

The rights to language as a civil right

Law



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Critical Response: Rights to Language as a Civil Right Introduction Civil rights refer to a set of unquestionable rights that ensure the protection of the freedoms of all individuals from being violated by their governments and other private institutions. Civil rights in the United States of America are a law under the Title VI. This law protects people from facing discrimination because of their race, color, or national origin in activities and programs that are financed or run by the Federal government. (Moraes 21) In the United States of America, the population consists of people of a different race, color, and original nationality. One of the rights provided under civil rights is the right to language. Human communication would be limited and impaired if language did not exist. Different languages are widely spoken because of the different racial, cultural, and national backgrounds of the different groups of people in the country.

The rights to language, also known as linguistic human rights, allow a person to decide on their own accord what language or languages they prefer to use as a means of communication, whether publicly or privately. (Moraes 43)

Language rights were first recognized as an international human right when they were included in the Universal Declaration of Human Rights in 1948.

There is a distinction made between language rights and linguistic human rights. Language rights cover a wider range, and one can argue that all linguistic human rights are language rights, but not all language rights are linguistic human rights. Language rights are necessary basic human rights to ensure a dignified life, For example, the right of access to an official language. Linguistic human rights are not strictly essential human rights; they exist to improve on the basic human and civil basic right to language. They are above basic needs making them accessory rights under language

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rights (Moraes 47)

Bilingual Education as a Civil Right

The right to learn foreign languages is an example of linguistic human rights is. Individual linguistic rights are provided for in the Universal Declaration of Human Rights. These are the Individual linguistic rights are applicable privately or publicly. According to Article 26 contained in the Universal Declaration of Human Rights, “ all people have the right to education with relevance to the language of medium of instruction, for example in the U. S., the Bilingual Education Act (BEA) of 1968 catered to students of Limited English Speaking Ability (LESA). The Bilingual Act, Title VI of the civil rights Act of 1964, was passed following the Civil Rights movement that peaked during the 1960s.

In 1974, in the case of Lau vs. Nichols, a court ruled that the schools in California that did not have alternative ways to educate the linguistic minorities who did not understand English was violating the fundamental civil rights of the minority students. The Bilingual Education Act’s principal goal was to facilitate the transfer of federal funds to school districts to establish innovative educational programs for LESA students. The Bilingual Education Act addressed all the linguistic minorities in the country. Bilingual Education as a program is a 1974 amendment to the Bilingual Education Act. In Bilingual Education, English is used as a second language (ESL) to teach students with inadequate English ability (Moraes 74) Challenges faced by the Bilingual Education program

Bilingual Education as a program faces most of its challenges in implementation. Disadvantaged face minority students in the United States of America school system . One of the goals of Bilingual Education is to <https://assignbuster.com/the-rights-to-language-as-a-civil-right/>

facilitate the transfer of knowledge to students with limited English ability. This goal is challenged because the students end up overstaying in the programs set up to assist them and progress in the other subjects lags behind. The teachers in the Bilingual Education Program are not as many as they should be and a large number of those available are not qualified enough to teach the students. The syllabus and programs used to instruct the students are also inconsistent.

English learners comprise mostly of immigrants from other countries not born in the United States and children born in the States to non-English speakers. Despite the establishment of the Bilingual Education Act to increase funding to Bilingual Schools, some of the schools under the program face the challenge of being under-funded. Using English as a second language helps the students to keep up with school work and it eases their interaction with native English speakers. As some might argue, it is not a way to assimilate or ‘empty out’ a person’s native language and replace it with English. Bilingual Education Programs if implemented efficiently help in convey literacy and knowledge in two different ways. When students are given a fair opportunity to learn in their native language or Bilingual education, it is in agreement with fundamental human and civil rights. Over the course of time, the Bilingual Education Act has been amended. These amendments in 1978, 1984 and 1988 broadened the range of students who deserved to be catered for under the act and increased the program funding every year the Act was amended. In 1994, Bilingual Education Act was re-approved, but the driving principles of the original Bilingual Education Act were maintained (Moraes 81).

Conclusion

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Language rights differ from country to country, but most importantly, Language rights evolve directly from particular general human rights like freedom of expression, right to private life, non-discrimination, and the right of members of a linguistic minority to communicate freely between themselves using their language. Language Rights are legislated as law and become statutes to be enforced as the recognized languages are made official and institutionalized in various fields like culture, commerce and business, education and labor. In particular, Language rights and Bilingual education increases a nation's school attendance, which leads to increased skilled labor. The success of Bilingual education reflects on the overall success of the country. Regardless of a citizen's native language, if they are educated then they can contribute positively to the economy.

Works cited

Moraes, Marcia. Bilingual education. Albany: State University of New York Press, 2009. Print.