establish and administer educational institution for the purpose.\textsuperscript{108} The Constitution of Afghanistan explicitly, and other constitutions indirectly recognize collective right of the linguistic community to establish and administer educational institutions.

\textit{Ala carte of languages for additional learning}

In view of the need to learn regional, national and international language making the opportunity to study language of one’s choice amidst regional languages in the context of three language formula has become essential. Three languages formula has been planned in India in the following manner: In non-Hindi states, there shall be study of one regional language in Eighth Schedule; Hindi; and English or modern European language. In Hindi states, study of Hindi; one modern Indian language especially from South India; and English or modern European language is prescribed. The working of the three language formula has been problematic as it is sternly opposed by some states or not seriously practiced by some other

\textsuperscript{106} TMA Pai Foundation v. State of Karnataka, AIR 2003 SC 355; (2002) 8 SCC 481
\textsuperscript{108} Article 17 (3): Each community in Nepal shall have right to preserve its language, script, culture, cultural civility and heritage.
states. As a result, uncertainties prevail about its working. Problems have arisen in connection with giving of preferential position, greater weight-age of marks, differences in extent of teaching/learning hours, and inclusion and exclusion of languages in the list of optional languages. The requirement of compulsory learning of regional language as one of the subjects has been upheld by the apex Court in India as essential for multilingual harmony and not causing any impediment to language identity or violating minority right. Such immersion courses enable better assimilation and sociability. Limited teaching resources, viability of conducting the language course depending upon the strength of the speech community, number of students ready for registration, and parental demand for the concerned language are the factors that influence offering of the concerned language. Similarly, exclusion of Sanskrit from optional study violated the principle of equality. Recently, the exclusion of German language from study in order to make way for Sanskrit raised a controversy, which is yet to be resolved. In view of indigenous languages, an optional four language formula may also be appropriate.

Administrative Measures to Avoid Language Loss

Pro-active approach of State greatly helps in avoidance of language loss, especially of the indigenous languages. The State’s support may range from providing of institutional research, adoption of computers for documentation of literary resource in the concerned script, audio and video recording of speech resources, drama, art and socio-cultural events, translations, production of dictionaries, encyclopaedia etc., holding of summer/crash courses, adult education programmes, preparation of learning materials, production of text books, formation of repositories, and subsidizing conducting of workshops, symposia, and congregations, to doing all things which assist in incubating the language. While State Governments have policy of promoting official languages and the Central Government does similar exercise in the matter of Hindi, at the all-India level great service is rendered by the Central Indian Institute of Indian Languages. CIIL has the objectives of promoting coordination amidst Indian languages.

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110 Santosh Kumar v. Secretary, Ministry of Human Resources Development, (1994) 6 SCC 579
111 Arunabha Bagchi, ‘German vs Sanskrit’, The Statesman 8 December 2014
establishing essential unity amidst them by scientific and inter-disciplinary research and strengthening the language learning ability and conservation of minor and minority languages. The research output, the language development schemes, programmes, pedagogic materials, tribal language resources and publications of CII have been of great value for language survival. Since survival of minor languages much depends upon widened and continuous use, all these efforts shall support official policy of mother tongue learning.

In view of the inherent limitation about the scope of Indian language’s use, especially in higher education, legislation and higher appellate court proceedings and judgments, there is the need for making such literature available in Indian languages through translation in order that Indian languages attain adequate competence to handle the function of communication more effectively. If the country’s widespread translation work becomes imperative, it is a matter not to be escaped. The responsibility is cast upon the State, civil society, academia and the public at large. Otherwise, continuance of colonial policy of dependence upon foreign language will go on impoverishing the capability of the Indian languages. If the range of use of language is widened, its respectability also gets augmented.

Social Responses and Outcomes

Because of increased popularity of English medium schools, closure of numerous rural vernacular schools run by government has taken place in various parts of India. About the similar position in Pakistan, it is said, “Such is the power of myths about language in Pakistan that a public demand has been created for English. People believe that English is the magic wand that can open the door to prosperity. Policymakers, the wielders of economic power and the social elites have also perpetuated this myth to their own advantage. The door of prosperity has been opened but only for small elite.”

To counter such measure, efforts have been made to improve the facilities in vernacular school and revitalize them. There is also legal control of commercialization of education. However,

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112 http://www.ciil.org/aboutProfile.aspx accessed on 13th December 2014
113 Translation of multi volume award of the Cauvery Inter-State Water Dispute Tribunal by private organization in Karnataka is an example about civil society’s role.
114 Supra Note 84.
commercialization of English Medium Schools and professional educational institutions has been continuing. The role of NGOs in revitalization of vernacular schools has been another factor that came to the forefront as a part of save vernacular language movement.

Conclusions and Suggestions

The problem of language loss in multilingual societies of South Asian countries is a serious one, and involves clear human right violation. The approaches of discriminations and dominations reflect the policy of survival of the fittest. The colonial policy of relying on alien language and undermining vernacular/indigenous languages has deep impact challenging their competence to equip themselves with adequate linguistic resources expected of modern times. Hierarchical treatment of languages has intruded into the concept of equal language rights of all. The Indian position that Eighth Scheduled languages have advantages which non-scheduled languages do not get and the translation of knowledge system of law, humanities and science are not available reflects inequity in contrast to the emerging policy in Nepal that all mother tongues within the nation are national languages.

The colonial background, status of economic development, multilingual features, territoriality of speech communities and aspiration to handle challenges of globalization with tools of English language have created similar features and policy thrusts. But differences in policies do prevail because political solutions are aimed at in the Constitutions without adequately grounding them in human rights values. Each country finds solution to the language problem on the basis of its own social, political, cultural and economic considerations.115

However, with more human right content and meticulous application of interrelationship of rights to uphold mutual support and mutual balancing the position would be more comfortable and less abusive.116 This becomes clear when we closely examine the latest judgment of the Indian Supreme Court in Associated Management case.117 Both in locating the base for

117 State of Karnataka v. Associated Management of (Government Recognised UEM) Primary and Secondary Schools; Civil Appeal no. 5166-5191 judgment dated 6th May 2014
unnamed right of parental choice in relevant named right, and in determining its scope within the purposive framework, the judgment's thrust needs to be reconsidered.

Ecological approach of deliberate language planning to uphold public trust principle and inter-generation equity appears to be sound in view of language's function as vehicle of culture. Globalization and economic competitions have been the major factors contributing to language loss. Constitutional policies are elaborate, sound and suitable to the goal of multilingualism. It is essential that human content of language right in education is to be properly realized, and mother tongue instruction at primary stage of education should be given greater emphasis. The difficulties in adaptation to change initiated by globalization are to be dealt both at policy level and community level. There is a need for holistic approach in this sphere. Law's competence and function in dealing with the language related social transformation in the context of constitutionally guaranteed human right situation have to be strengthened keeping in mind that language is a valuable social resource.

Language policy is not an end by itself. It is part of the strategy of socio-economic, cultural and technological development of the nation wherein equity in access to effective learning and avoidance of exclusion shall be the approach.

Specific suggestions for reform are as follows:

- There shall be expansion of the list of recognized languages (Eighth Schedule in India) in the Constitution.
- Medium of instruction at primary education shall mandatorily be in mother tongue.
- Four language formula shall be introduced, giving scope for learning of local or indigenous language and thus saving it.
- Varieties of activities such as home learning, tuition, summer camps and informal dissemination of language skill and content shall be introduced.
- Emphasis shall be given to research, publication, documenting of oral and written tradition.
- Use of creative and art media for revitalizing indigenous language shall be made.
• Attempts shall be made for adaptation of vernacular and indigenous languages to computers.

• Efforts shall be put to bring change the mind set amidst stakeholders and participants.