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Are 'coercive' language policies fair?

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Abstract

This paper provides a normative justification regarding the fairness of 'coercively' protecting minority languages in mixed societies where the minority group already knows the majority language. To do so, it adopts first a theory-testing approach and examines, by using the Catalan case, the validity of the arguments presented in Morales-Gálvez's (2017) 'protectionist' theory of linguistic justice. In this vein, it argues that some of the ideas this author uses to defend the 'coercive' protection of minority languages still work when the minority group is bilingual. Yet, there are others that appear to be problematic. As such, this paper then unfolds using a theory-building approach and reframes these concepts with the objective of proposing complementary arguments. This article concludes that 'coercive' policies to protect the language of a bilingualised minority group are fair and necessary if they aim to accomplish active reciprocal bilingualism and hence ensure equal rights for all speakers.

KEYWORDS

Catalan language, coercive language policies, communicative value, identity-related value, linguistic justice

1 | INTRODUCTION

Since the late 20th century, debates regarding the management of linguistic diversity in liberal democracies have gained attention in political theory. This has led to the emergence of several theories of linguistic justice (TLJ) that

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are concerned with what constitutes a fair language policy (Morales-Gálvez & Riera-Gil, 2019). One of today's hot-button issues revolves around the fairness and legitimacy,¹ from a liberal standpoint, of establishing 'coercive' measures to protect and promote minority languages.² This controversy becomes especially relevant in liberal linguistically mixed societies (Riera-Gil, 2016) where the minority language group is already bilingual and knows the language of the majority group with which it lives intermingled. In such cases, given that communication between the two groups is possible in the majority language, individuals who speak the dominant language may view policies enforcing the learning of the minority language as especially illiberal and coercive (Miley, 2006, pp. 211–232; Centre d'Estudis d'Opinió, 2022, pp. 13–14). Yet, these situations have not received much attention from political theorists, resulting in a gap in TLJ. Hence, this paper aims to address the following question: To what extent can 'coercive' language policies that aim to protect a minority language be considered fair in a liberal mixed society where the minority language group is already bilingual in the majority language?

To answer this research question, I intend to undertake a normative analysis using a case study approach. By focussing on Catalonia, where all individuals from the minority language group (i.e. Catalan speakers) can speak the majority language (i.e. Spanish), I will examine the existing arguments in TLJ that support the protection of minority languages. Then, I will assess their validity to justify the fairness of introducing 'coercive' policies—such as compulsory immersion education programmes or language requirements to access a position as a public employee—that aim to preserve the language of these bilingualised minority groups. In doing so, Sections 2 and 3 offer an overview of the theoretical framework I will rely on. Specifically, in Section 2, I will revise the classical TLJ and expose their flaws when applied to linguistically mixed societies. In Section 3, I will discuss a revised proposal by Morales-Gálvez (2017) which, by defending the introduction of 'coercive' measures, aims to address the problems of classical TLJ. In Section 4, I will first analyse Morales-Gálvez's (2017) theory through the lens of the Catalan context to detect its strengths and weaknesses when employed in a bilingualised context, and I will then provide new arguments overlooked by this author. By using this twofold theory-testing and theory-building approach, I will be in a position to conclude that applying 'coercive' measures to protect the language of a bilingualised minority group is fair and necessary to ensure active reciprocal bilingualism and thus equal rights and freedoms for all individuals.

2 | LIBERALISM AND TLJ

2.1 | Classical TLJ

Liberalism has always been concerned with achieving a just society where all individuals enjoy equal individual rights and freedoms. Authors in liberalism I (Walzer, 1994), with Rawls (1971) as a central figure, focussed exclusively on the socio-economic dimension of justice and adopted a cultural-difference-blind notion of equality. Yet, in the late 20th century, several scholars, such as Kymlicka (1995), argued that, in states with several *demoi*, an accommodation of cultural differences through minority rights was not only liberal but also necessary for obtaining a truly equal, just and free society (Riera-Gil, 2016). As a result, liberalism II emerged (Walzer, 1994). In these debates over the incompatibility or the compatibility of accommodating minority group rights within liberal regimes, languages, being part of these rights, played a key role. Hence, three different TLJ were developed (De Schutter, 2019) based on the two major values that have historically been associated with languages (Riera-Gil, 2016): their communicative value and their identity-related value.

On the one hand, grounded on liberalism I, linguistic instrumentalism (Barry, 2002; Pogge, 2003) claims that the communicative value of languages is the only thing that matters. Consequently, this model tends to defend that, in linguistically plural *demoi*, an assimilation process of minority languages into the majority one is not unfair to minority groups. Rather, the opposite would be true. Because of the higher communicative value of the dominant language—that is, it allows transmitting information with more people—assimilation is what enables everyone to enjoy the same communicative interests: same freedom and socio-economic opportunities, equal access to democratic deliberation,

mobility, non-segregation and cohesion, and mutual trust and stability, while facilitating efficiency regarding resource allocation (Pogge, 2003; Riera-Gil, 2016). Therefore, according to this model, promoting the majority language of the *demoi* is the fairest measure because its communicative value allows the minority group to have the same opportunities as the majority group, leading to socio-economic justice (see Figure 1).

On the other hand, linguistic territorialism (Kymlicka, 1995, 2001a, 2001b; Van Parijs, 2011a, 2011b) and linguistic pluralism (De Schutter, 2008, 2011, 2014; Patten, 2001, 2003, 2016) are grounded on liberalism II and thus concerned about ethno-cultural justice. These theories argue that states can never remain neutral regarding the identity-related value of languages and the interests that derive from it, because these are always at stake in any language policy. These identity-related interests are that of dignity—that is, as people identify with a language, its status becomes linked to their self-esteem (Van Parijs, 2011a)—and that of individual autonomy—that is, languages are considered a necessary condition to access contexts of choice that are valuable to people, thereby enabling them to choose their own life plan (Kymlicka, 1995).

According to linguistic territorialism and linguistic pluralism, because all languages possess such identity-related interests, adopting a benign neglect position towards language policies or only promoting the majority language inevitably ends up generating unequal treatment. That is because the majority group sees its identity-related interests realised while the minority group does not. As a result, these theories argue that it is only possible to treat all citizens fairly and equally by recognising all non-immigrant (or native)³ languages present within the state, which means protecting all minority languages.

2.2 | Classical TLJ in mixed societies

TLJ promoted by liberalism II offer a solid basis to defend that, since states cannot remain neutral regarding the identity-related value of languages, applying the model of linguistic instrumentalism in linguistically plural *demoi* is not fair from a liberal standpoint, because it privileges one group over the other. Consequently, the preferred models to accomplish equality between native language groups are linguistic territorialism or linguistic pluralism. However, in mixed societies—that is, *demoi* in which a 'significant number of the long-settled population belong to different language groups and live intermingled' (Riera-Gil, 2016, p. 173)—both approaches have some weaknesses that should be discussed.

On the one hand, in linguistic territorialism, the state is divided into different territories in which there is a single public language, their majority one. This plurilingual state with monolingual territories allows for the recognition of linguistic diversity in terms of identity and enables the language recognised in each place to play a communicative leading role in that territorial unit.⁴ Nonetheless, proponents of linguistic pluralism argue that this approach presupposes that language groups are territorially concentrated and regions are linguistically homogeneous, although this is not the case in many states (De Schutter, 2014; Patten, 2016). Hence, 'in linguistically mixed cases [...], the LTP [linguistic territoriality principle] clashes with the ideal of equality' (De Schutter, 2014, p. 1040). That is because the recognition of only one language in each region allows for the realisation of the interests of the speakers of that privileged language but restricts the interests of the other native language groups living in the same region. This creates inequalities of dignity and individual autonomy. Hence, the model of linguistic pluralism proposes that all native languages should be recognised in the whole state.⁵

On the other hand, linguistic pluralism has also a weakness that Morales-Gálvez (2017) highlights. Despite the alleged fulfilment of equality, 'the fact that people would be allowed to choose among all the recognized languages [of the state] could lead to a segregated public sphere' (2017, p. 652). Accordingly, this could diminish the mutual understanding and togetherness necessary for the functioning of any political community. In fact, Patten (2016)—who in principle defends linguistic pluralism—recognises that 'people have very important interests in being able to communicate' (p. 201). However, he overlooks that if communication is indeed important, some shared language is needed. In this situation, even if a common public language is not promoted (which is what Patten defends), it is

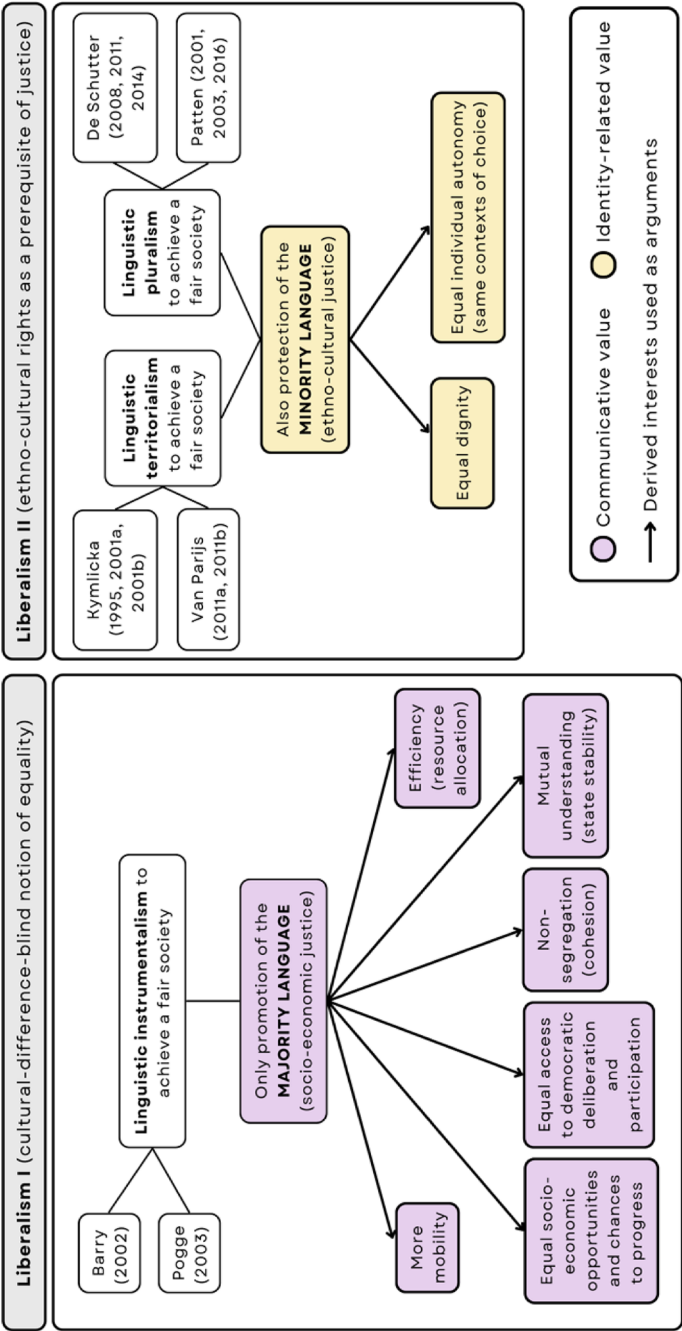


FIGURE 1 Classical theories of linguistic justice (TLJ) related to (1) liberalism I or II and (2) the values and interests of languages they consider relevant. [Colour figure can be viewed at [wileyonlinelibrary.com](https://onlinelibrary.wiley.com/doi/10.1111/numa.13099)]

likely that the natural linguistic dynamic will end up promoting and reinforcing the majority language (Morales-Gálvez, 2017). According to Morales-Gálvez (2017), this is because of the maxi-min dynamics, that consists in 'the mutual reinforcement of [1] probability-sensitive language learning, [which tends to benefit the learning of majority languages], and [2] the systematic use, in everyday communication, of the language best known by the speech partner who speaks it least well' (Van Parijs, 2011b, p. 54), which 'tends [also] to be the language spoken by the dominant group' (Van Parijs, 2011a, p. 212).

As a result of this need for communication and the maxi-min dynamics (that favours the use of the majority language), linguistic pluralism in mixed societies tends to compel minorities to learn the majority language and resign to linguistic bowing (Van Parijs, 2011a)⁶ when communicating with other citizens outside their language group but sharing the same political community (Morales-Gálvez, 2017). This means that citizens from the minority group 'have to learn the strongest language, but not the other way around, imposing all the cooperation costs of living in society on [one] group' (Morales-Gálvez, 2017, p. 655). These forced linguistic submissions clearly affect the dignity and autonomy of the minority language group and, therefore, end up going against the principles of equality that linguistic pluralism theoretically defends. As a result, Morales-Gálvez (2017) states that a TLJ can only be fair if it manages to eliminate these subordinating patterns. Consequently, he proposes a new TLJ for mixed societies: the multilingual convergence model.

Before presenting Morales-Gálvez's (2017) theory, it is relevant to note that, as explained, this author identifies the maxi-min dynamics (Van Parijs, 2011a) as one of the key factors leading to such linguistic domination that forces the minority group to linguistically bow. Yet, as sociolinguists have noted, there are many other factors—such as speakers' habitus (Bourdieu, 1982) and language ideologies (Woolard, 1998) arising from processes of misrecognition and minorisation (Flors-Mas, 2017; Pujolar, 2016)—that can play an important role in linguistic bowing. Nonetheless, the fact that Morales-Gálvez (2017) fails to account for this is neither surprising nor serious. This is because, as all TLJ, his aim is not to explain why language choice—and hence linguistic bowing—happens the way it does and how to modify it. Morales-Gálvez's (2017) objective is only to identify the presence of such linguistic subordination—and hence inequality between language groups—and discuss how institutions should deal with it—that is, which norms would be desirable or permissible to implement—to 'ensure fair background conditions that avoid domination between groups' (Morales-Gálvez, 2017, p. 660) and thereby equal rights and freedoms for all speakers. This is an important element to keep in mind to understand both Morales-Gálvez's (2017) theory (Section 3) and its analysis to answer this paper's research question (Section 4).

3 | A NEW TLJ FOR MIXED SOCIETIES

The multilingual convergence model (MCM), by Morales-Gálvez (2017), is based on two principles: equal recognition of all native language groups and non-segregation for linguistic reasons. As stated by Morales-Gálvez (2017), segregation can be caused by '(1) voluntary self-segregation as a consequence of not being recognized [i.e., of not ensuring the first principle]; and/or (2) lack of promotion of mutual understanding in equal terms among all languages' (p. 656). These two principles are translated in the MCM into the defence of reciprocal bilingualism or reciprocal multilingualism (depending on the number of languages spoken in the state).⁷

According to Morales-Gálvez (2017), the accomplishment of such reciprocity is the only way to ensure mutual understanding among all language groups in any native language, and not just the majority one. Consequently, reciprocal bilingualism stands as the sole means of eliminating subordinating patterns and therefore allowing for (1) equal recognition (which implies equal dignity and autonomy for all individuals) and thus a (2) non-segregated public sphere. However, as Morales-Gálvez (2017) states, quite often, in mixed societies (where the maxi-min dynamics tends to favour the majority language), the only way to achieve this reciprocal understanding—and the interests derived from it—is by 'forcing' individuals from the majority group to learn the weak languages(s) with some 'coercive' measures.⁸ This is because, since a language cannot be successfully acquired if there is no need to learn it (Wright, 2015), without these 'coercive' measures, 'the majority group [who assumes that the minority group will

eventually linguistically bow] would not receive enough pressure to develop their skills in the weak language' (Morales-Gálvez, 2017, p. 658). Therefore, even though some scholars may consider this model restrictive and illiberal, this author defends that it is the only way to eliminate subordinating patterns and hence ensure equality between language groups.

Consequently, Morales-Gálvez's theory (2017), according to which 'everyone should have the right to use their own language in the public sphere and [...] have the duty to understand [...] their fellow-citizens' (p. 659), 'is not [...] freedom constraining [...], but rather [...] emancipatory [...] because it promotes (linguistic) freedom as non-domination [...] [and] expand[s] people's 'context of choice', keep[s] their identity-related dignity, allow[s] a major mobility and enable[s] a multilingual community to communicate among themselves as equal peers' (p. 658). Therefore, 'it creates the best background conditions for justice, making people more free and enabling them to pursue their own valuable ends' (Morales-Gálvez, 2017, p. 658). Figure 2 illustrates all the central ideas of Morales-Gálvez's (2017) TLJ and its complex connections.

Figure 2 shows that one relevant contribution of Morales-Gálvez's (2017) MCM is that it goes beyond the classical idea that minority languages are only valuable as identity carriers. Conversely, the MCM defends the protection of minority languages both in terms of communication and identity and therefore socio-economic and ethno-cultural justice (see Figure 1 vs. Figure 2). First, according to the author, minority languages also have communicative value because reciprocal bilingualism potentiates mobility within the state, individual's socio-economic opportunities and access to democratic deliberation. Second, Morales-Gálvez (2017) rejects the classical idea that non-segregation can only be accomplished through maximising communication (i.e. by making all citizens fluent in the majority language): non-segregation is only possible with both reciprocal understanding (communicative value of both the majority and the minority language) and equal recognition of all language groups (identity-related value of all languages).

4 | THE MCM: A GOOD MODEL WITH SOME WEAKNESSES

The reasoning made by Morales-Gálvez (2017) to support his theory is extremely appealing. Even if the MCM implies the application of 'coercive' measures, it appears more suitable and fairer for mixed societies than linguistic pluralism or territorialism because its objective of reciprocal bilingualism seems to manage to truly preserve the very liberal values of equal rights and freedoms (both in terms of identity and communication) for both the majority and the minority group. As said above, this is not the case with linguistic pluralism or linguistic territorialism, which when applied in mixed societies end up favouring the dominant group. Hence, grounding in this author's arguments, one could say that this paper's research question—'To what extent can 'coercive' language policies that aim to protect a minority language be considered fair in a liberal mixed society where the minority language group is already bilingual in the majority language?'—can have a positive answer. Nonetheless, in the specific context of interest to this article (i.e. when the minority group is already fluent in the majority language), Morales-Gálvez's (2017) theory reveals certain weaknesses that should be discussed before reaching significant conclusions.

4.1 | Scope of the analysis

Morales-Gálvez (2017) already raises some doubts about the application of his theory in multilingual territories. Indeed, it seems unrealistic to think that, for instance, people in India can learn the 100+ native languages spoken in that country. Therefore, this model should be reserved for bilingual (or at most trilingual) political communities. Consequently, this paper will analyse the arguments used by Morales-Gálvez (2017) to justify the fairness of establishing 'coercive' language policies in mixed societies considering that in these societies there are only two different non-immigrant languages. However, further research should focus on the adaptation of my conclusions into more linguistically diverse *demoi*.⁹

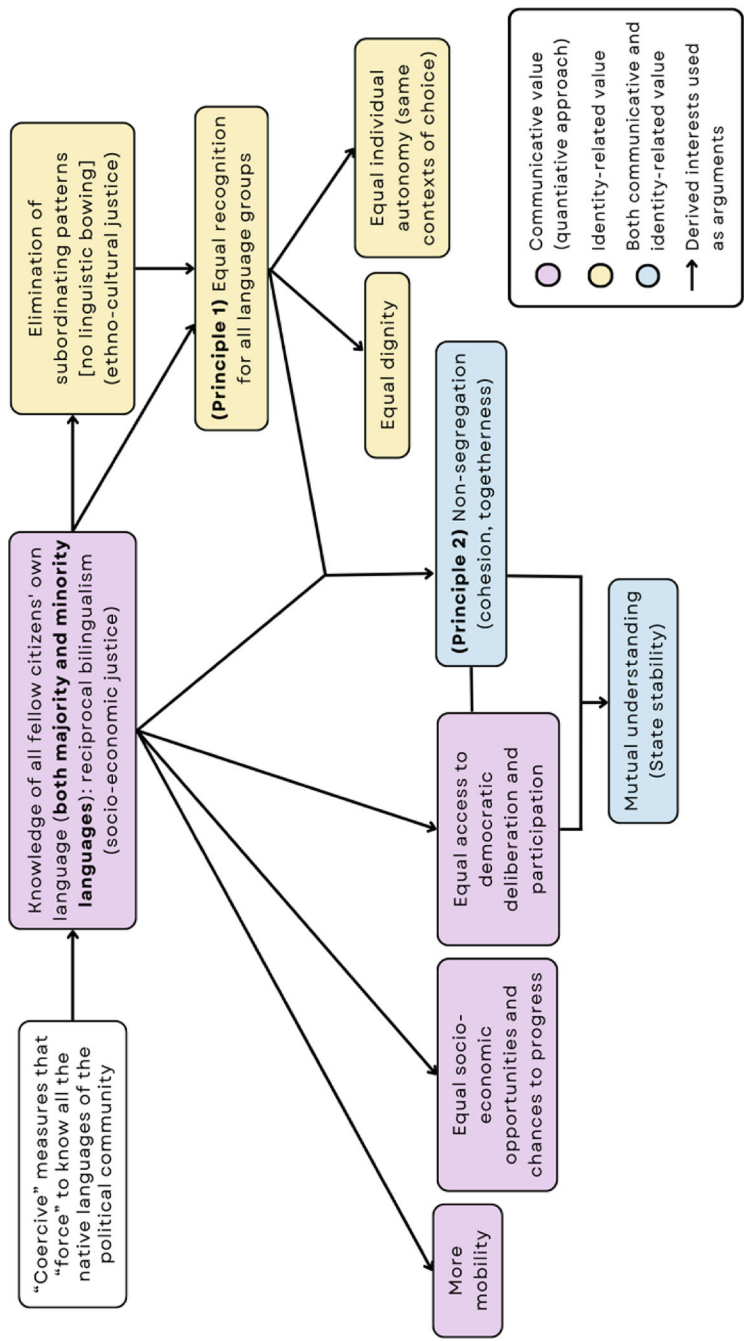


FIGURE 2 Main concepts (related to the values associated with languages) in Morales-Gálvez's (2017) theory of linguistic justice. [Colour figure can be viewed at [wileyonlinelibrary.com](https://onlinelibrary.wiley.com/doi/10.1111/maul.13049)]

In terms of scope, Morales-Gálvez's (2017) theory has another issue inherent to all TLJ. This has to do with the operationalisation of the concepts of majority and minority language. The main problem with these dichotomous terms is that they can be assessed at different geographic levels and, accordingly, the same language can be considered both a majority and a minority language depending on the context (Riera-Gil, 2019). For instance, on a global scale, Finnish can be a minority language when compared to English; however, in Finland, it is a majority language when compared to Swedish.

Nonetheless, from the examples given by Morales-Gálvez (2017), it can be assumed that this author is mostly thinking at the state-regional level: the state language is the majority language and the regional language(s) within the state are the minority language(s). Therefore, my analysis will be carried out in these terms. Given that this paper's research question focusses on mixed societies where the minority language group is also fluent in the majority language, the linguistic composition of the Catalan society stands as an ideal case study to discuss all the arguments used by Morales-Gálvez (2017). This is because, in Catalonia, L1 (i.e., native) Catalan speakers—the regional minority language—and L1 Spanish speakers—the state majority language—live intermingled, and while all L1 Catalan speakers understand and speak Spanish at a good level, not all L1 Spanish speakers are fluent in the minority language (Generalitat de Catalunya, 2019, 2023).¹⁰

Although many L1 Spanish speakers living in Catalonia know Catalan, their degree of bilingualisation is not as high as that of the minority group. For instance, in a survey in 2018, 99.8% of respondents declared to understand Spanish and 99.5% to speak it, whereas for Catalan, these percentages decrease to 94.4 and 81.2, respectively (Generalitat de Catalunya, 2019). Moreover, 'levels of knowledge of Catalan are still more irregular than those of Spanish, which, apart from being generalised, are higher and more homogeneous' (Pradilla & Marí, 2022, p. 28) [my translation]. A reason for this is that 'the expansion of competences in Catalan has lagged behind the intensity of demographic flows' (Pradilla & Marí, 2022, p. 28) [my translation]. Indeed, many individuals arriving as (young-) adults from other regions in Spain or from other Spanish-speaking countries (or even from non-Spanish-speaking countries, because they usually prioritise the learning of Spanish as it is a prerequisite for obtaining nationality)¹¹ tend to have a low level of Catalan or no knowledge at all. Hence, it can be concluded that, nowadays, in Catalonia, 'the entire population ends up learning Spanish, but not Catalan' (Vila, 2019, p. 131; my translation).¹²

When delimiting the scope of the analysis of Morales-Gálvez's (2017) theory, there is another thing to be considered: the strength of each language worldwide. This is because it might not be the same if the two languages competing at the state-regional level are a worldwide strong and a worldwide weak language (e.g. Spanish vs. Catalan), two worldwide strong languages (e.g., English vs. French) or two worldwide weak languages (e.g. Finnish vs. Swedish). This factor has been overlooked in most TLJ but it is relevant, especially with the rise of new technologies. For instance, a minority language that is worldwide weak and hence has little presence on the internet is likely to have a lower value and status—and its speakers are therefore likely to be more subordinated to the majority group—than a minority language that has worldwide strength and higher online visibility. Accordingly, the degree of fairness of implementing 'coercive' measures to protect a minority language with worldwide strength may not be the same as the degree of fairness of implementing such measures for a worldwide weak language.

Because this paper discusses Morales-Gálvez's (2017) arguments on the basis of the Catalan case (Spanish vs. Catalan), and because of space considerations, my conclusions regarding the degree of fairness of 'coercively' protecting minority languages in mixed societies where the minority group is already bilingual will only apply to cases with similar traits: that is, state majority language with worldwide strength versus worldwide weak regional minority language. Furthermore, when extrapolating this paper's conclusions, the power dynamics between the majority and the minority language within the state itself should also be considered. This is because the fairness of 'coercively' protecting a minority language may vary depending on its degree of recognition by the state. In Catalonia, Spanish receives superior administrative and juridic treatment than Catalan (Vila, 2019). For instance, while Article 3 of the Constitution obliges all Spaniards to know Spanish,¹³ it does not extend the same requirement to Catalan. This asymmetrical treatment results in an inherently unequal status of Catalan that might be relevant when discussing the degree of fairness of 'coercively' protecting this minority language. Consequently, this paper's findings will only apply

to cases where the state (worldwide strong) majority language and the regional (worldwide weak) minority language have a similar asymmetrical relationship as Spanish and Catalan.¹⁴

Finally, it is worth noting that Morales-Gálvez (2017) is rather generalist regarding the type of 'coercive' measures that would have a place in his model. Indeed, his theory seems to encompass any policy that 'forces' the majority group of a mixed society to learn the minority language to achieve reciprocal bilingualism and thus eliminate subordinating patterns and preserve all speakers' equal rights and freedoms. Yet, to delve into the fairness of such measures, this paper will focus on two specific 'coercive' policies: (1) compulsory immersion education programmes (CIEP)—consisting, *grosso modo*, in a pedagogical technique in which speakers from the majority group (L1 Spanish speakers) are taught through the medium of the minority language (Catalan)—and (2) minority language requirements to access a position as a public employee (MLR-PPE)—in this case, requirement to know Catalan. These can be considered 'coercive' measures in the sense that they restrict the freedom of the majority group (1) to decide the language in which they want to study and (2) to freely become civil servants.

There are three reasons why these two 'coercive' language policies stand as a perfect example. First, in his MCM, Morales-Gálvez (2017) already mentions CIEP, which he considers a fair 'coercive' measure because it promotes reciprocal bilingualism and thus equal rights and freedoms. Therefore, it is relevant to discuss it. Second, CIEP are of little use in promoting minority language learning among individuals from the majority group that arrive as (young-)adults, which is a frequent phenomenon in Catalonia (Pradilla & Marí, 2022; Vila, 2019). Hence, the importance of incorporating into the analysis a 'coercive' measure that also affects adults: MLR-PPE. Third, because this paper's discussion will be based on the Catalan case, it seems useful to focus on measures already taking place in the region. In this sense, both CIEP and MLR-PPE are 'coercive' policies that are currently being applied in Catalonia and have sparked controversy, making them valuable subjects for analysis to contribute fresh insights to ongoing debates.

At this point, one could think that, if both CIEP and MLR-PPE are already implemented and yet, as said above, some individuals living in Catalonia lack proficiency in Catalan, these 'coercive' measures are ineffective in accomplishing reciprocal bilingualism and, hence, following Morales-Gálvez (2017) reasoning, in guaranteeing non-domination and equality for all speakers (which is, in turn, what would justify the fairness of such policies). However, two things must be considered. First, it is known that CIEP have not been well applied in all schools, resulting in Spanish often being predominantly used in classes (Bretxa & Vila, 2014). Nonetheless, data indicate that because the implementation of these programmes in the 1980s, proficiency in Catalan has increased.¹⁵ This suggests that, even with imperfect implementation, CIEP are a useful and necessary measure to 'force' L1 Spanish pupils to learn Catalan and thus foster reciprocal bilingualism. Second, MLR-PPE has just been partly implemented, as it only 'obliges' individuals to learn Catalan if they apply for permanent public positions but not temporary ones.

Therefore, in this paper, when discussing the fairness of these 'coercive' measures, a full implementation will be assumed, meaning (1) a rigorous application of CIEP and (2) MLR-PPE for all individuals, either applying for permanent or temporary jobs. Moreover, it must be noted that using these two 'coercive' measures as an example for analysing Morales-Gálvez's (2017) arguments does not imply that they are the only policies that could be applied to accomplish reciprocal bilingualism and hence equal rights and freedoms. Nonetheless, this paper's aim is not to ascertain how many 'coercive' measures aimed at accomplishing reciprocal bilingualism should be implemented but to determine whether the application of such policies in a liberal mixed society where the minority group is already bilingual really promotes—as Morales-Gálvez (2017) sustains—equal rights and freedoms for all speakers and can thereby be considered fair, which represents an earlier step.

4.2 | The MCM: strength and weaknesses

Once the scope of the analysis of Morales-Gálvez's (2017) theory is clear, we can proceed to examine all the arguments presented by the author (and introduced in Section 3) in order to answer this paper's research question. In this sense, it is worth highlighting that although the MCM is designed for linguistically mixed societies, it is not

exclusively thought for the specific case this paper is interested in, that is, communities where the minority language group can already speak fluently the majority language. Hence, the rejection in the following lines of some of the arguments used by Morales-Gálvez (2017) to ground his 'protectionist' theory does not imply that they cannot hold true in contexts with a less bilingualised minority group.

4.2.1 | Identity-related arguments

First, I will focus on one classical identity-related argument to which Morales-Gálvez (2017) appeals to justify the application of 'coercive' measures to protect minority languages: individual autonomy. According to Kymlicka (1995), the protection of people's societal cultures, which includes their languages (even if they are minoritarian), is essential for individuals to be able to have access to a range of contexts of choice and thus choose freely (i.e. with individual autonomy) between different ways of life. However, to what extent is that true in the case of fully bilingualised minority groups? Similarly, in Catalonia, what significant life options does Catalan offer that Spanish alone—that all L1 Catalan speakers know—does not provide? This question is indeed crucial if one wants to demonstrate that protecting Catalan through 'coercive' measures is necessary to allow both the minority and the majority group to have equality in terms of individual autonomy.

One possible answer is that speaking Catalan (and thus protecting it by 'enforcing' reciprocal bilingualism) can give access to concrete ethno-cultural contexts. But, for example, is there any difference, in terms of individual autonomy, between saying in Catalan *Vull ser casteller* or saying in Spanish *Quiero ser casteller*¹⁶ [both 'I want to be a human tower builder']? *Prima facie*, there does not seem to be any: the same cultural context can be accessed by speaking either Catalan or Spanish. Therefore, it seems, first, that there is no need to 'force' L1 Spanish speakers to learn Catalan (and thus make them bilingual as the minority group) to allow them to have the same individual autonomy as L1 Catalan speakers, because L1 Spanish speakers can already access the same contexts of choice as L1 Catalan speakers—and choose freely between them—by using only Spanish (because L1 Catalan speakers already understand them). Second, it also seems that protecting the minority language to ensure that L1 Catalan speakers can use it to gain access to specific meaningful life options may not be necessary either, because, due to their bilingualism, L1 Catalan speakers could also use Spanish to access these opportunities (e.g. to join a team of human tower builders).

Another possible answer—that may go beyond Kymlicka's (1995) idea of individual autonomy—is that speaking Catalan offers certain socio-economic possibilities not available by speaking only Spanish, such as working for the public administration, which consequently justifies its protection. Nonetheless, this answer is biased, because if Catalan is needed for working in institutions, it is because of a 'coercive' policy already taking place: MLR-PPE. If this measure did not exist, Catalan would not provide more individual autonomy than Spanish (i.e., both those who know and who do not know Catalan would be able to access a job in the public service), and hence, it would not be necessary to 'enforce' the learning of the minority language to allow L1 Spanish speakers to have the same individual autonomy (in terms of accessing the public service) as L1 Catalan speakers.

Therefore, if the minority language group is already bilingual in the majority language, it seems that, at first, the idea of individual autonomy does not work to justify the introduction of 'coercive' policies to protect the minority language. Because the majority language already gives access to all contexts of choice to both the minority and the majority group, they all have the same individual autonomy without any protection. However, as we shall see below, this argument regains importance with the introduction of an element not considered by either Kymlicka (1995) or Morales-Gálvez (2017).

Despite the weaknesses of the argument of individual autonomy, in the realm of identity, the dignity argument (Van Parijs, 2011a) claimed by Morales-Gálvez (2017) is still important. This argument is related to the idea that, as people can identify with their L1, the status that other people or institutions give to this language is connected to these people's status and self-esteem (Morales-Gálvez & Riera-Gil, 2019; Van Parijs, 2011a). A majority language,

being the strong language, will always enjoy a high status—especially if, as in Spain, it is the only language promoted by the state—and therefore its speakers' dignity will never be affected. However, because of the maxi-min dynamics (Morales-Gálvez, 2017) and other social norms arising from processes of minorisation (Flors-Mas, 2017) that lead minority groups to linguistically bow and subordinate (a phenomenon that clearly affects L1 Catalan speakers),¹⁷ a minority language such as Catalan can easily see its status diminished if it is not protected, thereby undermining its speakers' dignity.

In bilingualised minority groups, one could think that, because of this bilingualisation, people may identify only with the stronger and thus more prestigious language (Spanish) or with both languages (Catalan and Spanish). However, data in Catalonia show that, despite bilingualism, there are 36.6% of inhabitants who identify only with Catalan and 6.9% who identify with both Catalan and Spanish (Generalitat de Catalunya, 2019). Hence, to favour that the minority group enjoys the same dignity as the majority group, it is crucial to counteract the negative impact of linguistic subordination on the status of Catalan. Implementing 'coercive' measures such as CIEP and MLR-PPE could help address this issue. By 'forcing' L1 Spanish speakers to learn Catalan in order to accomplish real reciprocal bilingualism, linguistic subordination and thereby L1 Catalan speaker's tendency towards linguistic bowing would likely decrease (mainly because they would have assurance of being understood by others when using the minority language, which is not the case nowadays). Hence, the status of the minority language and the dignity of its speakers would increase.¹⁸ Therefore, the argument of equal dignity does work in a bilingualised context to justify the introduction of 'coercive' policies that aim to protect the minority language (see Figure 3: box 'Equal dignity').

4.2.2 | Communicative arguments

Morales-Gálvez (2017) assumes a widespread idea among TLJ regarding the communicative value of languages. By adopting a quantitative approach, he considers that the value of a language increases with the number of interactions it allows. Yet, he forgets that communication has also a qualitative dimension, related to the degree of communicative effectiveness accomplished in such interactions. Therefore, when the author defends the usefulness of protecting the minority language to increase mobility, equal socio-economic opportunities, equal access to democratic deliberation, non-segregation and mutual understanding, he is only thinking in quantitative terms: if all members of a territory know all the native languages, these interests (mobility, equal socio-economic opportunities, etc.) will be more easily accomplished because more people will be able to interact. But does this argument work with an already bilingual minority group?

Prima facie, it does not seem to be the case. The interaction in quantitative terms between L1 Spanish and L1 Catalan speakers is the same whether L1 Spanish speakers know Catalan or not, because L1 Catalan speakers can always communicate in Spanish. What could happen, however, is that a 'lack of promotion of mutual understanding in equal terms [i.e., reciprocal understanding]' (Morales-Gálvez, 2017, p. 656) could affect the dignity of the minority group and lead to a context of segregation, creating different language cleavages that would limit the ability of individuals to move throughout the territory. In the Catalan case, this would be a strong risk. Even if it is a mixed society, the linguistic distribution is not homogeneous, having some regions with more L1 Catalan speakers and others with more L1 Spanish speakers. Therefore, not encouraging mutual understanding with measures such as CIEP and MLR-PPE (i.e. not ensuring quantitative communication through real reciprocal bilingualism) could further polarise such regional divisions (Morales-Gálvez, 2017; Morales-Gálvez & Riera-Gil, 2019). Accordingly, this may reduce citizen's mobility (i.e. L1 Spanish speakers only going to Spanish-speaking areas and L1 Catalan speakers to Catalan-speaking areas) and increase segregation, thereby endangering political stability (see Figure 3: boxes 'More mobility' and 'Non-segregation').

Nonetheless, quantitative communication does not seem to work as a justification for 'coercive' policies from the standpoint of equal socio-economic opportunities and access to democratic deliberation. Why should Catalan be protected by 'enforcing' reciprocal bilingualism (i.e., by 'obliging' L1 Spanish speakers to learn it) to ensure the same

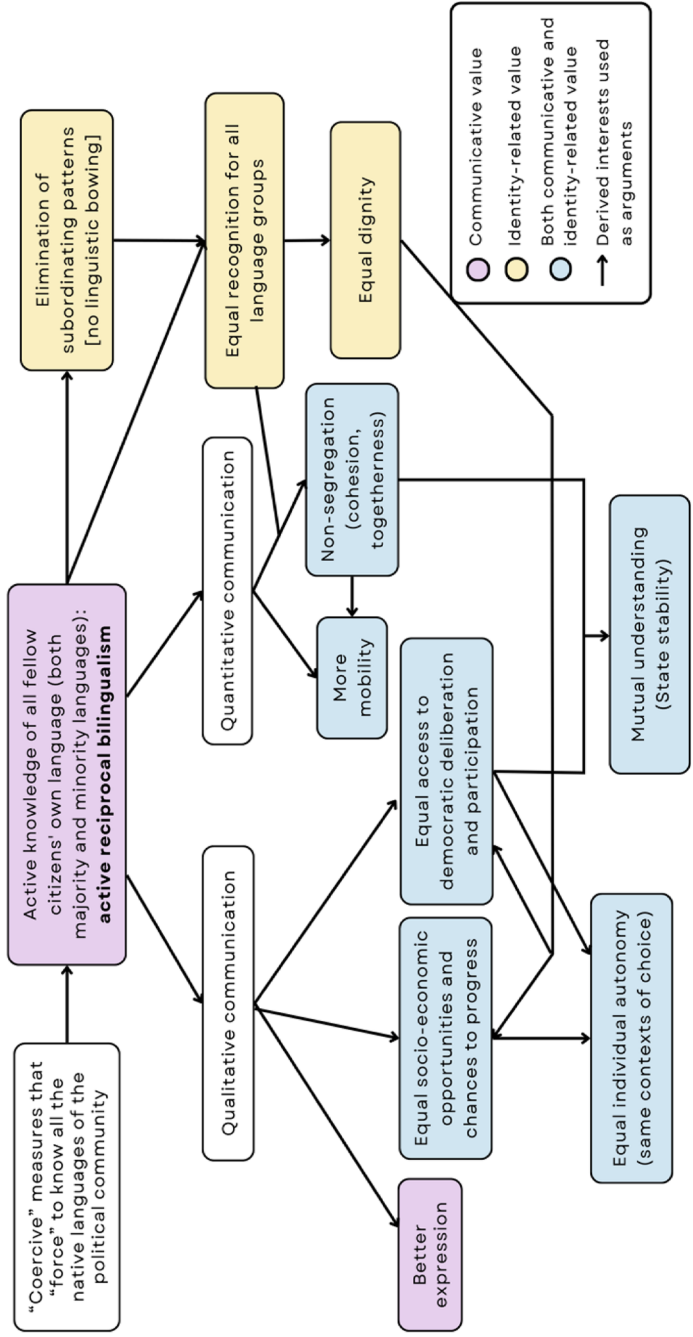


FIGURE 3 Final solid arguments, based on the multilingual convergence model (2017), that justify the application of ‘coercive’ measures that aim to protect a minority language. [Colour figure can be viewed at [wileyonlinelibrary.com](https://onlinelibrary.wiley.com/doi/10.1111/maul.13099)]

socio-economic and political opportunities if L1 Catalan speakers can (and are obliged to) understand Spanish and, therefore, these activities can be carried out in this language? Indeed, it seems that the fact that some individuals do not know Catalan is not a problem to have equal socio-economic and political opportunities because quantitative communication is already ensured. However, what is not ensured is qualitative communication (Riera-Gil, 2019), which consists of the effectiveness of the speech act.

Qualitative communication, overlooked by Morales-Gálvez (2017), can be twofold. On the one hand, it has an identity-related dimension (Riera-Gil, 2019). As Riera-Gil (2019) has claimed, social scientists tend to overlook the indexical function of languages (Irvine, 1989; Woolard, 1998, 2005). This function could be defined as an inherent property of languages that leads interlocutors in a conversation to classify one another positively or negatively according to their linguistic uses, thereby affecting their legitimacy as communicative agents and, in turn, the quality of the communicative act and its outcome. Therefore, 'communication and identity are inextricably linked' (Riera-Gil, 2019, p. 184). First, 'because languages chosen for communication speak about their speakers' (Riera-Gil, 2019, p. 184). Second, because these speakers (who show a specific identity through their language) are classified positively or negatively by their interlocutors depending also on the (linguistic) identity of such interlocutors. This interplay of identities has an impact on the atmosphere of cooperation, the speakers' credibility and, ultimately, the effectiveness of communication.

As a result, effective communication may depend not only on using a shared language but also on choosing a specific language. For instance, using Catalan may be more useful than using Spanish to accomplish better communication (e.g. in a job interview) if my interlocutor (e.g. the recruiter) self-identifies or values this minority language, because this person's classification of me is likely to be more positive. The main consequence of this phenomenon is that being able to linguistically accommodate oneself to the language valued in each setting—either the authentic (local) minority one or the anonymous (unmarked) majority one—can improve the outcome of communicative acts in contexts where opportunities for socio-economic progress and political participation take place.

Consequently, to allow both L1 Catalan and L1 Spanish speakers to have the same socio-economic and political opportunities, it is important to ensure that everyone—and not just the already bilingualised minority group—can speak both languages so that all individuals have the freedom to choose between them depending on the context. Without this proficiency, L1 Spanish speakers not speaking the minority language could have fewer socio-economic and political opportunities and thus fewer 'choice options for conducting different and valuable kinds of good life' (Riera-Gil, 2019, p. 188) than L1 Catalan speakers, who can already linguistically accommodate when necessary. Therefore, it should be noted that, while passive reciprocal bilingualism (i.e. only understanding the language of the other group) may have so far seemed sufficient to ensure equality between language groups, the introduction of qualitative communication reveals the necessity of 'enforcing' active reciprocal bilingualism (i.e. both understanding and speaking the other language to be able to linguistically accommodate when necessary).

All in all, while at the beginning of this analysis it seemed that speaking only Spanish—as some people in the majority group—gave access to the same contexts of choice as being bilingual in Catalan and Spanish—as the minority group—and that, as a result, protecting Catalan and 'forcing' people to learn it did not provide any advantage in terms of individual autonomy, now there has been a discernible shift. The introduction of qualitative communication has shown that, as long as there are people who identify and value the minority language (as it happens in Catalonia), it is necessary to ensure active bilingualism for the entire population (even if this implies 'coercive' measures) to guarantee that all individuals (and not just the bilingual minority group) can linguistically accommodate to their interlocutors when necessary and, therefore, have the same socio-economic and political opportunities and, accordingly, choose among the same range of life options. Hence, with the introduction of qualitative communication, the concept of individual autonomy becomes meaningful again (see Figure 3: boxes 'Equal socio-economic opportunities', 'Equal access to democratic deliberation' and 'Equal individual autonomy').

On the other hand, qualitative communication is also related to the fact that, as cognitive psychology has demonstrated, speaking one's L1 allows one to express oneself better (and with more confidence) and thus convey the

message more effectively (Dewaele, 2002; Konopka et al., 2018). Consequently, to ensure true equality between the majority and the minority group, it would be necessary to guarantee that all speakers can at any time use the language in which they are more proficient, which is normally their L1.¹⁹ To accomplish this, protecting the minority language (in this case, Catalan) by 'forcing' the majority group to learn it—for instance, through CIEP or MLR-PPE—is not only fair but necessary. As Morales-Gálvez (2017) states, in a situation of linguistic domination, individuals from the majority group tend to assume that the minority group will eventually bow, not receiving enough pressure to develop their skills in the weak language. Accordingly, 'enforcing' the learning of Catalan may be the only way to ensure that speakers of the minority language are consistently understood by the majority group and can use their L1 in any context. Hence, it may be the only means to guarantee that L1 Catalan speakers enjoy the same opportunities for communicative effectiveness as L1 Spanish speakers, who can already use their language in any daily situation because L1 Catalan speakers, who are bilingual, always understand them (see Figure 3: box 'Better expression').²⁰

Nevertheless, to what extent is this argument valid in cases where people from the minority group are bilingual from a very early age? Does an L1 Catalan speaker who has spoken Spanish since childhood truly communicate his message better in Catalan than in Spanish? Could there be any difference between Catalan speakers who live in predominantly Spanish-speaking areas and Catalan speakers who live in predominantly Catalan-speaking territories? Nowadays, some recent studies have proven that, for instance, being able to speak to your doctor in your L1—even if you are fully proficient in your L2—boosts your communication skills and leads to better diagnoses and recovery processes (Bouchard et al., 2021; De Moissac & Bowen, 2019; Espinoza & Derrington, 2021). Yet, to ground this argument on a more solid basis, more empirical research is needed.

4.2.3 | Going beyond the values of languages

The justification for implementing 'coercive' measures extends beyond Morales-Gálvez's (2017) arguments centred on the fair distribution of the communicative and identity-related value of languages. First, it is worth considering the idea put forward by some individuals that one can become fully proficient in a second language at least in the long term (Riera-Gil, 2016). Thus, from this standpoint, not 'coercively' protecting the minority language is simply perceived as a fair temporary inequality benefiting all future generations: allowing linguistic assimilation leads to a linguistically homogeneous demos where, because there is a single language, all speakers have all their communicative and identity-related rights equally recognised.

Nevertheless, this argument dismisses one element that turns this assimilation from a temporary injustice into a permanent injustice: the right to one's past. According to the Parliamentary Assembly of the Council of Europe (1996), 'people have a right to their past' (p. 1). The documents that give access to this past, whether personal memories or cultural heritage, are normally written in the mother tongue of our ancestors, so understanding their language is necessary to understand our past. Consequently, by allowing linguistic assimilation, we are depriving future generations of the minority group (e.g. Catalan speakers) of their right to comprehend and learn about their history (Song, 2023),²¹ while the majority group retains this privilege. This creates a permanent inequality that should be avoided in any liberal democracy, even if it implies establishing some 'coercive' measures to protect the minority language.

In this regard, one could argue that translation could also provide future generations of the minority group with access to their past. Yet, it should be considered that the fewer speakers of the minority language, the less likely someone will be capable of translating texts from that language. Moreover, given that economic resources are finite and translation incurs costs, it is unlikely that all texts written in the minority language can be translated. Accordingly, even if translation efforts are made, linguistic assimilation would always leave the majority group with greater access to its past than the minority group, thereby perpetuating this permanent inequality between language groups.²²

Another element to consider regarding equal rights between language groups is the cognitive effects of bilingualism. Early bilingualism positively influences the capacity to learn a third language (Aparici et al., 2011), enhances cognitive abilities and delays dementia and Alzheimer's disease (Craik et al., 2010; Suay & Franco, 2015). In contexts such as the Catalan one, where the minority group—because of the higher status and power of the majority language—becomes 'naturally' bilingual but the majority group does not feel any clear need to learn the weak language, there exists an inequality in terms of benefiting from the cognitive advantages of bilingualism. Hence, to guarantee equality, it is not only legitimate but also morally necessary to apply measures, such as instituting CIEP, that ensure the bilingualisation of all individuals. Moreover, and going back to the previous argument, bilingualism offers an additional reason to oppose assimilation policies. What would be fairer? To implement certain 'coercive' measures that may initially put the majority group at a disadvantage but eventually (by simply adding a new language into these individuals' linguistic repertoire) enable everyone to benefit from the cognitive advantages of bilingualism, or to opt for assimilation into the majority language that not only harms the minority group but also denies both the majority and the minority group the possibility of reaping the benefits of bilingualism?

This idea of weighing the pros and cons when determining the fairness of implementing 'coercive' measures in a liberal mixed society to protect a minority language is what leads to the final argument: the proportionality of the (short-term) costs and the long-term benefits. It cannot be overlooked that establishing 'coercive' language policies—like CIEP and MLR-PPE—to ensure active reciprocal bilingualism has some costs for the majority group, especially in terms of individual autonomy. For instance, 'obliging' the majority group to be educated in the minority language does not allow them to study in their L1. Similarly, requiring knowledge of the minority language for access to public administration makes it impossible for the majority group to become civil servants without learning the minority language. Additionally, there are some costs related to qualitative communication. For example, in schools, children from the majority group, whose L1 is not the vehicular language, may express themselves worse than their counterparts from the minority group, especially during the first years (see Figure 4: box 'Costs for the majority group').

Nonetheless, many of these costs are short-term and vanish once the majority group learns the minority language (e.g. they no longer have or have fewer communicative disadvantages at school,²³ and they regain their individual autonomy to decide if they want to become civil servants). Moreover, the long-term benefits for both groups of applying these 'coercive' measures to accomplish active reciprocal bilingualism are higher than the costs. As explained above, they ensure equal dignity for all citizens, qualitative communication (implying, first, better expression and, second, equal socio-economic and political opportunities and hence equal individual autonomy), mobility, non-segregation and mutual understanding, equal right to one's past and equal cognitive advantages (see Figure 4: box 'Benefits for both groups'). Furthermore, some of these long-term benefits (such as non-segregation and, consequently, mutual understanding and stability), which are quite unattainable without reciprocal bilingualism and thus without the protection of the minority language through 'coercive' measures, are essential for the functioning of liberal democracies.

Hence, the application in linguistically mixed societies with a bilingualised minority group of 'coercive' measures that aim to promote the minority language to accomplish active reciprocal bilingualism is not only fair but also completely proportional and legitimate. This is because since speakers of the majority group do not usually feel the need to become actively bilingual when the minority group knows the majority language—because communication is already possible (Morales-Gálvez, 2017; Wright, 2015)—'coercively forcing' the majority group to learn the minority language (through measures such as CIEP and MLR-PPE) becomes crucial to foster active reciprocal bilingualism,²⁴ which in turn stands—as argued throughout the paper—as a necessary condition to ensure all the benefits discussed above (see Figure 4) and hence equal rights and freedoms for all speakers. Conversely, any measure that exceeds the goal of active reciprocal bilingualism and creates significant inequalities for the majority group—for instance, forcing them to communicate always in the minority language in the private sphere—could not be considered just nor admissible in a liberal democracy.

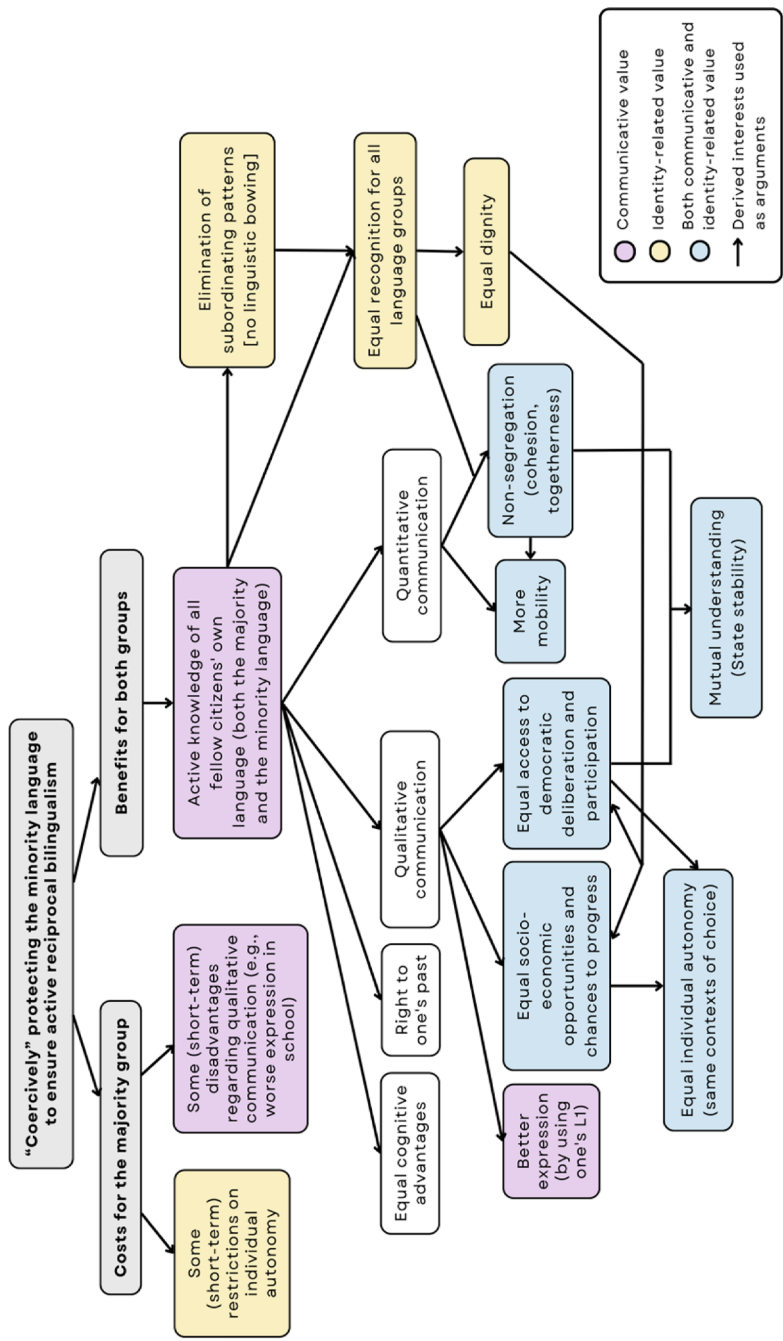


FIGURE 4 Costs and benefits of 'coercively' protecting a minority language to ensure active reciprocal bilingualism. [Colour figure can be viewed at [wileyonlinelibrary.com](https://onlinelibrary.wiley.com/doi/10.1111/numa.13099)]

5 | CONCLUSION

In liberal democracies with linguistically plural *demoi*, debates regarding the fairness and legitimacy of using 'coercive' measures to protect minority languages have emerged. This controversy becomes especially relevant in cases where these minority language groups also know the majority language. Yet, these bilingualised contexts have been understudied by political theorists. Hence, this paper aimed at contributing to the field of TLJ by asking 'To what extent can 'coercive' language policies that aim to protect a minority language be considered fair in a liberal mixed society where the minority language group is already bilingual in the majority language?'. To do so, I have examined the three classical TLJ and highlighted their weaknesses in linguistically mixed societies. To tackle these problems, I have presented Morales-Gálvez's (2017) theory, which advocates for the introduction of 'coercive' measures that aim to protect the minority language to accomplish reciprocal bilingualism.

All in all, by using a twofold theory-testing and theory-building approach through the lens of Catalonia, I have accepted some of the arguments proposed by Morales-Gálvez (2017) and suggested some new ones. Consequently, I have been able to conclude that, from a liberal normative standpoint, the introduction in liberal mixed societies, similar to the Catalan one, of some 'coercive' policies—such as CIEP and MLR-PPE—that aim to protect the minority language to accomplish active reciprocal bilingualism is not only proportional, legitimate and fair but also necessary. This is because it is only possible to ensure the very liberal value of equal rights and freedoms for all speakers (and hence ethno-cultural and socio-economic justice) if everybody—and not just the minority group—understands and speaks both the majority and the minority language. Therefore, because in cases where the minority group is already bilingualised, the majority group does not usually feel any need to learn the minority language (Morales-Gálvez, 2017; Wright, 2015), 'coercive' measures are crucial to foster such active reciprocal bilingualism. Similarly, any 'coercive' measure that goes beyond the objective of active reciprocal bilingualism and seeks to protect the minority language by creating great inequalities for the majority group could not be considered just nor acceptable in any liberal democracy.

Nevertheless, further research is needed to examine empirically in more depth all the arguments this article has considered normatively valid to justify the introduction of such 'coercive' measures. For instance, more empirical studies should be performed to test whether the dignity of the bilingualised minority group is truly affected by not being able to use their L1, whether bilingualisation really favours non-segregation and equal socio-economic and political opportunities, or whether being able to speak one's L1 has real benefits in terms of communicative effectiveness. Moreover, the validity of all these arguments should be reanalysed by extrapolating them to other sociolinguistic contexts and incorporating immigrant languages into the discussion.

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ENDNOTES

- ¹ In this paper, *legitimacy* and *justice* (or *fairness*) are not considered entirely distinct concepts: 'institutions [or their policies] are legitimate when they sufficiently approximate the demands of justice' (Valentini, 2012, p. 5).
- ² In this paper, I aim to operate within the mental framework that assumes the learning of the state's majority language as a given (i.e. not coercion) while considering any obligation to learn minority languages as freedom-constraining. Yet, the learning of majority languages is often also a consequence of subtle or banal coercive policies. Quotation marks around the word *coercive* throughout the paper are precisely intended to convey such an idea.
- ³ Classical TLJ are mainly concerned with non-immigrant languages, assuming the duty of immigrants to linguistically integrate (although keeping their right to use their languages in the private sphere) (Kymlicka, 1995). Even though some studies on the incorporation of immigrant languages into these classical TLJ are underway, this is still a controversial topic. Some scholars advocate for their equal status (see De Schutter, 2022), while others argue that, *prima facie*, immigrants are not entitled to use their languages in public settings (see Morales-Gálvez, 2022).
- ⁴ Empirical cases of this model are the monolingual regions in Belgium and Switzerland.
- ⁵ Empirical cases most related to this theory are Luxemburg and, to some extent, Brussels.
- ⁶ *Linguistic bowing* refers to the situation in which an individual has to change his language to adapt to the language of his interlocutor (Van Parijs, 2011a).
- ⁷ Morales-Gálvez (2017) employs the term *multilingual virtue*. Nonetheless, I use the labels *reciprocal bilingualism* or *multilingualism* because (1) they have already been employed to express the same concept (see Riera-Gil, 2016) and (2) are semantically more transparent to convey this author's idea: the fact that both interlocutors in a conversation understand each other's language (i.e. everyone knows both the majority and the minority language).
- ⁸ Morales-Gálvez (2017) does not explicitly use the term '*coercive*' measures. Instead, he simply refers to policies that 'force' people to learn minority languages, which can be perceived by some individuals in the majority group as freedom-constraining. Yet, this idea can be referred to by using the syntagm '*coercive*' measures because it matches this paper's operationalisation of this concept (see footnote 2).
- ⁹ Similarly, although Morales-Gálvez (2017) and most TLJ focus only on native languages, immigrant languages would also merit consideration. Yet, given the lack of consensus on immigrants' language rights (see footnote 3), this paper will not add this element of complexity to the analysis, as it would require much more space than is available. Yet, further research should integrate immigrants' language rights into this paper's findings.
- ¹⁰ In Catalonia, there is another minority language group, Occitan speakers. However, because they are concentrated in one region and most inhabitants of Catalonia do not live intermingled with them, Occitan speakers will not be considered part of the Catalan mixed society.
- ¹¹ Many of the arguments that will be discussed in Section 4.2 would also apply to these people with an L1 other than Spanish or Catalan that arrive in Catalonia by only knowing (or only learning) Spanish. Yet, because of space constraints and because of what has been explained in footnotes 3 and 9, the discussion will not delve into this group of people.
- ¹² For instance, in the health-care sector—where many professionals arrive nowadays from Latin America or the rest of Spain (Pradilla & Mari, 2022)—in 2024, only 87% of doctors said to understand Catalan—while 99.7% declared to understand Spanish—and just 69.1% said to speak it, whereas 99.3% declared to speak Spanish (Consell de Col·legis de Metges de Catalunya, 2024). This demonstrates the disparities regarding the degree of bilingualisation of L1 Catalan and L1 Spanish speakers.
- ¹³ As stated in footnote 2, this obligation can also be considered freedom-constraining and hence a banal 'coercion'. Yet, this paper aims to operate within the nation-state framework, which assumes the learning of the majority language as a given.
- ¹⁴ For instance, this paper's conclusions could apply to Galician (vs. Spanish) and Basque (vs. Spanish) or, to some extent, Welsh (vs. English) and Irish (vs. English).
- ¹⁵ In 1981, only 79.8% of individuals reported understanding Catalan (compared to 94.4% in 2018) and, in 1986, only 64% reported speaking it (compared to 81.2% in 2018) (Generalitat de Catalunya, 2019).
- ¹⁶ Even if the word *casteller* has a Catalan origin, it has already been accepted by the Spanish language academy.
- ¹⁷ As explained in Section 2.2, Morales-Gálvez (2017) identifies the maxi-min dynamics as the main phenomenon that leads the minority group to linguistic subordination and linguistic bowing. In the Catalan case, the maxi-min dynamics does take place: because L1 Spanish speakers in Catalonia are not as deeply bilingualised as L1 Catalan speakers (Pradilla & Mari, 2022), L1 Catalan speakers often assume that they have a higher level of Spanish than their interlocutor's level of Catalan and that hence the language best known by the speech partner who speaks it least well is Spanish. Nonetheless,

it is true that, in Catalonia, the maxi-min dynamic works together with other social norms arising from a process of misrecognition and minorisation (Flors-Mas, 2017; Pujolar, 2016) that lead Catalan speakers to linguistically bow. Yet, as pointed out in Section 2.2, the aim of this paper is not to delve into the reasons behind this linguistic subordination—that affects the status of Catalan and hence the dignity of its speakers—but rather to identify the presence of it, which is evident in the Catalan context, and discuss how liberal institutions should address it to mitigate these language-based inequalities.

- ¹⁸ Establishing such 'coercive' measures to achieve real reciprocal bilingualism seems a necessary condition to avoid linguistic domination and hence ensure equality in terms of dignity. Yet, it goes beyond the scope of this normative analysis to determine whether it would be a sufficient condition to change language uses. It could be that, despite the attainment of reciprocal bilingualism, the minority group still linguistically bows sometimes. If this happened—which cannot be anticipated from a theoretical perspective because real reciprocal bilingualism has not yet been achieved in Catalonia—an empirical sociolinguistic analysis would be needed to understand why this continues to occur. Then TLJ would only intervene if the reasons were that reciprocal bilingualism was not enough to ensure fair background conditions (i.e. to counteract the linguistic subordination that leads, in this case, to unequal dignity). This is because 'what is really important for a justice-related perspective is to ensure fair background conditions that avoid domination [...]. [...] If, in spite of the existence of fair background conditions [...], people decided to abandon their language, we can consider them to be adopting a "fair resignation" position (De Schutter, 2011)' (Morales-Gálvez, 2017, p. 660–661).
- ¹⁹ This argument is not contradictory to the previous one: asserting the right of all speakers to use the language in which they are more proficient (normally their L1) does not mean they cannot opt for their L2 in contexts where they detect a need for communicative cooperation. Hence, the importance of enforcing active reciprocal bilingualism, so that everyone can choose the language that suits them best at any given moment.
- ²⁰ It is true that, in this 'forced' process of bilingualisation, the majority group may experience temporary restrictions in the use of its L1 (e.g. when being obliged to study in the minority language). However, such a situation would not be inconsistent with this argument of qualitative communication, because even if this 'coercive' measure has some short-term costs for the majority group, the long-term benefits for both groups (being all eventually able to express themselves in their L1) are higher. See Section 4.2.3 for the argument concerning costs and benefits.
- ²¹ It is true that, in Catalonia, because of a longstanding process of minorisation, some documents that give access to the past of Catalan individuals are in Spanish. Nonetheless, there are still many ancient documents of cultural value in Catalan (e.g. literary works by Ramon Llull). Furthermore, before Franco's dictatorship, Catalan was taught in schools, leading to the existence of private documents in this language (e.g. *Cartes de guerra i d'exili* ['Letters of war and exile', by Mercè Rodoreda]). Moreover, it is important to acknowledge that many private and public documents are nowadays written in Catalan, and decedents of present Catalan speakers should also be entitled to have access to them.
- ²² Furthermore, as Peled and Bonotti (2016) argue, not all languages share the same epistemological framework, leading sometimes to a different understanding of concepts. For instance, the 'anarchic connotations of the term *svoboda* differ significantly from those of the English term *freedom*' (p. 804). Hence, while the Russian speaker will 'think that [...] "freedom of speech" implies a total lack of constraints' (p. 804), the English speaker will think that it is 'compatible with imposing legal constraints' (p. 804). Consequently, when considering translation as a remedial measure for unequal access to one's past, it would also be normatively relevant to ask to what extent a translation can convey the same nuances as the original text and thus whether reading the original is always equivalent to reading the translation (provided it exists). This is a profound issue that should be further discussed in future research.
- ²³ Nowadays, there is a (more political than academic) debate on whether studying in Catalan can have negative effects on L1 Spanish speakers' academic performance. In academia, Calero and Choi (2019) are the only scholars who have established a negative correlation between CIEP and academic performance. However, some researchers dispute these findings, highlighting their false premises (Flors-Mas & Vila, 2019). Moreover, other reports state that studying in Catalan does not seem to affect L1 Spanish speakers (Síndic de Greuges de Catalunya, 2022). Nonetheless, this article does not aim to enter into this debate. That is why it says that '[once Spanish speakers know the minority language] they *no longer have* or *have fewer* communicative disadvantages at school'. Yet, it must be borne in mind that, even if some disadvantages remained, the long-term benefits of CIEP—stemming from their capacity to foster active reciprocal bilingualism—would still outweigh their (short-term) costs.
- ²⁴ For instance, data in footnote 15 shows that the introduction of CIEP in the 1980s significantly increased Catalan proficiency. This demonstrates that such a 'coercive' measure effectively 'forces' L1 Spanish speakers to learn Catalan and hence become *actively bilingual*, providing them with more benefits than costs (as discussed earlier). Nonetheless, while this proves to be a necessary policy to accomplish active reciprocal bilingualism and thus equality, it does not preclude the possibility of applying other complementary measures to reach this objective.

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