

Ukraine: Language-laws Are Not Purely Symbolic

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On February 22nd 2014 Oleksandr Turchynov, on his first day as speaker of the Ukrainian Verkhovna Rada, made his now infamous speech concerning the disestablishment of the Russian language as a state language in Ukraine. What people who were not in Crimea at the time may not be fully cognizant of was that this speech was the match that lit the fire of the Crimean secession-movement, which commenced in earnest the same day. I should emphasize the point that the concerns of the Crimean people regarding that issue were not essentially cultural or identitarian. On the contrary, the people of Crimea understood clearly that the practical effect of this law would be that they would be living in an apartheid-state. That's when they decided that they wanted out.

Not that Crimeans were ever particularly happy about the language-laws which existed before 2014. Back in the day, local people used to tell me things like “My grandmother is 78 years old, and the law says that all the labels on the bottles of her medication have to be printed only in Ukrainian. She needs her meds to stay alive, and sure she can speak Ukrainian, but all of the highly technical info regarding dosage and so on is written in technical jargon. The medication is dangerous if she misunderstands the instructions on the label.”

In a recent interview with Izvestia, following the implementation of Ukraine's new law on the state-language, the OSCE's High Commissioner on National Minorities Lamberto Zannier stated that

“Firstly, the law says nothing about the protection of national minorities' languages. Secondly, all issues about the use of the state language are solved in quite a tough manner – not through a system of encouragements that the OSCE would like to see, but through punishment. Thirdly, the law was adopted without any consultations with representatives of national minorities.”

It's a little bit infuriating the way that intergovernmental agency mandarins speak. IGO-speak is a dialect of the English language related to NGO-speak. Both dialects have special syntactical rules, for example the rule that absolutely every sentence must include the word “consultation.” Intergovernmental agency mandarins use phrases like “implementing mediating frameworks and mechanisms for consultation.....”

This kind of fluffy, oblique language is not simply pointless – it is damaging, because it causes people in the wider world to misunderstand the real issues at work in national debates about language-laws, which are ultimately practical rather than cultural or identitarian. Considering that “identity” is one of the woundedly narcissistic hobby-horses of so many people in the industrial world these days, many will be inclined to imagine that the

central point at stake for native speakers of Russian in Ukraine is simply their right to remain culturally Russian.

It is not.

The real purpose of fair language-laws is to prevent very practical forms of discrimination in competitive social processes.

And furthermore, I should further unpack what I mean by “discrimination.”

By “discrimination,” I do not mean simply the offence to personal dignity caused by being prevented from using one’s own native language. By “discrimination,” I mean that being forced to use a language which is not their native language places people at very practical forms of competitive disadvantage in the legal system, the tax-system and the educational system.

Everybody who lives in Ukraine is comfortably conversant in Ukrainian, but a significant minority of Ukrainian citizens will not feel entirely confident while reading the turgidly, bureaucratically worded fine print regarding tax-exemptions, deductions and rebates while filling out a tax-form. Non-native speakers of Ukrainian will be more likely to gloss over the fine print, which means that they don’t get the tax-rebates they should be getting – the practical effect is that they will unnecessarily pay more tax than native speakers of Ukrainian.

The same holds regarding the ability to confidently read the equally turgidly worded fine print in a legal contract. If you didn’t understand the fine print perfectly in the legalese-register of your second language, then maybe you get ripped off on the contract.

As for the educational system, while exams in history and literature would not present any significant practical problem, how would you like to be required to sit exams in organic chemistry in your second language? Even many honours chemistry-students are not going to feel entirely confident doing that.

Remember that all academic examination-processes are competitive – you are competing against the other exam-candidates. On a practical level, the same holds for the tax-system. Taxpayers are essentially competing against each other – the more taxpayers fail to fully claim all of the exemptions and rebates which they are legally entitled to, the more there will be to go around for everybody else in next year’s fiscal budget.

So the competitive aspect of the educational and tax-systems, and for that matter the adversarial component of the legal system, needs to be emphasized. Unfair or exclusionary language-laws stack the deck in favour of native-speakers of a particular language. Non-native-speakers of that language will pay more tax than they are legally required to, will be at a disadvantage when they go before the courts, will find it more difficult to legally enforce their contractual rights, and their prospects for social advancement will be compromised because their academic performance will be compromised, most especially in highly technical or scientific academic disciplines.

In very practical bread-and-butter terms, this is apartheid.

So the core-issue in play in the debate concerning Ukraine’s language-laws is NOT simply “culture” or “identity.”

Not everybody is so frivolously narcissistic as to worry about something called “identity.”

The real issues are practical tax-equality, practical access to equal protection under the law, and the preservation of practical meritocracy in the educational system.

And then there’s the task of trying to ensure that your grandmother doesn’t accidentally overdose on her meds.

That’s what the people of Crimea understood clearly in February 2014.

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