

Regressive History and the Rights of Welsh Speakers: Does History Matter?

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Researchers interested in questions of culture and identity are often compelled to investigate and research the historical processes which have contributed to contemporary understandings of who they are and of their place in the world. Certainly, the research which I have undertaken on Welsh identity, liberalism and multiculturalism has inevitably led me to consider the ways in which historical constructions of identity are mediated and understood. For instance, in the case of linguistic identity, it could be argued that the political and philosophical debate on the place of the Welsh language in Wales would be almost impossible to grasp without reference to the historical trajectory which has led to the language's current status.¹ But where does that history begin? Who writes history? How far back does one go in attempting to understand the relationship between past and present?

These questions are particularly important when considering the tendency to fetishize and sentimentalize the past, particularly so when political discussions take place. Indeed, I have been at pains to avoid the glorification of the past in my work. I have deliberately avoided notions of a

¹ Both English and Welsh have de facto official status as public languages in Wales since the Welsh Language Act 1993. The 1993 Act fully repealed the linguistic aspect of the 1536 Act which officially marginalized the Welsh language from public life – see note 11 below. For those who are unfamiliar with the language's current status this is an extract taken from the most recent (2001) Census data on-line: 'Over a fifth (21 per cent) of the population of Wales said they could speak Welsh in the 2001 Census with similar proportions able to read (20 per cent) and write (18 per cent) Welsh. Sixteen per cent reported that they had all these skills. For the first time, the Census asked respondents about understanding Welsh; nearly a quarter (24 per cent) said they could.

A question on speaking Welsh has been included on every Census since 1891, when more than half (54 per cent) the population said they did. Since then, the proportion of people speaking Welsh has fallen appreciably until reaching an all time low (19 per cent) in 1981 and 1991. Unitary Authority areas in the north and west of the country had the highest proportion of people speaking, reading and writing Welsh. Gwynedd and the Isle of Anglesey were the only areas where more than half the population had all these skills (61 per cent and 51 per cent respectively).¹ (www.statistics.gov.uk – Wales: its people – 29 May 2005).

glorified linguistic 'Golden Age' as unhelpful and irrelevant to the role of the Welsh language in the contemporary, diverse and plural Wales (see Saunders Lewis's voluminous output for example). After all, one of my primary motivations in researching contemporary Welsh identity is to develop a liberal, individualist defence of language rights for speakers of Welsh in Wales *in the present day*. I do so by invoking the arguments as set out in John Rawls's *A Theory of Justice* (1999), a classic text in the liberal tradition which I will explore below. This project, which is liberal in scope, has to be something which is salient and of relevance to today's generation. With this in mind, I argue that the role played by history in the construction and consolidation of identity is one that must be treated with care but is not one that can easily be ignored. Individuals often make sense of themselves in relation to their history, however broadly defined. If liberalism is primarily concerned with the well-being of the individual, then it would be remiss of a serious, liberal theory to dismiss questions of identity out of hand (as the liberal egalitarian, Brian Barry, appears to do in *Culture and Equality*). Individuals will often explain their personal identity in relation to their ancestors and to the actions, culture and geography of their predecessors. If this were not the case, then arguably labels such as 'British', 'Welsh', 'Italian' and 'Cornish' would be meaningless. After all, these descriptors are not one-dimensional in kind. In fact, they are loaded and complex. They represent a plurality of views on what it means to be X and what others perceive X to be like. Nevertheless, what counts is the realization that the idea of being X has started somewhere and has developed over time (whether recent or not). In that sense, it is inevitably historical. If history were immaterial to questions of justice in the present-day, then the way we talk about protecting minorities, supporting human rights and combating institutionalised racism would have to be re-thought. As is certain, institutionalized discrimination is a historical product, deeply embedded in the practices and processes of highly powerful organisations

and entities which have been created over time. Liberals must respond to claims of such discrimination. Where then does John Rawls's theory fit in this picture? What is the link between his conception of justice, identity and history?

In order to answer these questions, in this section I will explore Rawls's conception of justice as set out in *A Theory of Justice*. Rawls first published *A Theory of Justice* in 1971 and revised it in 1999. The text has become one of the cornerstones of contemporary Anglo-American political theory. Rawls's radical liberalism (based on two principles of justice) can only be understood and interpreted in opposition to utilitarianism. Liberals like Rawls can be said to place the freedom and rights of the individual, over and above the rights or demands of cultures and groups, at its foundation – liberalism and individualism can be regarded as virtual synonyms. Rawls describes his theory, justice as fairness, as the only 'systematically worked out alternative theory' to utilitarianism (and the kind of utilitarianism which Rawls has in mind is 'the strict classical doctrine which receives perhaps its clearest...formulation in Sidgwick' (Rawls, 1999, p.20). As the critic Biru Worku (1997) points out, utilitarianism cannot lead us to a position where 'certain gross injustices are always unjust' (Biru Worku, 1997, p.22). This leads Rawls to deem justice as primary and foundational. In his own words, 'Justice is the first virtue of social institutions, as truth is of systems of thought' (Rawls, 1999, p.3). That is, social institutions cannot cite efficiency or the welfare of *society* (as opposed to the individual) as a means of condoning practices which might be unjust and so, the Rawlsian individual is afforded 'an inviolability founded on justice' (Rawls, 1999, p.3) and an equal moral value. This explains why Rawls is, without doubt, one of the greatest defenders of liberalism and individualism. His theory, not unlike Kant's Kingdom of Ends, treats all individuals as ends in themselves.²

² See Immanuel Kant's *Perpetual Peace*.

Rawls is perhaps one of the few to offer a concrete, albeit hypothetical, thought process or experiment as a means of determining what is morally arbitrary in questions of justice. This fiction is known as the 'original position'. This original position builds on the idea of a social contract where contracting parties, or rational agents, come together in a condition of uncertainty to agree on their basic social, economic and political institutions. This condition of uncertainty is replicated via a device, the original position, where representatives are positioned behind a veil of ignorance. This metaphoric veil ensures 'the setting aside of all information about [...] distinguishing social characteristics' (Honderich, 2005, p.943) which leads to the representative agents making unbiased, 'blind' choices. The simple notion here is that without knowledge of particular circumstance and 'specific contingencies' (Rawls, 1999, p.118) and the realisation that all social positions are determined by the basic structure of society, then everyone's interests (including the worst off) will be taken into account.³ Rawls accepts the reality of interpersonal comparison and gives it a concrete expression: 'comparisons are made in terms of expectations of primary social goods' (Rawls, 1999, p.79) which are rights, liberties, opportunities, income, wealth and self-respect. Regardless of an individual's conception of the good, Rawls assumes that rational agents would prefer more rather than less social primary goods. These goods are social in character because of the underlying assumption that their allocation and distribution depends on the set-up of the basic structure of society. As such, primary social goods are *means* to ends because 'with more of these goods, men can generally be assured of greater success in carrying out their intentions' (Rawls, 1999, p.79).⁴

³ Some of the specific contingencies are one's place in society, one's class position or social status, one's strength, intelligence. For a fuller explanation, see section 24 'The Veil of Ignorance' in Rawls's *A Theory of Justice*.

⁴ Feminist liberal writers such as Susan Moller Okin have criticised Rawls for his persistent use of nouns and pronouns such as 'man', 'he' and 'him' and his assumption that the 'head of the family' would be male. This, she argues, impedes the claim that *A Theory of Justice* applies to all, regardless of gender. Rawls has responded to her criticism by arguing that he had assumed, following John Stuart Mill, that women and children were of course to be

I have sought to set out here the various strands which constitute Rawls's position, justice as fairness. Again, these are:

- 1) The counter-intuitive and unjust nature of utilitarianism with its emphasis on efficiency and general welfare.
- 2) The importance of setting aside those starting positions and those natural and social attributes which affect and determine an individual's capacity to exercise certain rights.
- 3) The centrality of self-respect as the most important social primary good.⁵

As a liberal, it can be assumed that Rawls would have been hesitant to proclaim much sympathy with a nationalist project of any description as liberals have traditionally rejected the language of community and nation. Yet, the question of protecting and promoting the Welsh language (or the rights of Welsh speakers) is one that can be broadly defined as 'nationalist' in kind. Certainly, those agents, organisations and political parties (Cymuned, Cymdeithas yr Iaith Gymraeg, Plaid Cymru The Party of Wales) that have traditionally lobbied in favour of extending language rights to Welsh speakers have also endorsed politically nationalist policies.⁶ Nevertheless, Rawls would have been ill at ease to ignore the fact that an injustice, violence even, was being done to certain individuals on account of the fact that they spoke a certain language. This, I would argue, means that there is some overlap between the liberal project pursued by Rawls and the nationalism of such entities as Plaid Cymru. The fact of violence and coercion would have hindered and stifled the natural human flourishing of Welsh speakers, a notion which would not be deemed legitimate according

included in his theory and that 'he' was a short-hand means of conveying this. See *Justice, gender and the family* for a further discussion.

⁵ Rawls claims that self-respect is the most important social primary good, a position that I would endorse. Yet, Rawls pays little attention to explaining the reasons for which self-respect is a cornerstone of his theory.

⁶ Agents such as Cymdeithas yr Iaith Gymraeg (The Welsh Language Society), Plaid Cymru The Party of Wales and Cymuned among others. For more information see www.cymdeithas.com, www.plaidcymru.org, www.cymuned.org. (all accessed on 01 June 2005).

to Rawls's egalitarian principles of fairness. This is key to understanding the argument that the injustice suffered by speakers of a minority language like Welsh is not simply a matter for them. In fact, it is a matter for anyone who is committed to eradicating unfair discrimination on account of those particular traits which, in most cases, are un-chosen and consolidated historically. Race, ethnicity, gender and sexual orientation are comparable traits.

Further, as hitherto suggested, the language of rights and of the struggle against discrimination must be understood as historical responses to the deep and pervasive injustices of the past. It is precisely because of our historical experience of arbitrary discrimination that campaigns in favour of human rights and of equal citizenship have been prevalent over recent years in Western liberal-democracies. This is also the conceptual backdrop to Rawls's theory. The human rights discourse is often portrayed as a historical response to centuries during which the rights of the individual have been glossed over in favour of the greater good – where individual views, deemed heretic, have put in jeopardy the *raison d'être* of the state machine. This, of course, does not mean that we must tolerate all views – it is clear that some views will be abhorrent and dangerous. It does not lead us to a relativist position where 'anything goes'. The point here is that the language of justice has necessarily taken history on board, otherwise it could make little sense of itself – after all, claims of injustice do not exist in a vacuum. They make reference to the experience of something which is related to a place and time. Hence, claims of racism by black people against white people resonate historically. Claims of gender discrimination refer to a history where women have been marginalised. Claims of discrimination related to disability are understood in a context whereby those with mental or physical disabilities have been locked away and forgotten, if not worse. This means that most claims to discrimination are historically embedded, otherwise it could be

argued that these claims could not be interpreted as discriminatory in the first place.

The question of linguistic discrimination and history is taken up by Stephen May (2003) in Kymlicka and Patten's *Language Rights and Political Theory*. In his paper entitled 'Misconceiving Language Rights: Implications for Liberal Political Theory', May is unapologetic and emphatic in his claim that the disavowal of the relevance of history (the *presentist* approach, as he calls it) 'inevitably entails ignoring...the specific socio-historical and socio-political processes by which particular languages have come to be created' (May, 2003, p.126). As I have previously indicated, we cannot easily ignore the violence, hegemony and power exerted by the state in justifying its very existence. This cannot, and should not, be ignored when language rights are under discussion. Idil Boran (2003), in her paper 'Global Linguistic Diversity, Public Goods, and the Principle of Fairness', makes use of this argument in order to highlight the burden which minority language users face. She argues that they are faced 'with increasing pressures to shift to more powerful languages' (Boran, 2003, p.191) and not out of voluntary choice, but from a position of coercion.

This 'position of coercion' must again be understood historically as power relations are not *simply* engendered. They are constructed and consolidated (often with violence) by the state machine and by other social systems. As such, we cannot assume that languages are equal in status and that some have thrived because of some unexplained, illogical preference by those who have chosen to speak that language. People have made choices in response to history and in response to a dynamic of power. This explains why so many individuals decided against speaking Welsh, Breton or Cornish with their children. These so-called 'minority languages' were seen as regressive and backward in contrast with the centralised language of the state (French or English in this case). The fact of superior and inferior languages was not merely a question of preference. There is no grammatical

or evolutionary reason why one language should be accorded a higher status than another. As such, the question of language choice is undoubtedly political. In turn, the political hegemony of a state and its preferred language of coercion are deeply historical products. They are historical in that they have had power (and often violence) to legitimize them. They are historical in that they have had government and media (of various kinds) to normalise them. The most striking example of this historical normalisation is the way in which the so-called 'neutral state' – extolled by Brian Barry (2001) for instance in *Culture & Equality* – is championed as providing a fair and just mechanism for claims to equal rights, including language rights.

This apparently neutral state (epitomised by the *laïque* French state), which allegedly has no pre-determined religious or cultural identity, is one which is loath to allow for any linguistic plurality. French is enshrined in the Constitution as the language of the state. In Britain, the so-called 'neutral state' provides that no school children attend school on Christmas Day. Yet, no such provision is made for Muslim children when Eid is celebrated. In this, I am not making the claim that the state should respond to all difference-based claims. I am merely arguing that the state is not neutral or value-free and can never be so because of its historical and cultural bias. The state may have impartiality as a regulative ideal but it is clear that it will be blind to certain cultural products that are deeply embedded and pervasive as a result of history. Hence in Wales, the compulsory teaching of Welsh is described by some as the result of 'pushy cultural nationalists' who are trying to force 'this culture' on us all. Yet, there is no recognition of the culturally-biased hegemony of English and no question of this culture being 'shoved down our throats'. It is deeply ironic that the minority language is sometimes perceived and presented as a threat to a language which is so incredibly powerful and pervasive that we end up being blind to its so-called 'natural authority'.

It might be argued that the fact of linguistic disappearance is a testament to the fact that we have developed better means of expressing and communicating our ideas. Parallels could be drawn with other examples of culture. Assuming, however contentious, that bullfighting or fox hunting are 'cultural artefacts', then it is clear that this is an argument with some merit. Bullfighting might be regarded as a form of culture or an example of beauty in mainstream, popular Spanish culture – certainly, the colour, pomp and glory would lead us to believe that this was a cultural tradition. However, this type of 'entertainment' (with its violence and gore) might lead us to doubt the *corrida's* aesthetic credentials and claims to culture. More obvious, perhaps, is the fact that Romans were known for throwing humans into pits to be torn into shreds by wild animals as a form of entertainment (and not, it must be stressed, for some high-order reasoning or 'meta value'). Such forms of 'culture' have disappeared as human civilisation has developed and rejected real violence as pleasure.⁷

Is the disappearance of language comparable to the disappearance of cultural artefacts which are no longer considered right? To my knowledge, there is no research which argues that some languages are better than others at expressing viewpoints. There is no body of literature which claims that a child's sense of well-being is 'damaged' if he or she speaks more than one language. There are, as we know, some languages which are spoken more widely than others. Mandarin is the most widely spoken language (spoken by the greatest number of speakers) in the world today. Does this then mean that we should all speak Mandarin? There might be good economic, intellectual or utilitarian reasons for us to learn Mandarin but it would be somewhat ridiculous and counter-intuitive to argue in favour of adopting Mandarin as an official world language. Would those who argue in favour of English-medium education (at the expense of Welsh) and who disavow the

⁷ Yet, there are numerous examples of 'pretend' violence as pleasure in contemporary culture. Many movies, computer games, literature, sports have violence at their core.

relevance of history, be prepared to accept that, by the same logic, it would make no sense to speak English and more sense to speak Mandarin, given a crude utilitarian calculus based on numbers? My point here is that languages cannot be merely understood as forms of communication and expression – they are often the basis for self-respect.

So far, I have concentrated on the question of history and whether it could be claimed that languages are historical products. I have attempted to show that languages are deliberately promoted or 'thwarted' by the state, usually for political gain and that the question of rights for speakers of minority languages cannot be understood without reference to politics. It would be wrong to assume that some languages have thrived while others have not, for non-political reasons. Other factors can of course influence a language's destiny but in many cases a language becomes a vehicle for political gain. The damage done to the Welsh language was deliberate (at different times for diverse reasons).⁸ Had the language followed its own 'natural' course, the question of protecting it would not even be an issue. The language suffered as a result of imperialistic, colonialist impulses where the British state was centralised and all-powerful.

⁸ The language has been relegated to the margins of public, political life at various times. With the 'Acts of Union' in 1536 and 1543, the demise of the Welsh language was seen as a desirable, inevitable outcome to the political absorption of Wales by England. One of the main purposes of the Acts was to 'utterly [...] extirpe alle and singular sinister usages and customs' belonging to Wales (Morgan, 1966, p.35). The effect of these Acts on the language was only repealed in 1993 with the introduction of the Welsh Language Act 1993. Matthew Arnold, the Government-appointed Schools Inspector said in 1852: 'It must always be the desire of a Government to render its dominions, as far as possible, homogenous . . . Sooner or later, the difference of language between Wales and England will probably be effaced . . . an event which is socially and politically so desirable.' (www.llgc.org.uk – 01 June 2005). The 'Welsh Not' is another example of the language's marginalisation and a powerful symbol of English oppression. Although this was never a government policy, children who spoke the language in school (particularly so in West Wales) were castigated for so doing and forced to wear a piece of wood with the words 'Welsh Not' carved into it. One such 'Not' is on display in Sain Ffagan, the Museum of Welsh Life, Cardiff. This coincided with the 1847 publication of a Parliamentary report condemning the education system in Wales citing the prevalence of the Welsh language as contributing to the poor quality of education.

The question raised by some theorists – see Brian Barry (2001) in *Culture & Equality* – relates to the role of history. If history is to be 'blamed' for the way in which the use of the language has decreased over time, then where and when does that history begin? Could it be argued, on the same logic and hypothetically, that a pre-Celtic language (spoken before Welsh in Wales, for example) also languished because of political expediency? Should we regret its disappearance? In sum, how regressive is our history? How far back do we go? There is some merit in this argument and we should not be oblivious to it. Nevertheless, a similar type of reasoning could de-legitimise the claims made by the descendants of the African slave trade in the United States. It could be argued that their claim to some means of reparation (and indeed the whole discourse of civil rights, equality and justice) were not legitimate because their African predecessors who were sold into slavery had also held slaves themselves. This is, of course, a highly dangerous comparison: a liberal could not justify any form of slavery whether by North Americans or Africans. Nevertheless, the fact of African slavery does not justify the North American slave trade. Two historical wrongs do not make a right. In the same way, the fact of intra-racial racism does not somehow mean that claims of racism are any less real. The dynamic of power in the institutions which govern us cannot easily be ignored. It could be argued that a form of prejudice which is upheld by the institutional fabric of the state is worse than interpersonal forms of prejudice given that the institution has the power and authority to confer and deny privilege, rights and opportunities in a way in which private individuals do not. Again, this is not to legitimise any form of discrimination.

The dynamic of time is also instructive in this regard. The claim of reparation is made by the descendants of the African slave trade in North America – as such, the interface between the historical and the present expresses itself in the well-being of those individuals who are making claims about the effect of the past (and historical events) on their *present*

sense of well-being. Similarly, in the case of Wales, Welsh language rights affect the wellbeing and sense of self-respect of those in the here and now (regardless of their ability to speak Welsh). I am yet to hear of anyone individual who claims that his or her sense of well-being is diminished because of the loss of a pre-Celtic language. This matters because those who do endorse a *presentist* view of politics cannot be indifferent to the claims of those in the here and now who claim (and put forward justificatory reasons) as to why their sense of well-being is dented.

In this, the question of regression or 'how far back does one go' is arbitrary – these issues matter as long as they live on (and their effects are felt) in the present. As such, this discourse on rights is not merely historical. It is not the precious fetishization of past glory but something which impacts upon the welfare of individuals in the present day. If liberals see fit to ignore these claims (and if they do so having been presented with this information in Rawls's original position behind the veil of ignorance) then arguably, liberals are not doing what liberals are meant to do which is to uphold the primacy of the individual. As already mentioned, liberalism can be said to place the freedom and rights of the individual, over and above the rights / demands of cultures and groups, at its foundation. Liberalism is concerned with the welfare and wellbeing of the individual and so, it is clear that most liberals will have a vision of what it means for the individual in question to live a fair life where his / her human flourishing is secured. Given the contribution made by language to the development and flourishing of individuals as established in this paper, it would be remiss of a serious theory of justice (in the liberal tradition particularly) to discount language's centrality to an individual's sense of self-respect. In that sense, language is not necessarily any different to other identity-related traits such as race, gender or creed which are historically construed and which cannot be understood in a historical or social vacuum. As such, the question about regressive history is answered. History matters in questions of identity as

long as its effects live on in the present in the claims made by those whose sense of well-being and self-respect is affected. If truly motivated by justice, like Rawls in *A Theory of Justice*, then the important question worthy of debate is, how long is this present feeling of past injustice going to last as opposed to 'does history matter anyway'?

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