Capabilities and Linguistic Justice

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Abstract

Language conditions our socio-political world in fundamental ways. How public institutions deal with linguistic diversity, and how they distribute linguistic benefits, has an important impact on an individuals' life. This article studies the value of language in multilingual environments by evaluating the debate on linguistic justice through the capabilities approach. It studies the value of language to assess what principles of justice are required to secure individual freedom. First, we explore the value of language within the framework proposed by the capabilities approach. Second, we assess the role of language in enabling the development of certain capabilities. As a first attempt to comprehensively address the relationship between linguistic justice and the capabilities approach, it evaluates how linguistic justice theories fare in fostering four capabilities from Martha Nussbaum's list. We provide a conceptually sound normative assessment of the role played by language within the capabilities framework, and how it translates into policy.

Keywords: capabilities approach, language, language policy, linguistic justice, multilingualism, theories of justice.

1. Introduction

Our human ability to communicate through language structures our social world; the languages we use, how and where we use them, strongly condition the scope of opportunities accessible to us. In multilingual environments, the languages used for communication, can foster or limit individuals' abilities to flourish. Political decisions regarding the use of language (language policy and planning) are not a neutral issue: which languages are chosen for official communication, taught in schools, (dis)regarded in the public sphere, or how public resources are distributed to promote the use of a language, affect individuals' chances in life, and their opportunity to achieve valued goods. Providing the groundwork for language policies and planning that coincide with a society's moral commitments is the task of research on 'linguistic justice'; it aims to determine the principles of political and social conduct that should guide our moral intuitions in responding to questions of language policy and planning.

This article explores issues of linguistic justice in multilingual environments by evaluating the debate through the capabilities approach (CA). The CA, used as an evaluative method to determine principles of justice (Nussbaum, 2000; Sen, 1992), provides guidelines for what is owed to individuals as a matter of justice, and does it by asking what individuals are able to do and who they are able to be (Robeyns 2017: 9). Capabilities are the metric of justice; they are the substantive freedoms that should be accessible to every individual, for achieving their valued goals in life (Sen, 1992: Ch. 4). A capability theory of justice, thus, proposes distributive and relational principles that ensure individual freedom to be and to do what one has reason to value. By defining a morally substantive understanding of what justice requires, the CA works as a groundwork evaluative tool to assess the validity of political, social and economic choices.

Within the CA, limited literature exists on the role played by language (or language policy) in promoting justice. This is a surprising omission since language, and the way political systems regulate the use of language in diverse societies, might affect the opportunity we have to exercise fundamental capabilities. Some work within the CA tangentially addresses the link between capabilities and language: it is mentioned as an example of a collective capability (Deneulin, 2008); it is brought up by interviewees as a valued good in studies of disadvantage (Wolff and de-Shalit, 2007: 59-61); and raised

superficially in work dealing with education policy in multilingual societies (i.e., Tikly, 2016).

More recently, Lewis (2017) and Shorten (2017) use the CA to highlight certain limitations of the philosophical literature on linguistic justice. Both consider that using capabilities as a metric of disadvantage works better than utility or resource metrics to evaluate linguistic inequalities. This article attempts to move the debate forward, exploring the value of the philosophical literature on linguistic justice to researchers working on the CA. Standing on Shorten's (2017) assumption that the best metric to assess equality and/or disadvantage in language policies is the CA, we intend to fill the gap in the capabilities literature on language by introducing the extensive work on linguistic justice in normative political philosophy (i.e. Kymlicka and Patten, 2003; Patten, 2014; Van Parijs, 2011). The literature on linguistic justice can provide a conceptual framework for understanding the role that language (policy) plays for studies of social justice based on the CA. Particularly, we tackle two issues. First, we assess the value of language within the moral framework proposed by the CA; and second, we explore the role played by language in enabling the development of certain fundamental capabilities.

If we look at language policy from the perspective of the CA, where should we stand in the linguistic justice debate? (See Lewis 2017, for a similar framing). As a first approximation to this question, this article evaluates the positions in the philosophical debate on linguistic justice based on how they fare in fostering and/or restricting the development of four central capabilities from Martha Nussbaum's list (2011: 33-34): Sense, imagination and thought, Practical reason, Affiliation, and Control over one's environment. Through it, we provide a clear and conceptually sound normative assessment of language policy, and of the value of language from the perspective of the CA. The article claims that establishing policies that protect minority languages and promote multilingualism is a precondition for fundamental capabilities to be ensured. It must be noted that, while the article supports itself on the empirical literature (and examples) of language policy, it is not itself an empirical study of linguistic policy; it aims to determine the moral and conceptual groundwork that structures language policy; it, thus, provides a philosophical answer to foundational questions on the value of language.

Section 2 introduces the debate on linguistic justice, and how it classifies the values of language; Section 3 proposes a way to conceptualise the values of language within the capabilities approach; Section 4 applies this conceptual framework to four capabilities in Nussbaum's list, determining what they require in terms of linguistic policy; Section 5 concludes.

2. Language and Theories of Justice

Language is not an uncontroversial concept. Broadly speaking, it can be understood in two ways. First, language is a general system of communication: the capacity to communicate our thoughts and feelings to others, regardless of our use of oral, written and/or physical signs. Second, language is a particular system of communication, consisting of sounds, words, and structures that are understood by a particular group of people. We focus on the latter conceptualisation of 'language'[1] as a specific oral and/or written form of communication because it is more prone to lead to social conflict, thus, bearing more relevance for discussions of public policy.[2]

As of 2018, there are 7097 known languages (Simons and Fennig, 2018). With 195 states in the world, there is an average of 36 languages per state. This diversity implies that, whereas the capacity for language is a property shared by all human beings, 'the particular languages […] generated by such capacities are very diverse and potentially at odds' (Peled et al., 2014: 295). Ethical and political dilemmas often arise from linguistic diversity in both theory and practice. The rise of English as a possible global *lingua franca*, or the (linguistic) claims of sub-state national (or migrant) minorities have been important topics from the late twentieth century onwards.

How should we confront ethical and political dilemmas concerning language? This is the aim of the philosophical literature on linguistic justice: to establish normative criteria that assesses whether language policies/regimes are just. This is particularly important in linguistically diverse societies, where the construction of fair and just language policies

[1] Despite that the former definition is also crucially important to secure some capabilities and functionings (i.e., a severely disabled person, who can only communicate through blinking; or, even more basically, our capacity to communicate love through a hug).

[2] We assume, for simplicity, a clear distinction among languages, and between languages and dialects. This is a common assumption in political theory, as opposed to work in linguistics. We are aware of criticisms to political theory due to it taking language 'as a self-evident nominal category' (Ricento, 2014: 361). Despite limitations to working with this assumption, the distinction is harmless for this article's purpose. While there are issues of justice relating to dialectical variations (intralinguistic justice), this article is concerned only with justice *among languages* (interlinguistic justice) (De Schutter, 2020).

is a controversial issue. Since the publication of the first volume on linguistic justice in political philosophy (Kymlicka and Patten, 2003),[3] the field has revolved around two major debates: between defending the legitimacy of identity and non-identity (pragmatic) values to justify language policies; and on whether monolingualism or multilingualism should be endorsed.

Identity values relate to the idea that language constitutes 'who I am.' It is part of my identity and the frame through which I perceive reality. Human beings, it is argued, 'feel a strong attachment to […] language because it (co)constitutes our very identity' (Robichaud and De Schutter, 2012: 125). De Schutter and Robichaud (2015) identify two main identity values deriving from language: autonomy and dignity. The first understands language as the frame through which we can observe and assess reality, being an important condition to develop and exercise individual autonomy. The second considers language as valuable because using one's own language or 'affirming its status is a way of promoting a person or a group's dignity' (De Schutter and Robichaud, 2015: 6). Endorsers of the *identity* value of language are divided between supporters of the principle of territoriality ('one territory, one language') (Kymlicka, 1995; Van Parijs, 2011), and of the principle of personality (language rights track individuals, not territories) (De Schutter, 2014; Patten, 2014; Réaume, 2003). They tend to endorse multilingual policies, but with differing conclusions.

Pragmatic (non-identity) values relate to the idea that language is only a collection of words; a tool that enables performing non-linguistically defined functions. Following Robichaud and De Schutter (2012, 2015), the most important pragmatic values that one can reap from languages are: facilitating communication, making democratic deliberation possible, improving social mobility, efficiency or socio-economic equality (Barry, 2001; Pogge, 2003; Schnapper, 2003; Weinstock, 2003). Theories grounded on pragmatic values tend to endorse monolingual policies.

3. The Value of Language in the Capabilities Approach

[3] Although our focus is on the normative philosophical discussions on language policy, the topic did not start in philosophy. In political science and economics, the debate already begun in the 1990s (i.e., Pool, 1991), whereas there were also discussions in legal studies (Mowbray, 2012). For a comprehensive and interdisciplinary review of the linguistic justice literature see Alcalde (2018).

The debate on linguistic justice attempts to problematise language diversity, and find just solutions to potential tensions. The identity and pragmatic values of language identified above are, in a sense, moral definitions of language which determine what is important when thinking about language policy. How does this fit within the CA as a normative framework of justice?

The CA highlights the distinction between the means and the ends of justice (Robeyns, 2017: 47-51). The structural critique posed by Amartya Sen to utilitarian or resourcist political theorists was that, instead of assessing the impact that particular policies or principles have on valued ends, utilitarian or resourcist theories claimed that justice could be achieved through the just distribution of the means to achieve valuable ends (Sen, 1980; 1992: 12-30). While resourcists considered that redistribution of goods and wealth satisfies inequality, Sen considered that studies of inequality should focus on what individuals are able to achieve with goods and wealth. For capability theorists, a theory of justice must differentiate between its end goal, and the means to achieve this goal. This is what the concept of 'capabilities' intends to highlight. Capabilities (the beings and doings which we have reason to value), are the end of justice; any goods, resources or practices that allow us to reach these goals (be it money, shelter, nourishment, physical or mental competences), are the means -the conversion factors- that enable our access to capabilities, but they are not valuable in themselves (Nussbaum, 2000: 86-96). We ask, thus: is language a means or an end of justice? Is language a capability or a conversion factor enabling the existence of capabilities?

To locate the status of language within the CA, we must ask whether our interests linked to language are intrinsically or instrumentally valuable. Does language bear value regardless of whether it generates other benefits to us? Or is its value conditioned by its effect on other (inherently) valuable functions?

3.1. Intrinsic and Instrumental Values of Language

Differently from other disciplines, there is a long-settled discussion in the field of political philosophy on whether language holds intrinsic or instrumental value.[4] For most political philosophers (see, as a clarificatory example, Robichaud and De Schutter, 2012) and,

[4] We understand the term 'intrinsic value' in its philosophical sense; defined as something that has value for its own sake, as opposed to being a means to achieving something else of value (Zimmerman and Bradley, 2019).

also, in the empirical literature (see Gorter et al. 2007; Grin, 1994; and Wickström et al., 2018), language is interpreted as valuable *instrumentally*. That is, the value attached to a language (regardless of whether this value is pragmatic or identity-based) derives from how linguistic behaviour fosters other interests and goals of individuals.

As a matter of fact, the intrinsic approach to the value of language in political philosophy does not have many followers (Musschenga, 1998; Rockefeller, 1994). For Musschenga, 'the thesis that an object *P* has intrinsic value implies that *P* would be properly valued or chosen or desired for its own sake' (1998: 212). Regardless of its uses, practices, or the linguistic behaviour and interests of individuals, language, in this approach, would have intrinsic value if one considers that it should be protected for its own sake; it would be an end in itself to protect languages, regardless of the value that human beings give to them. In short, the intrinsic approach considers that languages have value regardless of whether they are used.

The instrumental approach, on the other hand, claims that language enables attaining other important values. Its value depends on the reason(s) given by people to value language (Riera-Gil, 2016: 41). We do everything by means of language (Weinstock, 2014: 318), so the reasons why a concrete language is valued by individuals may be different, sometimes even contradictory. The value of language derives from the interests of individuals, as bearers of moral agency, and their linguistic behaviour. Language is not an end in itself, but a kind of 'multi-purpose' tool (Robichaud and De Schutter, 2012). For many scholars (Barry, 2001; Stilz, 2009; Van Parijs, 2011), the instrumental status of language is intuitively clear: it allows us to express ourselves, to understand the world, to communicate and connect with other people, to (unfaithfully) translate what we have inside so that others can understand who we are and what we think.

From a CA perspective, is language of intrinsic or instrumental value? The intrinsic value of a capability lies in it being an inseparable part of our well-being, our agency (Sen, 1985), or our human dignity (Nussbaum, 2011: 29-32). If a capability cannot be framed as elementary to our well-being, agency, or human dignity, it should not be considered as an end in itself. We must assess whether language is an inseparable part of our well-being, agency or human dignity (thus, making it a capability), or whether it plays an instrumental role in promoting other (intrinsically) valuable functionings.[5]

[5] The concept of 'value', and the definition of 'value' within the CA, and who has authority to define what has value, are much debated questions (Khader and Kosko, 2019; Byskov, 2020). We consider that, while

Claiming that language is intrinsically valuable requires it maintaining its value even if no individual person considers it valuable. Languages (as Musschenga would argue) have intrinsic value as cultural and historical artefacts; they sustain life-worlds even if no one uses them. Would such a language be intrinsically valuable, in the CA's definition of value? This is a difficult position to sustain. As the CA relies so strongly on how justice is conditioned by how it affects the individual human, a non-individually valued good could not be deemed as an intrinsically valued capability. Languages depend on their communicative possibilities for them to hold value for the humans who use them. Cultural and historical artifacts cannot be deemed valuable if no person holds them as valuable.

Even if not intrinsically, language plays a structural role by enabling other intrinsically valuable capabilities to exist. Most of the core valued capabilities depend on the existence of language. Imagine attempting to achieve the objectives that language enables (to express ourselves, to understand the world and others, to connect with others) without having a language to do so. By almost any standard, it would be impossible to have meaningful communication (even less if it attempts to provide well-being and agency) if we did not have language as the medium to achieve this. Language is structural to any chance of society existing; and any kind of agency, and political or social freedom that we can imagine, requires language competences from us, and requires us and others to bear similar or equivalent language competences.

In short, within the CA, language (as a form of communication) is a fundamental conversion factor that enables or restricts our possibilities to be and to do that which we have reason to value in various fundamental aspects of our lives (Brando, 2020: 254-256).[6] Language enables the pursuance of social, political, and expressive goals; most of our valued agency objectives depend and are conditioned by the existence of language, even if merely due to its instrumentality.

3.2. The Value of Language and One's Valued Language(s)

Let us move from the value of language (in general) to the value of particular languages. Language (as a general form of communication) has value as an instrument that enables

the value of 'language' (as a form of communication) can be determined objectively as instrumental, the value assigned to particular languages, and the role they may play for an individual's flourishing and dignity is open-ended.

[6] For an introduction to the sociolinguistic research on the instrumentality of language see Iannàccaro and Dell'Aquila (2016).

the development of capabilities. But how should the value of particular languages be assessed from a perspective of justice? As mentioned above, linguistic justice concerns with dilemmas that arise in the socio-political arenas due to linguistic diversity and conflict among language-uses. How should we understand the duties of justice towards particular languages?

Language is an interesting good because most of its value derives from its communicative potential. If I am the only speaker of Quechua in a community, the value of my Quechua language skills decreases as my chance of achieving valuable well-being or agency goals through my use of Quechua somewhat depend on communicating with others. Therefore, Charles Taylor (1995) calls language 'irreducibly social': a good or practice that cannot be reduced to the individual, as it only bears value against a social setting of practices, understandings and meanings which give it value (Deneulin, 2008: 109). Whether the language I use, or prefer to use, has value for my achievement of capabilities depends almost always on the existence of a social ethos that enables and promotes it.

The conditionality of the value of language to the social setting shows the importance of shifting from a discussion of language in general to analysing language(s) in particular. For language to work as an instrument that enables my achievement of capabilities, I must be able to communicate in the valued language *of others*, and/or others must be able to communicate *in my own valued language*. This last sentence may seem redundant, but it is relevant. A Quechua speaker living in Lima (Peru) may have to communicate in Spanish (if she can) to be able to find a job. Depending on the particular social settings, and the language policies in Lima, the use of her own valued language (Quechua) may be limited or inexistent.

A core tension for linguistic justice lies between *normative monolingualism* and *multilingualism*. The former considers that the role of language in promoting justice can be fulfilled through monolinguist language policies ensuring that all are able to communicate *in the same language*. Language holds value, these positions claim, by promoting efficiency in communication (Barry, 2001; Weinstock, 2003), ensuring equal opportunities for citizens (Pogge, 2003), and enabling democratic practice (Laitin and Reich, 2003; Schnapper, 2003; Van Parijs, 2011). These are the end values which language, and linguistic justice should sustain. Our Quechua friend, from this perspective, is encouraged to learn Spanish (as the *lingua franca* in Peru) to ensure that she can efficiently communicate with all others in the country, that she has equal opportunities to

access jobs and education in non-Quechua-speaking regions, and that she is able to participate as a democratic equal in the public arena.[7]

From a multilingual perspective, it is argued that ensuring that everyone speaks the same language is insufficient to enable all the valued goals that language provides to individuals. Besides its pragmatic value, language has value in its sustainment and promotion of one's identity. Our Quechua friend may be ensured efficiency, equal opportunities and some democratic access by speaking Spanish in Lima, but Spanish cannot fulfil certain capabilities that language promotes: communicating in Quechua enables her to express her autonomy (Kymlicka, 1995, 2001) and dignity (De Schutter and Robichaud, 2015) *as a Quechua individual*; being able to communicate in Quechua recognises her dignity and status as an equal member in her society.

Studying language (in general) is insufficient for understanding the various ways in which one's valued language supports the achievement of valuable capabilities; communication through the particular language that one values fosters the capacity to achieve interests that communicating in any other language would not enable. Policies promoting the use of dominant languages may be a necessary condition to protect some valued goods. But certain core interests require more than mere efficient communication, as they may have a function which can only (or best) be achieved through the use of a language one values (instead of any language).

4. The Status of Language in Central Capabilities

A useful way to evaluate the role and value of language within the CA is to explore how it enables the development of fundamental capabilities. Language, as argued above, has value because of its various instrumental qualities; language policy, thus, may greatly affect the chances an individual has to make use of language to expand her capabilities and freedoms.

Having identified the various forms in which language holds instrumental value, and the tension between monolingual and multilingual normative approaches to linguistic justice, this section dwells deeper into this debate, exploring the varied values and roles of

[7] This is, in fact, the trend for Quechua. Due to massive migration to urban areas (where Spanish is hegemonic) in Peru, Ecuador and Bolivia, Quechua-speaking adults barely use Quechua in their daily life, nor do they transmit their language to their children (Howard 2011); moreover, negative stereotypes about Quechua in urban settings means that little incentives exist to use it in predominantly Spanish-speaking areas (Marr 2011). For possible routes forward, see Hornberger and Coronel-Molina (2004).

language (in general) and of one's valued language within the CA. Is language (in general) sufficient for an individual to achieve valuable capabilities? Or is protecting one's valued language a necessary precondition for certain capabilities to be accessible? We believe the latter is true, and show this by exploring how language conditions our ability to achieve four central capabilities in Martha Nussbaum's list (Sense, imagination and thought; Practical reason; Affiliation; and Control over one's environment).[8] By studying how language (or one's valued language) supports the development of these fundamental capabilities, we bring to the fore the core commitments that a capability theory of justice should have in relation to language policy.

4.1. Sense, imagination, and thought (SIT)

> Being able to use the senses, to imagine, think, and reason—and to do these things in a "truly human" way, a way informed and cultivated by an adequate education [...]. Being able to use imagination and thought in connection with experiencing and producing works and events of one's own choice […]. Being able to use one's mind in ways protected by guarantees of freedom of expression with respect to both political and artistic speech, and freedom of religious exercise. (Nussbaum, 2019: 241).

Language is embedded in this capability, first, as the general capacity for language and communication. "Being able to use the senses, to imagine, think and reason" is a capability that, in terms of linguistic value would barely require the ability to communicate through language (any language). The freedom of thought and expression endorsed by this central capability, while depending on language, seems not to require any particular language policies as one could hypothetically exercise this freedom in any language.

[8] Nussbaum's list comprises ten capabilities: Life, Bodily health, Bodily integrity, Sense, imagination, and thought, Emotions, Practical reason, Affiliation, Other species, Play, and Control over one's environment (2011: 33-34). The choice to analyse only these four is due to the relative instrumental value language has in enabling their formation and achievement. An anonymous reviewer suggested Emotions as a capability to study also: emotions "have also and external dimension which requires a form of communication". Although this is true, we consider that the overlap between the communicative dimension of the capability for Emotions and that of Affiliation (A) (see section 4.3), is sufficient for addressing the emotional features of language within the Affiliation capability, rather than separately.

However, the fact that the capability for SIT gives a structural role to "one's own choice" in freedom of expression, introduces a subjective element which affects how language should be understood as underpinning this capability. The freedom of political, religious, and creative expression endorsed would be thwarted if a particular language were to be imposed as the one through which one should express oneself. The idea of freedom of creative, political and religious expression demands more than mere protection and promotion of language capacities in general; it requires assuring that individuals have the spaces and supports needed to realise their expressive capabilities *through the language that they hold valuable*.

Freedom of expression, to a certain extent, is both limited and enabled by the language that one uses. Beyond expressive acts such as dance, music, or plastic arts, most expressive acts are framed and conditioned by language. This is so because expressive acts are not only an explicit communication tool, but also a medium to show who you are in the public sphere. By communicating in and showing public attachment to a particular language, you are publicly manifesting your identity. It is a way to express yourself in your own way, reaffirming who you are with your own voice, as an equal peer. If that is not possible (i.e., it is discouraged, banned, etc.), it would not be just an expressive limitation; it would also imply that there are some ways to express oneself that do not deserve an equal status (dignity) vis-à-vis others.

In multilingual contexts, promotion of freedom of expression begs for linguistic policies that protect the use of one's valued language. The sustainment of the ways of life tied to certain linguistic groups depends on their transmission through the cultural form. An example of a threat to this capability can be seen in the repression of the Catalan language during the Franco regime. In the mid-twentieth century, publishing in Catalan, using it in schools or public offices, naming children with Catalan names, and even singing in Catalan in public was forbidden and punishable (Solé i Sabaté and Villarroya 1994; Boada 2015). These restrictions of the use of one's language as a communicative tool in public, and as a transmitter of cultural and artistic heritage inevitably affects the capability for SIT, as it strongly binds the means of expression an individual has available.

In its most minimum demands, SIT requires linguistic policies that enable and promote the use of minority languages as vehicles of political, artistic, and religious expression. This might be instantiated by, first and foremost, guaranteeing a negative right to express oneself in a particular (minority) language. However, this negative right might also imply

creating the conditions that enable its exercise, as the CA endorses (Sen 1992: Ch. 3). For instance, promoting its prestige and its use in public media, or as an official means of communication in public dwellings. The crucial point here is that certain basic conditions (including the language's prestige and enablement in the public sphere) are required for individuals to exercise their capability for SIT. At the same time (and in tension with what we have said), effectiveness and expansion of opportunities for freedom of expression, may sometimes require the promotion and use of dominant languages also (Moyo, 2002). This might be the case where minority languages provide a limited scope of opportunities to reach an ample audience. Even accepting that it is normatively necessary to create the conditions to freely express oneself in minority languages, there might be reasons for promoting multilingual education, thus, ensuring that children have access to resources in their own valued language and in the dominant language in their community (see Section 4.2 below).

4.2. Practical reason

> Being able to form a conception of the good and to engage in critical reflection about the planning of one's life. (This entails protection for the liberty of conscience and religious observance.) (Nussbaum, 2019: 242).

Our ability to form a conception of the good is structural to our dignity, and to our life as human beings (Nussbaum 2011: 39-40). Conceptualising freedom or autonomy in any way, requires understanding how our reasoning abilities frame how we think about ourselves and our world. The ability to form a conception of the good, and to reflect on who we are and who we want to be requires knowing ourselves, locating ourselves in the social world, and judging and evaluating our position in the world. Even if not in its expressive form, language, and language policy, plays an important role in determining the course of the capability for Practical reason, as language affects our conception of the good and of ourselves.

While it is true that one can "form a conception of the good and […] engage in critical reflection" in any language, the way that language frames how we think means that the linguistic context from which one thinks and reflects can have an effect on how one

reasons (Taylor 1995).[9] The language we use to reflect and reason frames what can be termed as our "horizon of meaning". Language (and, especially, our linguistic and cultural context) is instrumental providing meaning to concepts, and thus, delimiting how we think and reflect about ourselves and the good. Kymlicka (1995) emphasises the importance of cultural-linguistic contexts as the spaces from where we choose. Languages are the glasses through which we see and evaluate reality. We exercise practical reason as situated individuals, as part of cultural and linguistic contexts (as diverse and plural as one can imagine) where we are embedded and where we develop**.**

Language is not exclusively a communicative tool nor a means to express one's identity. It is also a framing devise, that affects our choices in life. Peled and Bonotti (2016: 798) argue that language might epistemically shape us as individuals:[10] our moral cognition, they argue, is partially 'coloured' by the language(s) we speak; our moral assessments can be affected by language. Undermining one's valued language might go against those options in life valued by its users.

Beyond the value that language holds as a means for individual expression (as the capability for SIT shows), language holds another structural value in our life: as the partial source from which we derive our understanding of the world, our notion of concepts, our conception of the good and of justice. Language is a lens through which we perceive reality, strongly affecting our epistemic standpoint. From a normative perspective, this implies that we do not only have a claim to *express* ourselves in a particular language (SIT), but we also have a claim to *develop and learn* in a particular language, in order to be capable of reasoning through it. Language has value because it frames our epistemic standpoint. Practical reason requires policies that ensure that individuals can develop their reasoning capacities in their own valued language. A condition for this is securing a public education system that promotes, to a certain extent, learning in one's own valued language. As it is through this expansive use of minority languages that individuals acquire the capability to think and reason through it.

[9] For empirical data on how bilingual individuals think, and how bilingualism can affect people's cognitive sphere or metalinguistic awareness (in comparison to monolinguals) see Heim (2016).

[10] Although Peled and Bonotti (2016) seems to endorse the Sapir-Whorf idea that language is decisive for how we perceive and understand the world, their thesis is different from Sapir-Whorf's linguistic relativity (Sapir [1949] 1985; Whorf 1956). Peled and Bonotti endorse a weaker defence of language "colouring" people's moral cognition.

4.3. Affiliation

> A. Being able to live with and toward others, to recognize and show concern for other human beings, to engage in various forms of social interaction; to be able to imagine the situation of another. (Nussbaum, 2019: 242).

Affiliation, in this first sense of living with and towards others, and engaging in social interaction, is clearly conditioned by the existence of language. Affiliation is necessarily dialogical; it depends on the existence of others, and of my capacity to share and communicate with others, for it to be realised. In the previous two capabilities, my use of language does not have an urgent necessity for dialogue. Of course, one's freedom of expression or one's capability for practical reason benefit from communicating with others, but one can have this capability protected without communicating with others. I could be the only German speaker in the Amazon rainforest, while sustaining my capabilities for SIT, and for Practical reason, at least linguistically. Insofar as I can think, write and sing in German, and no one limits my freedom to do so, these capabilities are not threatened.[11] However, affiliation demands more from language than merely having linguistic skills; it requires others around me having equivalent linguistic abilities; it requires either that I can communicate in their language, that they communicate in mine or, at least, mutual understandability.

Considering the value of affiliation, and the role played by language in enabling it, requires going beyond a purely individualist framework, evaluating how social interdependencies frame what we need to maintain our human dignity and status (Ibrahim, 2006; Stewart, 1995). As a vehicle for affiliation and connection, language could be construed as an "irreducibly social good", as Taylor frames it (1995: Ch. 7). A good whose value cannot be tracked back to the individual user, but which requires social structure for it to have meaning.[12] The value of language as an instrument for living with others and engaging in social interaction has this irreducibly social value; it transcends individual actions and is determined by the capabilities of a collective rather than by the

[11] This is not to say that there are no positive obligations to protect these two capabilities. Both capabilities require a system that enables and/or promotes learning and acquiring language skills (public education, media, official recognition). However, once the capabilities have been acquired, as in the German speaker in the Amazon, there is no dialogical dependence anymore. Thanks to an anonymous reviewer for requesting clarification.

[12] The idea that language has a social nature goes back to the founding pioneers of modern linguistics, i.e. de Saussure (1916).

traditional priority of the individual in the CA (Deneulin, 2008: 116). This capability would, thus, require understanding the value of language as that of effective communication: being able to transmit one's thoughts and feelings *to others*. To those with whom I am (or feel) affiliated to.

In terms of linguistic policy, language ought to be seen as valuable and necessary from its instrumentality in ensuring communication, and in nourishing forms of affiliation (identity) among individuals. In what concerns the capability for Affiliation (A), language has a rather pragmatic value, promoting those languages that might ensure unity and public communication among a political community. It does not matter in what language(s) we communicate if we can communicate effectively. This could imply, at least, three broad policies: first, the spread of a *lingua franca*; second, the promotion of receptive multilingualism (Bahtina and Ten Thije 2013);[13] and third, sponsoring linguistic mediation (translators and interpreters). The selection of one policy over another would depend on the context (for instance, the proximity between the different languages at stake).

> B. Having the social bases of self-respect and non-humiliation; being able to be treated as a dignified being whose worth is equal to that of others. This entails provisions of non-discrimination on the basis of race, sex, sexual orientation, ethnicity, caste, religion, national origin. (Nussbaum, 2019: 242).

Section (B) of the capability for Affiliation differs from the previous one in its policy implications. Its emphasis on self-respect, and non-discrimination appeals for recognising the subjective self, thus, going beyond mere effective communication. While in Affiliation (A), language has value since it enables effective and efficient communication among individuals who share a social affiliation, in (B) the value that gains prominence is the recognition and respect for difference in a diverse society. The principle of self-respect and non-discrimination, in terms of language policy, requires ensuring that individuals are not stigmatised, humiliated or treated unequally merely because of the use of a particular language (Lewis, 2017).

[13] Receptive multilingualism "refers to language constellations in which interlocutors use their own language while speaking to each other" (Bahtina and Ten Thije, 2013: 1).

Language policy can hinder our protection of self-respect and non-discrimination as it affects the dignity of individuals. As our use of language frames to a certain extent our self-identification and our relationship with our community, it is a valuable 'source of collective and personal self-respect and dignity' (De Schutter and Robichaud, 2015: 6). Giving an equal treatment to different languages in the public sphere is a way to publicly recognise the equal status of their users. Doing the contrary might be read as perceiving some individuals as unequal, thus, threatening self-respect and dignity.

Some aspects of Affiliation (B) might incline us to think that they promote (only) a negative right to language (understood as freedom from interference). This might be the case for the principle of non-discrimination. However, the appeal to equal respect might require a more active involvement of public institutions to protect this capability. Many important harms inflicted to individuals whose valued language is not a dominant language in their society relate to their disregard, disrespect and discrimination.[14] Securing Affiliation (B) requires equal treatment of speakers of different languages within a given political community. Of course, how this equal treatment is instantiated might vary depending if one defends a principle of linguistic territoriality ('one territory, one language') (Kymlicka, 1995; Van Parijs, 2011), a principle of personality (language rights track individuals, not territories) (De Schutter, 2014; Patten, 2014; Réaume, 2003) or a more republican approach (Morales-Gálvez, 2017). Despite of variations depending on which principle is endorsed, linguistic policies that attempt to protect self-respect and dignity against discrimination and misrecognition will always require some form of multilingual policies, this is because each individual's linguistic interests ought to be taken as *prima facie* equally valuable if we aim to recognise them as being owed equal treatment and respect.

4.4. Control over one's environment

> A. Political Control. Being able to participate effectively in political choices that govern one's life; having the right of political participation, protections of free speech and association. (Nussbaum, 2019: 243).

[14] Lewis (2017: 602) exemplifies this using the case of the Welsh healthcare system, its provision of Welsh-speaking services, and how the historical discrimination of Welsh has pushed Welsh-speakers to disregard their rights and opportunities to use their language. This 'discrimination' problem also applies to 'accents' within a language (Baugh, 2003).

Political control, in Nussbaum's framing, entails political participation, free speech and association. It is a fundamental capability as it endorses an individual's entitlement not only in having control over herself, but in having control over her socio-political life. The status and role of language for the protection of this capability is an interesting one, as a tension arises between its different elements: while "effective political participation" hints at the need to establish a common language within a political community; "free speech and association" points towards the need to protect minority languages in the public and political sphere, even if at odds with "effectiveness" and efficiency of communication in the public sphere.

Should policy focus on ensuring effectiveness of a common language or on securing the freedom to act politically in one's one language? Some argue that, even if at odds, a reconciliation is partially possible (Morales-Gálvez, 2017). Effective political participation in multilingual settings might take place in more than one language (Stojanović & Bonotti, 2020). It may be considered as valuable to expand public participation to various languages in a state, as it enables increasing the quantity of the population who engage and participate as political actors (Rubin 2017: 639-640). Of course, this would require mutual intelligibility between those speaking different languages, such as promoting interpreters, like in the case of the European Union (Stojanović & Bonotti, 2020) or multilingual learning in schools, like in the cases of Catalonia and Luxembourg.

Promoting multilingualism amongst individuals living in diverse societies, therefore, seems the best solution to reconcile effective political participation with freedom of speech and association, making possible both the effectiveness of engaging politically in the public arena and doing so through the language one holds valuable.

> B. Material Control. Being able to hold property (both land and movable goods), and having property rights on an equal basis with others; having the right to seek employment on an equal basis with others; having the freedom from unwarranted search and seizure. (Nussbaum, 2019: 243).

Language and linguistic policy can have important implications on Material Control, especially as it relates to "the right to seek employment on an equal basis to others". In multilingual societies, or in places with high levels of immigration, language can be an important obstacle to accessing employment opportunities equally. Individuals coming from communities with a minority language might encounter more obstacles finding employment opportunities than their co-citizens who speak the dominant language, as being fluent in the dominant language tends to be a standard requirement in most job environments. It can also affect individuals coming from regions of a state in which only the dominant language is spoken to those in which the minority language also has a public role.

Concern with equality of opportunity (which this capability endorses) gives prominence to linguistic policy that targets schools, and as it relates to integration support for immigrants (or linguistic minorities within states). The languages taught in school have a large impact on an individual's socioeconomic opportunities; framing opportunities for advancing to higher education, determining the scope of work available, and the feasibility of migrating.

When language policy concerns equal opportunities, the idea of implementing a *lingua franca* within territories, while ensuring that everyone can learn it, is the standard solution in the literature. An empirical study by Chiswick and Miller (2014: 243) argues that "dominant language proficiency among immigrants is rewarded rather handsomely around the globe." In fact, this is general trend in the empirical literature (Wickström, et al., 2019). Multilingual policies, the argument goes, while protecting the interests of speakers of minority languages in some respects, might have a negative impact on their status in the job market (Barry, 2001; Pogge, 2003). Institutions should, therefore, promote a *lingua franca* to secure equality of opportunity.

However, the idea of a *lingua franca* misses several points. First, it does not consider the transition costs of making a language a *lingua franca*. Individuals who do not master a language from their early childhood will barely reach the same mastering as native speakers. When competing in the labour market, they will find it difficult to enjoy the same opportunities. Eloquence, fluency and accent always affects chances. Social psychologists refer to this problem as "accentism"; the form of discrimination that arises

from how one uses a particular language (Zhang and Grenier, 2013: 208).[15] This will be the case until complete assimilation is achieved. Forcing Quechua speakers in Peru to master Spanish does not seem sufficient for equalising opportunities in the labour market. In fact, the transition process to complete fluency (and assimilation) into Spanish might imply important transitional costs to the Quechua: feeling disrespect due to the status of their language, not having the same opportunities because they do not perform the expected Spanish dialect, among others.

Second, empirical research suggests that the connection between language repertoire (including the learning of a *lingua franca*), and enjoying equality of opportunities (in terms of salaries, for instance) is complex (Shorten 2017: 608). Mastering a dominant language might be necessary to attain integration (and equality of opportunities) in the labour market, but it is insufficient (Wickström, et al., 2019: 618). This is especially true if accounting for people's economic status (for instance, high profile workers tend to do better than blue-collar ones even though both master a dominant language), and/or gender (Wickström, et al., 2019: 618; see also Berman et al., 2003).[16] All in all, the relationship between language and labour market (and, in turn, how language affects equality of opportunities in the market) is complex and strongly context-dependent (Ridala 2020).

Third, the size and the economic potential of languages should be considered. German as a minority language in South Tyrol is not equivalent to Aranese (a 10.000 speakers minority language) in the Catalan Pyrenees. If a language offers enough socio-economic opportunities to its speakers (whatever 'enough' means), there is no strong reason to promote a *lingua franca*. If its speakers want to keep using and promoting their own minority language, that would be appropriate, as long as they have sufficient socio-economic opportunities to carry out their life projects in whatever language this may be required. Of course, this is completely consistent with also promoting dominant languages.

Ensuring equality of opportunity might also be promoted by protecting spheres where one's valued language has a socio-economic role and, additionally, offering access to learning dominant languages in order to allow individuals to participate in larger socio-economic spheres. A *lingua franca* is a useful tool to improve Material control, but it has

[15] For its theoretical underpinnings see Peled and Bonotti (2019); for empirical assessment, Formanowicz and Suitner (2020).

[16] For further research on the relationship between language skills and labour market see Chiswick and Miller, 2007; Isphording, 2015; Ridala, 2020; and Zhang and Grenier, 2013

shortcomings that a multilingual approach might overcome if properly adapted to particular contexts, and being sensitive to relevant intersections.

4.5. Capabilities and Language Requirements

Having assessed how language relates to four central capabilities, what its values are, and how this normative assessment speaks to potential language policies, we can understand the fundamental impact that studies in linguistic justice play for research based on the CA. Table 1 (below) summarises the basic conclusions taken from the analysis of the four capabilities from a perspective of linguistic justice.

Capability	**Value of Language**	**Normative Implications**
Sense, imagination, and thought	Identity (Expressive)	• Freedom from interference. • Create conditions for (minority) language use (public media, and official).
Practical reason	Identity (Constitutive)	• Ensure development and learning in one's valued language.
Affiliation (A)	Pragmatic (Effectiveness)	• Ensuring effective public communication.
Affiliation (B)	Identity (Respect and Equality)	• Freedom from interference. • Ensuring equal treatment.
Control over environment (A)	Pragmatic (Efficiency and Utility)	• Need for mutual intelligibility. • Multilingual education.
Control over environment (B)	Pragmatic (Equal opportunity)	• Teach dominant language. • Promote economic value of minority language.

Table 1. *The value of language in capabilities, and its normative implications*

Our underlying normative conclusion from the analysis of these four capabilities is the following: (1) the protection of languages that one holds valuable is morally relevant, which leads us to; (2) the protection and promotion of minority languages. Minority languages should enjoy sufficient linguistic space in multilingual societies to ensure individuals can achieve fundamental capabilities. At the same time, certain capabilities require knowing dominant languages, which would lead us to (3) promote multilingualism (including widely spoken languages). These three ideas, to our mind, are

normatively desirable minimums that would promote fundamental capabilities. The way each context instantiates them all to promote more just societies would require further context-dependent research.

Moreover, our analysis of the four capabilities also highlights the relevance of applying the CA to discussions on linguistic justice. By analysing the relationship of language with different capabilities, we showed that a strict and dogmatic definition of the value of language as either identity or pragmatic-based does not represent the actual variety of roles played by language in our life. Different capabilities, and different aims of human flourishing, may require language for different reasons, thus, its value should not be taken as set in stone, but rather conditioned by the ends goal that one aims to achieve.

5. Conclusion

The literature on the CA would benefit from a substantive analysis of the role that language plays in conditioning the realisability of fundamental capabilities. As language determines to a great extent our ability to achieve certain beings and doings which we have reason to value, it is important to understand the different ways in which it affects the development of capabilities, and how particular capabilities bring to the fore different values of language. This article showed the instrumental but structural role that language (both in general and particular) plays in the capability-formation process, and looked at the ways in which language frames four capabilities from Martha Nussbaum's list (Sense, imagination and thought; Practical reason; Affiliation; and Control over one's environment). The article claims that, beyond the value that language (in general) has in securing capabilities, establishing policies that protect (and promote) minority languages (and multilingualism) is necessary for securing certain capabilities which can be best exercised through one's valued language. We expect that this contribution opens new avenues of inquiry within the CA and, also, to discussions around theories of linguistic justice, especially as it offers justice-based reasons to protect minority languages and promote multilingualism.

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