

# **Legacies and Limitations: Legislating Linguistic Diversity in India**

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### ***Cultural Diversity***

In October of 2005, the Director General of the United Nations Educational, Scientific and Cultural Organization (UNESCO) will submit a final draft of the *Convention on the Protection of the Diversity of Cultural Contents and Artistic Expression* (Convention on Cultural Diversity) to the General Conference. The proposed Convention on Cultural Diversity intends to ensure states' "capacity to develop and implement measures to support diversity of artistic, linguistic and cultural expression, within and among nations; and taking into account the potential impediments to these goals that may arise from international trade, investment and services disciplines."<sup>i</sup>

Over forty member countries are in support of protecting cultural diversity, in defense against the homogenization of culture augmented by the increased flow of goods, services, people, ideas, and information more readily accessible due to the Internet and other technologies. This threat, often interpreted as Americanization, has driven many countries to use protectionist measures in order to preserve their national culture and identity from cultural imperialism.

India, the largest democracy, is arguably one of the most culturally diverse nations. Although traditionally nations have shared a common ethnicity, religion, language and history, India is a multiethnic, multi-religious, multicultural and multilingual nation of nearly one billion people with a history of assimilating various cultural practices from conquering civilizations. Since her independence, just over fifty years ago, India has had to cope with the internal politics of diversity most particularly concerning language status and use. Thus India is a useful microcosm to analyze the politics of cultural diversity and the ability of states to have an influence on internal and external pressures that impact diversity. Despite India's attempt to legislate linguistic diversity domestically and promote a "national" identity through the promotion of one particular language, the decreasing diversity of Indian culture as measured through the survival and utility of her languages serves as a warning for the success of the Convention on Cultural Diversity.

### ***The Politics of Language in India***

As of 2003, India currently has 22 scheduled or official languages. Each one of these languages represents a majority in one of the Indian states and is often a minority language in others. But Hindi, the "official" language of administration has been promoted and favored by the Ministry of Home Affairs, Ministry of Law, Information and Broadcasting, and the Ministry of Education over the interests of the other now 21 official languages<sup>ii</sup> in hopes of encouraging a national identity. However, the English

legacy has continued from colonial times to its present use as an important link language within India as well as a bridge to global economic opportunities.

Through the 1991 Census, 1576 mother tongues were recognized and grouped into 114 languages. Indian languages are derived from 6 language family groups with the majority of speakers coming from the Austro-Asiatic, Dravidian, and Indo-European languages. Mother tongues with fewer than 10,000 speakers are not identified or grouped but are classified as “other.” Over 96% of the population speaks the 18 major languages: Assamese, Bengali, Gujarati, Hindi, Kashmiri, Kannada, Konkani, Malayam, Manipuri, Marathi, Nepali, Oriya, Punjabi, Sanskrit, Sindi, Tamil, Telagu, and Urdu. These major languages and their communities have played an important role in India’s development as both a democracy and as a state as India seized the idea that language “often serves as one of the most important symbols of identification and distinction”<sup>iii</sup> by utilizing languages as the determining factor for geopolitical state partitioning. *See Appendix A & Appendix B.*

At the time of independence, the linguistic diversity of India was seen as a potential destabilizing force which makes it surprising that the founders would allow division based on language which as a unifying cultural factor would lend itself to secession. Religious controversies were allowed to spill over onto language selection at this time. Before the partition of India and Pakistan, Gandhi had pushed for “Hindustani” as a unifying national language based on the following criteria: “**1.** It should be easy to learn for government officials. **2.** It should be capable of serving as a medium of religious, economic, and political intercourse throughout India. **3.** It should be the speech of the majority of the inhabitants of India **4.** It should be easy to learn for the whole of the country. **5.** In choosing this language, considerations of temporary or passing interests should not count.”<sup>iv</sup> Hindustani fulfilled these criteria as it clearly forged a compromise between Urdu, spoken by most Muslims, and Hindi that reflected a third of the population. These two languages were conveniently considered mutually intelligible. However, with the separation of Pakistan, proponents of Hindi gained ground and Hindi rather than Hindustani was written into the Constitution as the “official language.” English, the language of the colonial power, was retained as an associative administrative language for a planned period of 15 years during which the national promotion of Hindi would gradually replace English for all government and administrative operations. This rejection of a truly unifying language has continued to create internal divides within India through the present day.

The current policy framework concerning linguistic diversity is derived from constitutional rights and has created a multifaceted language formula that honors Hindi as a national language, English as a link language, continues to organize its states based on majority language, and provides protection to minority speakers. In contrast to other models built to accommodate minority rights where special groups

like Native Americans in the United States are exempted from public laws, the Indian model is inclusive and through the past 50 years has evolved in attempting to provide a workable framework of accommodation.

### ***The Indian Constitution and Cultural Rights:***

“The success of a state in coping with the challenge of linguistic diversity depends on its capacity to respond through constitutional accommodation of diversity and adequate policy responses through firm and clear social, political, and economic initiatives.” Language rights in India are created and supported by the constitution and the international law documents detailing human and linguistic diversity that India is a signatory to. Article 29(1) of the Indian Constitution states that: “Any section of the citizens residing in the territory of India or any part thereof having a distinct language, script, or culture of its own shall have the right to conserve the same.” In December of 1992, India signed the Universal Declaration of Human Rights<sup>v</sup> which among other applications provided justification and judicial recourse for parents to choose the medium of education for their children. Thus, language right is treated synonymously with linguistic rights and linguistic human rights.<sup>vi</sup> Discussion of language rights normally revolves around rights of linguistic minorities of which the sources for the rights are in international declarations like the Universal Declaration on Linguistic Rights and the Universal Convention on Cultural Diversity, the constitution, policy statements, reports, and judgments of the courts.<sup>vii</sup>

Through its adoption of the Universal Declaration of Human Rights and UNESCO’s recommendations on primary education in mother tongues, India has made a legitimate attempt to accommodate minority language speakers. However, simultaneously its promotion of Hindi as the “national” language has created conflict. According to the Convention for Cultural Diversity, the nation’s ability to decide and protect its culture should be effective in preventing influence by outside cultural forces. However India proves this wrong. Its emphasis on Hindi as a favored language has backfired and forced it to make concessions to politically charged groups in the South that have strengthened the role of English, the outside cultural force.

The steps that India has taken to legislate language has had repercussions on access to employment opportunities, preservation of language, and thus cultural identity, her ability to compete in a global environment, and educational policies. In summary, as Noam Chomsky states, “Questions of language are basically questions of power.”

### **Hindi versus “Indy”**

With some interpretation of the 1991 Census numbers derived from counting the 22% of the population whose mother tongue is Hindi, the 42% of the population that speak it as a language, the

6.16% who count it as a second language, and the 2.6% who have learned it as a third language, it can be stated that Hindi is known to 50.98% of the whole population, a clear and important political majority.<sup>viii</sup> Although, Hindi is not defined officially as a “national language,” it is considered to be the lingua franca by sheer numbers and is found nationwide in the over 20 major dialects of Hindi. Demographically, 78% of Hindi speakers reside in rural areas.<sup>ix</sup>

Due to the popularity of films, television and radio, “Non-Hindi speakers in India are like passive smokers of Hindi.”<sup>x</sup> Bollywood movies out produce even Hollywood with between 800-1000 movies per year. Although there is a token independent film industry in Tamil, a Dravidian language, only Hindi films are distributed throughout India. *See Appendix C* “Mass media is the major user of Indian languages. In 1987, newspapers were published in 92 languages, whereas in 2000, newspapers are published in 101 languages and dialects.”<sup>xi</sup>

These distributional challenges for other language groups echo the concerns felt on an international level as media becomes more concentrated and commercialized. Herman and McChesney support this argument in their book The Global Media by including a weakening public sphere, and the degradation of local cultures in their list of possible negative externalities of the commercialization of culture and the media. Concerns about media ownership concentration of radio, television, and print media have been heightened even in the United States. These private and often multi-national cultural industries are motivated by profit and thus have self-interest in providing content that is commercially profitable and accessible to a large audience. Media and cultural industry consolidation represents a division between private interest and public interest and national policies have affecting them have an impact on the culture in terms of guaranteeing impartiality of the source, access to information, and diversity of ideas. India has taken a nationalist agenda approach rather than a public interest approach in exploiting its ability to impact popular culture by using the Bollywood film industry as a tool to provide cultural unification and consolidation through the promotion of Hindi.

The greatest opposition to Hindi exists primarily in the South. In general, linguistic minorities are afraid of majority languages as a tool of oppression that is divisive of community. Because of this, when faced with a choice, many communities in the South who are primarily associated with Dravidian languages, have preferred the use of English over Hindi. A prime concern is the national test for government service which is administered in Hindi and English. In 1965, Madras erupted in riots with the slogan of “Hindi Never, English, Ever” over their right to continue to be educated and take the government exam in English which was considered at least an equalizer between the various languages. This neutral role of English against Hindi’s populous use is a prime factor in the retention of English as a strong force in the local politics of India in education, employment, and government.

### **The English Effect:**

*“Why would that a nation of one billion souls, home to not one but several of the great traditions of world culture, has{sic} not divested itself of the language of its former conquerors, even though the vast majority would prefer there to be only one language for the entire nation, an indigenous one at that?”<sup>xii</sup>*

India made every attempt to phase out English, its former language of oppression and elite opportunity. However, today English functions as an essential link language even though native English speakers, in a declining trend, were only numbered at 178,598 in the 1991 Census. The percentage of bi and trilinguals in the same census came to 8 and 3.5 % respectively which outdistanced the language of Hindi which has 6.15% and 2.16% respectively.<sup>xiii</sup> Overall it is widely estimated though that only about 3% of the entire population speaks English and this population is elite in terms of wealth, education, and connectivity into the global economy.

The perceived usefulness of English as both a neutral ground in subaltern Indian politics and worldwide has kept English as an administrative and more importantly a primary educational and scholarly language. In Nations of the World Norman Berdichevsky goes so far as to say that “It is no exaggeration to claim that, thanks only to English, India has managed to effectively stay united and progress due to the attraction of this foreign and European or even imperialist language that has earned an absolutely essential importance for a tiny, bilingual, English-and Hindi-speaking elite that dominates the country’s cultural, scientific, commercial, and literary life.” This claim of domination is substantiated by the fact that English accounts for more than half the books published on the subcontinent.<sup>xiv</sup> A national readership survey in 2002 conducted by National Readership studies Council (NRSC) further substantiates English’s growing prevalence with evidence that there is a “sharp growth in the sales of English newspapers in towns with populations ranging from one lakh to five lakhs, whereas growth in Hindi and regional language newspapers is from the towns with populations below five lakhs. English is becoming more popular in the rural areas due to the growth and development of reading skill in English through school. English, thus, is establishing a solid mass base for itself in the rural areas,”<sup>xv</sup> exactly where Hindi is strongest.

Indian citizens, who have had to learn several languages for school and work, are actually more affected by linguistic diversity than uneducated Indians who rarely leave their home area. The impetus for learning a second language are motivated by forces in the free market which include: “travel, education, career advancement, business and job opportunities, research and intelligence gathering, appreciation of another culture, social conviviality and convenience.”<sup>xvi</sup> However, the overall integration of English into Indian society goes beyond these reasons and is such that, “many Indians feel

that English is no longer a foreign language-they have made it very much their own. Regarding Hindi, they indicated that regardless of its status as a national language, people communicate with whichever language or mixture of languages they are most comfortable with.”<sup>xvii</sup> With the access that English affords on the global market combined with the hostility that much of the South historically and currently feels at the forced adoption of Hindi, it is unlikely that English will ever be completely phased out as a link language.

This is an important signal to those that hope that national policies can control culture within their borders. The strong support for English signifies an individual choice that goes in direct contrast to the state legislated preference for Hindi to function as a national and link language.

### ***Practicality versus Preservation:***

*India’s incredible potential for growth in the global economy is countered by the facts that over 90% of its citizens do not graduate from the equivalent of high school, its literacy rate as of 2001 was only 65.2%<sup>xviii</sup>, and 90% of the world’s languages are not on the internet.<sup>xix</sup> Since English is the default language of Internet, its appeal and ability to become diffused within in the Indian Society is exacerbated.*<sup>xx</sup>

Despite the recognition that English might provide a useful tool in getting ahead, cultural attachment to native languages remain strong particularly in the realms of education. The importance of mother tongues are well documented. Research shows that mother-tongue instruction combined with the majority language gives the best results at school and fosters children’s cognitive development and learning ability.<sup>xxi</sup> This has led to the development of the *Three Prong Formula* which established that the regional tongue or the mother tongue would be taught in primary school, alongside Hindi or in Hindi speaking areas another language, and then English or another modern European language would round out the third language of instruction. Considered to be a failure by many; nonetheless, this policy was an honest and inclusive attempt at legislating linguistic diversity. According to Kamal Sridhar (as cited from p.22 in *English in Indian Bilingualism*), this policy is, “a compromise between the demands of the various pressure groups and has been hailed as a masterly-if imperfect-solution to a complicated problem. It seeks to accommodate the interests of group identity (mother tongues and regional languages), national pride and unity (Hindi), and administrative efficiency and technological progress (English).”<sup>xxii</sup>

Each Census documents a loss of overall languages utility and existence in India. In addition, even within education under the *Three Prong Formula*, the All India Survey conducted by the NCERT indicates that the diversity of languages utilized in education has progressively decreased. In the last 25 years in fact it has been nearly halved from 81 in 1970 to 41 and the medium of instruction has decreased by about 1/3 from 47 to 18. “This indicates that in the era of industrialization, people were going away from their mother tongue as a language of schooling and as a medium of instruction. If a language is not

learned as a mother tongue for wider purposes of communication and governance, there are possibilities that the concerned language will gradually vanish from the society as an effective medium, and will assume the role of an identity marker only. Even the role of a language as an identity marker may not happen in India, because caste, religion, attire, food habits and even personal names often may provide important identities for the individual or the family or the society.”<sup>xxiii</sup>

The importance of education in mother tongue must be emphasized in relation to the preservation of language. According to UNESCO’s fact sheet on endangered languages, over 50% of the world’s 6000 languages are endangered, 96% of the world’s 6000 languages are spoken by 4% of the world’s population, and one language disappears on average every two weeks<sup>xxiv</sup> The ramifications are such that, “the consequent reduction of cultural diversity may threaten humanity’s survival. Our adaptive success as a species—with over 5 billion people in such diverse environments as jungles, deserts, and the Arctic—is due to “culture,” implying the communication of ideas through language. Linguistic diversity relates to adaptational ideals about property, health care, food, children, power, and disputes. The loss of language diversity diminishes our ability to adapt because it decreases the pool of knowledge from which to draw.”

xxv

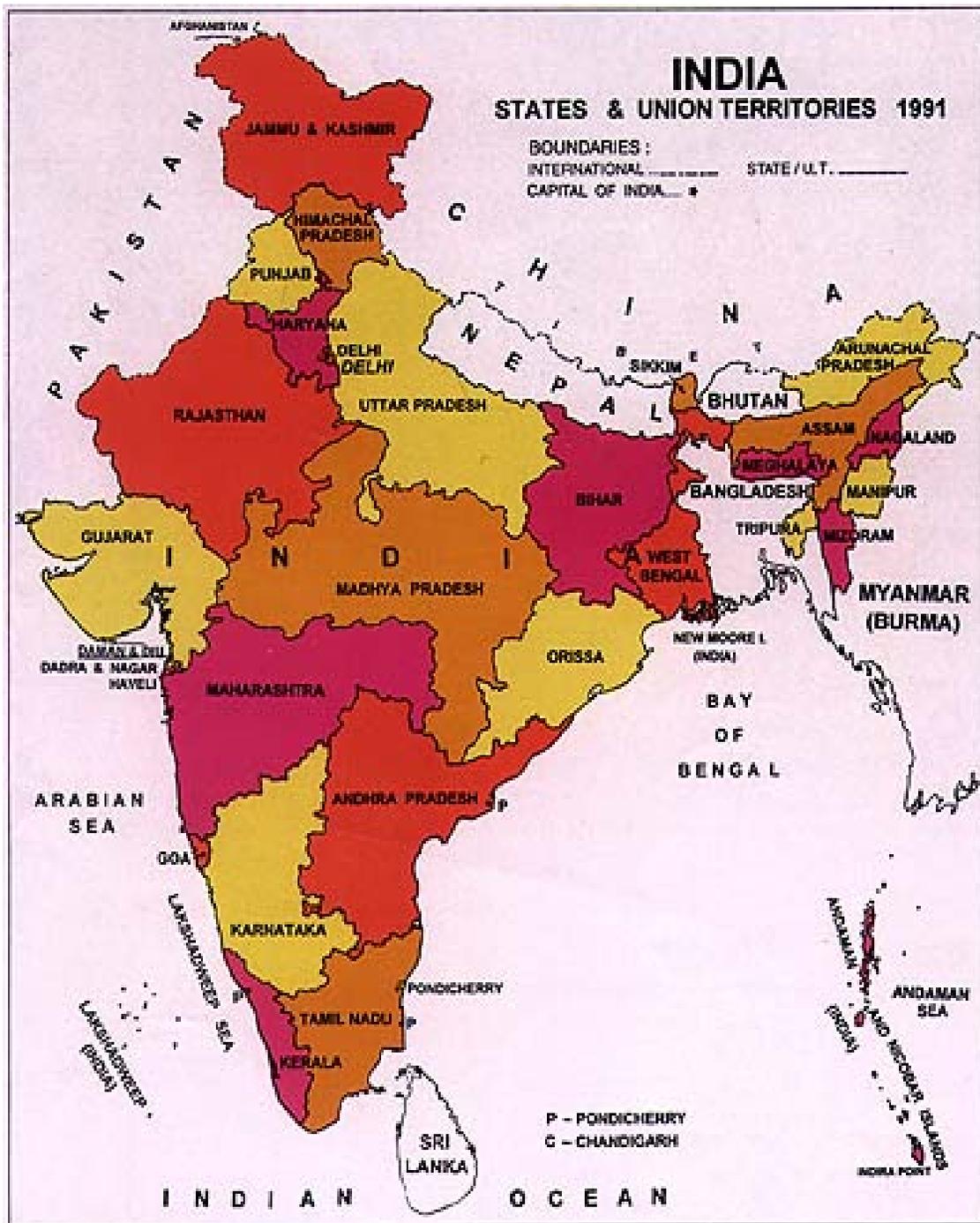
### ***Conclusion:***

Left with a legacy of English as a link language that continues to this day, India’s choice to promote a national language that served in reality less than 1/3 of its population’s cultural interests has proved to be divisive and the greatest weakness of its linguistic policies. The limitations of India’s language policies, despite their foundation in protection for linguistic diversity and human rights and then legalized in the Constitution and international law, show that stronger forces than the state are at play in cultural politics. Indians most of all want greater opportunity for themselves and for their children. While they might insist on primary mother tongue education, the realities of living in a multicultural nation force them to learn multiple languages. With English providing access to the internet, greater economic opportunity, higher education, and governmental administrative posts, there is no impetus for English to be phased out.

The complexities of the linguistic policies of India provide for maximum choice to individuals in what languages to be educated in, work, and utilize. Preservation of languages is a noble goal with proven uses but India fares no better than other nations who are gradually losing languages with no script or the ability to act as economic gateways. India has provided all of the rational policies available to encourage diversity including bilingual and trilingual education, two functional federal administrative “link” languages, and maximum state guaranteed choice in the determination of majority and minority language and education. But, even India cannot hold back the tides of progress and globalization.

Unfortunately, India's failure to maintain its longstanding cultural diversity despite policies that promote and allow for flourishing of multiple languages is a sign to those promoting the Convention for Cultural Diversity that despite the state's goal of maintaining and protecting national identity the choice comes down to each individual. As long as larger economic opportunity can be accessed through other global languages, the majority of information provided through the internet excludes 90% of global languages, and citizens feel that promotion of a national culture impedes their progress or is discriminatory to their own cultural identities; state mandated diversity in democracies doesn't have a chance. Nevertheless, only by creating opportunities as India has done for minority groups and individuals to preserve and develop what is important to them can the diminishing effects of globalization be slowed by the counteractive forces of niche preferences and markets.

APPENDIX A:

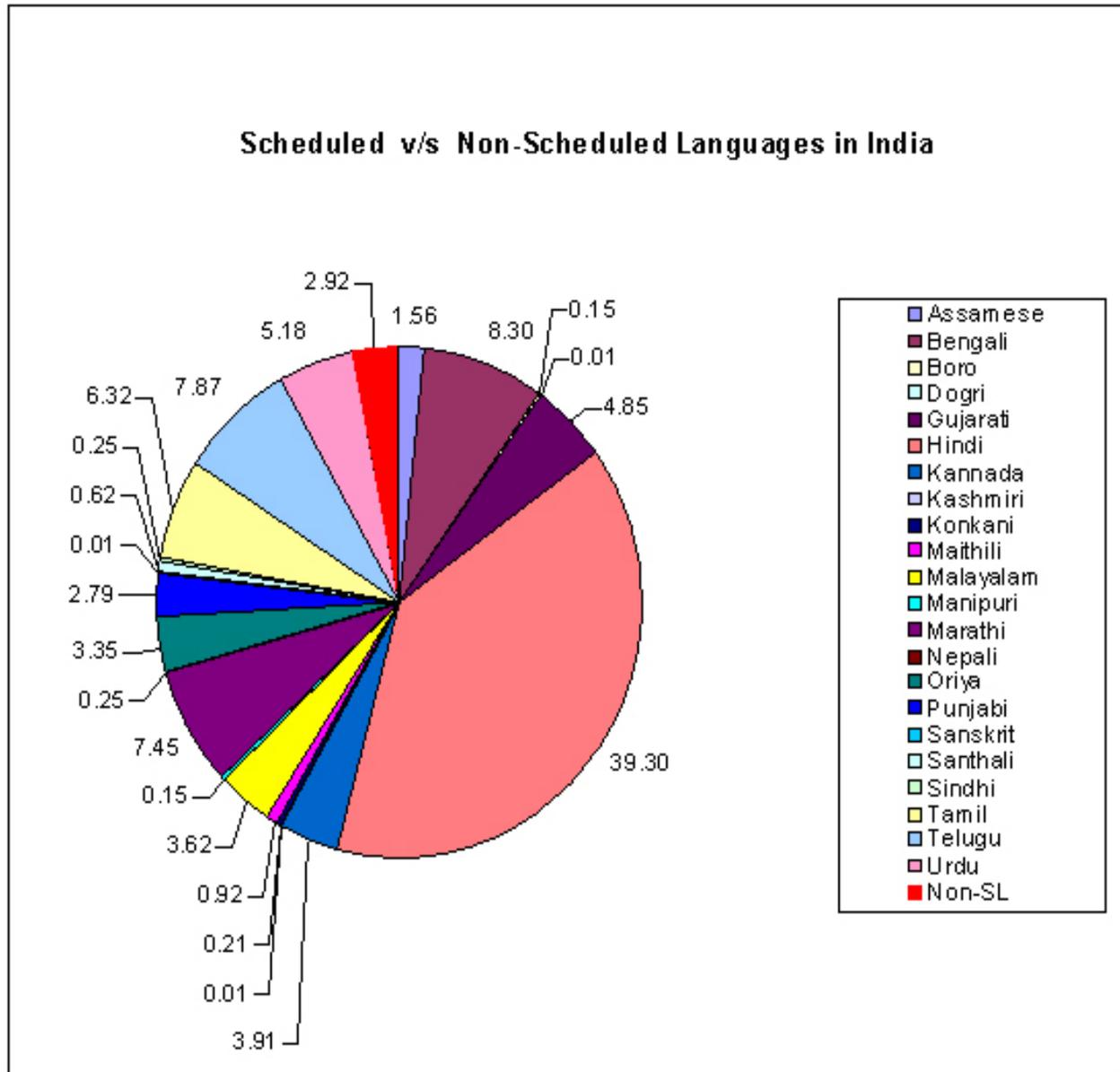


Source: <http://www.languageinindia.com>

## Appendix B: Scheduled vs Non-Scheduled Languages in India

Obtained from: <http://www.languageinindia.com/aug2004/dlamallikarjun1.html>

**Scheduled Languages** (all these being considered major languages) vs Non-Scheduled Languages (all these being considered minor languages).[22 vs 91]



This scheduled list has grown from the original 14 scheduled languages to 22 languages as of 2003. The first expansion legitimized Sindi in 1969, in 1993 it recognized Konkani, Manipuri and Nepali and then in 2003 it added the remaining four: Bodo, Dogri, Maithili and Santhali.

The Scheduled languages constitute 97.00% of the population of India. The rest of the people speak non-scheduled languages. Languages with less than 10,000 speakers are classified within the census as “other.”

## Appendix C: GROWTH OF HINDI PRINT MEDIA

Obtained from:

<http://www.languageinindia.com/nov2004/mallikarjunmalaysiapaper2.html>

The table given below will give a Glimpse of growth of Hindi print media in the country.

Year	Dailies	Total Periodicals
1972	225	2694
1981	409	5329
1996	2004	15647
1999	2305	18903
2000	2393	19685
2001	2507	20589
2002	3410	22067

Rank	Name of the Publication	Readership (in 'lakhs)
1	Dainik Bhaskar (Hindi)	157.09'
2	Dainik Jagran (Hindi)	149.85
3	Daily Thanthi (Tamil)	100.94
4	Eenadu (Telugu).	094.58
5	Malayala Manorama (Malayalam)	087.98
6	Amar Ujala (Hindi)	086.40
7	Hindustan (Hindi)	078.99
8	Lokmat (Marathi)	078.67
9	Mathrubhumi (Malayalam)	076.46
10	Times of India (English)	074.19

Top ten magazines 2003

APPENDIX D: % of Majority versus minority language within states according to 1991 Census (Note that this refers to the number of states and union territories as on that date).

Obtained from: <http://languageinindia.com/april2004/katmandupaper2.html>

<b>State/Union Territory</b>	<b>Majority language &amp; % of its speakers</b>		<b>Percentage of speakers of minority languages</b>
Andhra Pradesh	Telugu	85.13	14.87
Arunachal Pradesh	Nissi/Dafla	23.40	76.60
Assam	Assamese	60.89	39.11
Bihar	Hindi	80.17	19.83
Goa	Konkani	56.65	43.35
Gujarat	Gujarati	90.73	9.28
Haryana	Hindi	88.77	11.23
Himachal Pradesh	Hindi	88.95	11.05
Jammu & Kashmir	Kashmiri	52.73	47.27
Karnataka	Kannada	65.69	34.31
Kerala	Malayalam	95.99	4.01
Madhya Pradesh	Hindi	84.37	15.63
Maharashtra	Marathi	73.62	26.38
Manipur	Manipuri/Meitei	62.36	37.64
Meghalaya	Khasi	47.45	52.55
Mizoram	Mizo/Lushai	77.58	22.42
Nagaland	Ao	13.93	86.07
Orissa	Oriya	82.23	17.77
Punjab	Punjabi	84.88	15.12
Rajasthan	Hindi	89.89	10.11
Sikkim	Nepali	60.97	39.03
Tamil Nadu	Tamil	85.35	14.65
Tripura	Bengali	69.59	30.41
Uttar Pradesh	Hindi	89.68	10.32
West Bengal	Bengali	86.34	13.66
<b>UNION TERRITORIES</b>			
Andaman & Nicobar Islands	Bengali	24.68	75.32
Chandigarh	Hindi	55.11	44.89
Dadra & Nagar Haveli	Bhili/Bhilodi	68.69	31.31
Daman & Diu	Gujarati	21.91	78.09
Delhi	Hindi	81.64	18.36
Lakshadweep	Malayalam	84.51	15.49
Pondicherry	Tamil	89.18	10.82

## ENDNOTES:

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- <sup>xiii</sup> Mallikarjun, B. “An Exploration into Linguistic Majority-Minority Relations in India.” Language in India, 4: 8 (August 2004.) [http://www.languageinindia.com/aug\\_2004/dlamallikarjun2.html](http://www.languageinindia.com/aug_2004/dlamallikarjun2.html). Visited on February 25, 2005.
- <sup>xiv</sup> Berdichevsky, Norman. Nations, Language and Citizenship. McFarland & Company, Inc. Jefferson, NC. 2004. pp 124.
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