

Tibetan Language Rights and Civil Society in the People's Republic of China: Challenges *of* and *for* Rights

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Abstract

One of the hallmarks of the Xi Jinping era in the People's Republic of China (PRC) has been a sustained attack on civil society, coupled with discursive shifts that attempt to undermine the universality of human rights. This article examines Tibetan language activism in this context, looking at challenges both *for* and *of* rights. I argue that the challenges *for* rights, namely the state's increasing hostility, are offset somewhat by the slow growth, transnational nature, and ample resourcing of the emerging discourse of language rights amongst Tibetans. On the other hand, I argue that challenges *of* rights, namely, the differential distribution of the "right to have rights," presents a more intractable problem. I demonstrate this by showing how current discourses amongst Tibetans in the PRC claim rights for some languages but not others, effectively erasing the "right to have rights" of certain Tibetan populations.

Keywords: language rights, human rights, civil society, China, Tibet

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complexities of UN human rights mechanisms. This article is dedicated to Tibetans who speak and sign minoritized languages.

Introduction: Restrictions on Civil Society and Human Rights under Xi Jinping

In the People's Republic of China's (PRC's) 2018 National Report to the United Nations' 3rd Universal Periodic Review of member states' human rights performance (A/HRC/WG.6/31/CHN/1*), the opening section declares that "There is no universal road for the development of human rights in the world" and goes on to promote the concept of "human rights with Chinese characteristics" (p. 2). This statement is coherent with the ideological tenor of the Xi era, which was launched with the *Communiqué on the Current State of the Ideological Sphere* (AKA Document No.9), a document describing "universal values"—including human rights—and civil society as threats to the Party's theoretical and social foundations, respectively. Moves to firm up the Party's control of discursive and social space since 2012 have thus included what Howell (2018, 21) has called "the most sustained and severe crackdown on rights-based and advocacy groups since 1989," as well the creation of new laws for civil society actors (Spires, 2018), both domestic and international (Zhou, this volume, discusses these crack-downs in regards to PRC labour organisations).

This article discusses Tibetan language rightsⁱ within this context of increasing restrictions on civil society and continued efforts to undermine universal human rights in the PRC. It is thus also situated within the broader context of rising populism and increasing challenges for human rights and civil society in Asia that motivates this special issue (Weiss, this volume, provides an overview). This article contributes to the discussion of this wider context by examining two specific challenges related to rights discourses in Asia: challenges *for* and *of* rights. In exploring challenges *for* human rights in the PRC, I look at the difficulties associated with their "vernacularisation" (Levitt & Merry, 2009) and implementation in politically hostile contexts. Simultaneously, I also examine challenges *of* rights—the way in which certain difficulties

pertain to the rights themselves, rather than the political, social, and cultural contexts into which they are being deployed—and argue that these challenges are an especially insidious issue for civil society. My examination of these challenges is based on a combination of ethnographic fieldwork (between 2015 and 2018) and a close reading of texts in both English and Tibetan, including policy documents, news, UN documents, and reports by human rights and other activist organizations.

Theoretically, my discussion of the challenges *of* rights draws on the work of Wendy Brown (2000), and her article “Suffering Rights as Paradoxes,” which explores the tension between universal and specific rights. She explores numerous paradoxes inherent in this tension, but the one I wish to focus on is that:

...in inegalitarian orders, rights differentially empower different social groups, depending upon their ability to enact the power that a right potentially entails. ... [T]o the extent that certain rights are exercised not only against the state but against one another in ... arrangements in which some gain at the expense of others, universally distributed rights function not only as power but as deprivation... (Brown, 2000, p. 232).

To give but one example of work describing this paradox in action, the anthropologist Sarah Holcombe (2018) explores a variety of ways in which Aboriginal people in Central Australia have human rights discourses and practices imposed upon them by the state. This imposition often works against Aboriginal people’s own best interests, resulting in, for example, high rates of male incarceration in defence of women’s right to “freedom from violence” and the disruption of cultural continuity in the interest of children’s “right to education”.

What we see in Brown’s general formulation and Holcombe’s application is the way in which rights are not simply about resistance to power, but are infused with and often reproduce the power disparities between groups in a given context (Perugini & Gordon, 2015). Seen from this perspective, the “challenge” of human rights in the PRC is therefore not simply the state’s hostility to them. Rather, additional challenges also inhere to rights themselves, insofar as they are dependant on what Hannah Arendt (1949, 1951) famously referred to as the “right to have

rights”—the necessity of belonging to a political community that has the capacity to claim and defend rights (DeGooyer et al., 2018).

This article explores these issues in the context of language rights. The concept of “language rights” as a type of human rights is both recent and contentious (May, 2011, 2015; Wee 2010; Paz 2013). Mention of language rights first appeared in the 1966 International Covenant on Civil and Political Rights (UNHRC 1966) in Article 27, which stipulates that states shall not deny persons belonging to minority groups the right to use their own language. Since the late 1980s, a growing number of international rights mechanisms have begun promoting the concept of language rights: the Convention on the Rights of the Child (UNHRC 1989),ⁱⁱ and the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (UNHRC 1992).ⁱⁱⁱ The strongest international declaration of language rights is currently found in the 2007 UN Declaration on the Rights of Indigenous Peoples (A/RES/61/295), which states that Indigenous peoples have the rights to “revitalize, use, develop and transmit” their languages (Article 13), and to receive education (Article 14) and media (Article 16) in their languages. Meanwhile, as an area of academic research, language rights have only received focused attention since the mid 1990s (Phillipson & Skutnabb-Kangas, 1995; Paulston, 1997; see McCarty, 2018 for a recent review).

This limited development in terms of international mechanisms, and the relative lack of academic attention, has led language rights expert Stephen May (2011, p. 283) to describe language rights as a “Cinderella right, requiring concerted political will to be invited to the metaphoric human rights ball.” This “Cinderella status” of language rights means that in examining them in the Tibetan situation, we are looking at the spread of rights into two new contexts: a cultural and political milieu (the Tibetan context in the PRC), as well as a relatively new domain of application (languages). Before examining how language rights discourses have appeared in Tibet, however, the following section provides some background on language policy and civil society in the PRC.

Language Policies and Civil Society for Tibetans in the PRC

Although framed in the language of freedoms rather than rights, the Constitution of the People's Republic of China does contain measures designed to protect so-called "minority" languages. Article 4 clearly states that all nationalities of the PRC are equal and have the freedom to use and develop their own spoken and written languages (The National People's Congress of the People's Republic of China, 2004).^{iv} However, this freedom is provisioned in laws with much weaker wording, so that the use and development of these languages is "desirable rather than mandatory" (de Varennes, 2012, p. 19).^v The Educational Law, for example, states that minority nationalities *may* use their language in education (The National People's Congress of the People's Republic of China, 1995).^{vi} The regional autonomy law, meanwhile, seemingly provides a stronger basis for the provision of constitutional language freedoms when it states that, "Autonomous agencies in ethnic autonomous areas *guarantee* the freedom of the nationalities in these areas to use and develop their own spoken and written languages..." [emphasis added] (Congressional Executive Commission on China, 2006). However, this strong wording is diminished in later articles that describe how this guarantee is to be enforced. Article 37, on education, states that textbooks should use the native language "if possible" (The National People's Congress of the People's Republic of China, 1984);^{vii} Article 47, on the legal system, states the people's courts "should" provide written and spoken translation for local languages (Du, 2015), and;^{viii} Article 49 states that cadres working in minority nationality regions should be "instructed" (*slob gso gtong*) and "encouraged" (*bsngags bskul*) to learn local languages (Klu mo mtsho, 2016). The weak obligations suggested in the wording of these legal instruments undermine the strong wording found in the constitution.

The erosion of strong constitutional freedoms in weak laws is further exacerbated by limited implementation (Zhou, 2004), often due to countervailing priorities. For example, Article 51 of the constitution prioritises state interests over those of citizens in general, and of specific populations amongst the citizenry, such as particular minority nationalities (Tuttle, 2008), thus curtailing the capacity of citizens to campaign for language rights in the absence of effective state protections. Furthermore, in Tibetan areas, the capacity of Party cadres to improvise and innovate within this policy framework in order to promote "minority" languages is further curtailed by formal and informal incentive structures that promote ideological loyalty, social

stability, and economic growth at the expense of local needs (Hillman, 2016). Both of these restrictions on the implementation of constitutional freedoms are coherent with an overall emphasis on “stability maintenance” in the PRC that has dominated political developments in the post-Tiananmen era (Lim, 2014). This policy framework, emphasising stability maintenance and national priorities over the rights of minority nationalities, including language rights, has led to a spate of protests and a growth in language movements throughout the country in recent years, as has been documented amongst the majority Han (Branigan 2010a), as well as several minority nationality groups, including the Uyghur (Cabras, 2017), Yi (Kraef, 2013), Mongolians (Gegentuul Baioud, 2017), and Tibetans.

In the Tibetan context, periodic crack-downs on language activism in the Xi era have been generally coherent with the anti-rights, anti-civil society stance of the regime. For example, in February 2015, the local government of Rebgong (*reb gong*, Tongren) County in Qinghai Province issued a notice banning “illegal organisations” that promoted Tibetan language, as well as any activities to promote the Tibetan language (Arnoldi 2015). In early 2018, a notice circulated by police in the Tibet Autonomous Region identified any activities in support of the mother tongue as illegal activities (Human Rights Watch, 2018).

Despite the dangers involved in resisting these directives, the assimilatory pressures on Tibetans, unsupportive policy environment, and persistent efforts to curtail civil society, a profusion of organisations have arisen that mobilise in support of Tibetan language; however, these are typically loosely organised and short-lived. As a result, individuals, rather than organisations, have played a particularly significant role in Tibetan civil society (Roche & Lugyal Bum, 2018). Mobilisation around language issues thus takes place as what Fu (2017) calls “mobilising without the masses”—a sort of atomised mass mobilisation based on coordinated but separate individual activism. As we see below, this fragmented civil society has been able to support an active protest culture and the gradual growth of language rights discourse amongst Tibetans in the PRC. In order to understand how this has taken place in the Tibetan case, we must begin by looking outside the PRC.

Human Rights and Language Rights Discourses Amongst Tibetans

The concept of human rights has been part of Tibetan public discourses since the Dalai Lama and many other Tibetans fled the PRC in March 1959. In October that year, the lawyer and former diplomat Ernst Gross put forward a motion to the UN General Assembly on behalf of the Dalai Lama and his representatives, to recognise the fundamental human rights of the Tibetan people (Sobisch & Brox, 2010). The 1960s saw the promotion of several further rights-based resolutions regarding Tibet in the UN General Assembly. During the 70s and 80s, rights discourses were vernacularised in the Tibetan exile community as a previous strategy of armed struggle against the PRC, aimed at achieving independence, was gradually replaced by a project of autonomy based on engagement with the international NGO community (Romer, 2010; Brox, 2016).

Meanwhile, for Tibetans in the PRC, human rights are a recent innovation. Françoise Robin (2016) describes how the concept of human rights was not widely used by Tibetan public intellectuals in the PRC until after March 2008, when protests swept the Tibetan Plateau (Makley, 2018). Following 2008, Robin describes how several prominent Tibetan public intellectuals, writing primarily online, began, for the first time, to talk about the Tibetan situation in terms of human rights being denied by the state.

Given this recent appearance of human rights discourses amongst Tibetans, and the “Cinderella” status of language rights amongst human rights more generally, it is perhaps not surprising that the concept of language rights in Tibet is neither particularly well-developed nor prominent. Nonetheless, I argue that it has been increasingly significant in the last decade, and is likely to continue becoming so. To understand how and why, we need to first look at Tibetan language activism more broadly.

Similar to human rights discourses amongst Tibetans in the PRC, concerted language activism mostly dates to after 2008. Prior to this, “linguistic anxieties” (Bulag, 2003) were widespread amongst Tibetans, focusing on two issues. One was the rising prevalence of code-switching and the emergence of hybrid language, described in Tibetan as “neither goat nor sheep” (*ra ma lug*) (Yang, 2018). A second prominent concern, particularly amongst intellectuals, was the creation

of a standard Tibetan language (Prins, 2002). Neither of these concerns, however, was cause for protest and activism. After 2008, however, Tibetan concerns and tactics around language changed. Rather than concerns over standardisation and hybridisation, Tibetan discourses around language began focusing on the very survival of the language itself (Tshul khrims blo gros, 2016).

Around this time, poems, songs, essays, and memes began appearing, encouraging Tibetans to speak and study Tibetan (Roche, 2020; Robin, 2014) as a way of ensuring its survival. Language discourses became both purist (denouncing use of Chinese loanwords) (Thurston, 2015; 2018), and essentialist, promoting a singular Tibetan language as the “soul” of the Tibetan nation (Roche, 2017). The circulation of these discourses was accelerated by social media and mobile digital technologies, both still new appearances in Tibet at that time, as well as the appearance of grassroots groups dedicated to enforcing linguistic purism in both public and private spaces. It was in this environment of newly emerging, essentialist and purist discourses on Tibetan language, and an increasing groundswell of grassroots activism, that discourses of language rights in Tibetan began emerging. Examining the changing frames (Snow & Benford, 1988) of language protests in this period enables us to track the emergence of language rights discourses amongst Tibetans in the PRC.

In October 2010, in the town of Rebgong on the northeast Tibetan Plateau, over 1,000 people took to the streets to protest proposed educational reforms which would see Tibetan language shifted from a medium of education to an occasional subject in an otherwise Chinese-medium program (BBC, 2010; Henry, 2016). These protests soon spread to other Tibetan areas (Branigan 2010b); Tibetan students in Beijing even protested. The following year, in March, protests were held throughout northern Tibet demanding a reform of educational policies regarding language. A year later, in 2012, students in Rebgong once again protested over changes to language use in schools, and in November that year, the streets of Rebgong filled with protesters yet again.

During these protests, two primary framing concepts were used to express linguistic grievances: freedom (*rang dbang*) and equality (*‘dra mnyam*). For example, in October 2010, demonstrators in Rebgong held a sign reading “Equality of nationalities/ Linguistic freedom” (*mi rigs ‘dra*

mnyam/ skad rigs rang dbang; Tsering Woesser 2015); the same slogan was used in Beijing protests (High Peaks Pure Earth 2010). In 2012, protesters held a sign reading “Let the Dalai Lama return to Tibet; Ethnic equality/ linguistic freedom” (International Campaign for Tibet 2010). In another example, following the November 2012 protests, a statement was delivered to provincial authorities by a collective of school teachers and university professors, emphasising the need for the government to ensure equal treatment of Tibetans, and to guarantee their freedom to use and develop the Tibetan language. These framings of language issues in terms of freedom and equality drew directly on the PRC’s constitution, which declares that all nationalities of the country are equal, and have the freedom to use and develop their own languages.

A new protest in Rebgong in 2016 reveals a shift in this discourse. Although freedom and equality were still used to frame the protest, they were now consistently tied to concepts of rights. In January 2016, a hotel in Rebgong banned staff from using Tibetan at work, threatening a significant financial penalty for any staff that violated the ban. The employer’s notice was photographed and circulated on social media, resulting in widespread condemnation from Tibetans, expressed largely in the language of rights. For example, one online commentator is reported to have said, “Tibetans should have the right to speak their own language, and that right should be respected” (Radio Free Asia, 2016). Another report (International Campaign for Tibet, 2016) describes one commentator as repeatedly referring to the protection of “constitutional rights” to language. What we see occurring between the 2010 protests and those in 2016, is an application of the nascent Tibetan rights discourse to issues of language.

This linking of rights and language politics was brought about in a series of graphic protests that began in March of 2011 and have continued until now: the self-immolation protests which have seen over 150 Tibetans (Central Tibetan Administration, 2018) set fire to themselves (Whalen-Bridge, 2015; Tsering Woesser, 2016). Many of these protestors left testimonies or made short statements before or after their self-immolation. Furthermore, the time of self-immolations, which peaked in November of 2012, when almost every day saw a new self-immolation, also saw a wave of commentary and debate on the Tibetan blogosphere and other forums. These testimonies and commentary not only provide insights into the motives of the self-immolators,

but also into the evolving public discourses used to frame grievances and desires during this time. An example of an early incidence of rights and language grievances coming together can be seen in a text providing a lengthy explanation of why Tibetans in the PRC are self-immolating, which began with the statement, “Our language is under threat and we have no right to learn it, to study it,” before going on to specify a number of other violated rights (International Campaign for Tibet, 2011, p. 46).

This fusing of rights discourses with language grievances recently reached its apotheosis in the case of Tashi Wangshuk. In 2015, Tashi Wangshuk was the subject of a New York Times article (Wong 2015) about his struggle to take legal action over the lack of Tibetan-medium education in his hometown. He was detained by police the following year (Wong 2016a), charged with inciting separatism (Wong 2016b), and sentenced to five years in prison (Buckley 2018). And although, in the available materials, Tashi Wangshuk does not refer to his grievances in terms of rights, his case is now most often referred to in Tibetan online commentary as that of a “language rights defender” (*skad yig thob thang rtsod len pa*)—a term which appears to have not been used before his case.

If what we now see emerging is a nascent discourse of language rights amongst Tibetans in the PRC, it is worth noting that this has occurred precisely during the Xi era, with its crackdown on civil society and pushback against human rights discourses. Whereas Robin (2016) has shown that human rights discourses emerged in the post-2008 environment, I have argued here that *language* rights discourses emerged primarily in the post-2012 context. Whilst it can be argued that language rights discourses appeared in response to this context, this only begs the question of where those discourses came from in the first place. Contra Robin (2016), I think we must look to the role played by the exile Tibetan community, and the international community more broadly. This allows us to trace a trajectory of the uptake of rights discourses by exile elites in the 1960s and onwards, their popularisation amongst the exile community in the 70s and 80s, and their rupture into the PRC Tibetan community after 2008.

This trajectory helps explain the growth of rights discourses amongst Tibetans in the PRC despite the recent political environment. Although the current situation provides considerable

challenges for the spread of rights discourses, and the implementation of rights-based movements through civil society, these are, to some extent, offset by the differing temporality and momentum of the spread of rights discourses. In the next section, I turn to look at the rights paradox as a further challenge to the promotion of rights discourses and civil society in the PRC, as a challenge that inheres to rights themselves.

Which Languages? Whose Rights?

The situation presented so far appears to be a typical case of an oppressed minority coming to express linguistic grievances to a repressive state in terms of rights—a narrative that is broadly coherent with the hegemonic, teleological view of human rights in general (Perugini & Gordon, 2015). However, the situation becomes more complex when we acknowledge that Tibetans are a multilingual ethnic group who speak, in addition to varieties of Tibetan, at least 26 other languages (Roche & Yudru Tsomu, 2018). About a quarter of a million Tibetans, roughly 4% of the Tibetan population in the PRC, speak a language other than Tibetan (Roche & Suzuki 2018); Tibetan Sign Language is also used (Hofer, 2017). And yet, grievances expressed by Tibetans in language protests have related only to a single Tibetan language, not to the other spoken and signed languages, which I will collectively refer to as Tibet’s minoritized languages. To date, there have been no protests for Tibet’s minoritized languages and no application of the emerging language rights discourse to their predicament.

This is certainly not due to a lack of grievances regarding these languages. For example, in Rebgong, the town where the 2010 and 2016 language protests occurred, and the site of eight self-immolations, two minoritized languages are spoken by Tibetans, known by their speakers as Ngandehua and Manegacha. Both languages are banned from local schools. In one village, the school has told students not to speak their language when coming to and from school, and in another community, parents have been told to stop speaking their language at home. Both languages are excluded from all other major public institutions, including government, media, and the courts. Furthermore, speakers of these languages live under a regime of quotidian discrimination from mainstream Tibetans, consisting of accent shaming, insults, and

disparagement humour, but also extending to physical violence. And yet none of this has led to any form of protest or any discussion of the language rights of these groups. Even when, in 2015, audio was circulated on social media, in which a Tibetan-speaker described one of the local minoritized languages as “meaningless,” “pointless blathering,” and “bird shit,” no outcry followed. Clearly, the absence of protest and the lack of language rights discourse for Tibet’s minoritized languages in no way indicate a lack of grievances.

More broadly, all of Tibet’s minoritized languages are faced by a hostile policy environment that discursively and materially erases them, and prevents their reproduction through major social institutions (Roche, 2019). In the case of the spoken minoritized languages, all of them are currently undergoing a breakdown in intergenerational transmission, with children acquiring either Tibetan or Chinese rather than their heritage language (Roche, 2018). Beyond the state as a source of language oppression (Taff et al., 2018), all speakers of these minoritized languages are subject to ubiquitous discrimination from other Tibetans (Roche, 2018). In the case of Tibetan Sign Language, the state has neither supported its creation nor development, and its position remains extremely precarious (Hofer, 2017). Therefore, neither the specific case of Rebgong, nor the broader situation of Tibet’s minoritized languages more generally, suggests that a lack of protest and the absence of language rights discourses can be attributed to an absence of grievances.

Nonetheless, instead of protesting in defence of Tibet’s linguistic minorities’ rights, mainstream Tibetan discourses addressed at these populations typically involves shaming them for their linguistic deviance and deficiency, and encouraging them to linguistically perform their Tibetanness through the study and use of a single Tibetan language (Tunzhi, Suzuki & Roche, 2019; Roche, 2020). In this sense, I argue, mainstream Tibetan claims for language rights is part of the broader climate of oppression and domination faced by Tibet’s linguistic minorities. Rights discourses not only enable mainstream Tibetans to naturalise an essentialist, monoglot vision of Tibetanness, but to also legitimise the project of realising this exclusionary form of belonging through an internationally recognised language of morally justified political struggle.^{ix} Therefore, in leveraging global rights discourse against the state, the mainstream Tibetan nationalist project simultaneously erases diversity amongst Tibetans and hampers the formation

of rights discourses amongst Tibet's linguistic minorities; as has been observed elsewhere, rights come to serve as a tool of domination rather than emancipation (Perugini & Gordon 2015). As Brown (2000) states in her discussion of the rights paradox, rights can function as a form of deprivation.

It would be incorrect, however, to see this deprivation as arising solely from within Tibetan protest movements in the PRC. As with the spread of rights discourse to Tibetans in the PRC, I think we need to look further afield and acknowledge the influence of global conversations on local discourses. In this case, I refer to the ways in which discourses of human and language rights circulate within international forums and do so in ways that also erase the existence of Tibet's minoritized languages (Roche 2019), abandoning them to a zone in which their rights are not acknowledged, let alone contested—in which they are essentially denied the right to have rights.

As an example of how this erasure also exists within global discourses of Tibetan language rights, we can start with the annual report on the human rights situation in the PRC issued by the US State Department. Each report contains a section on Tibet. From 1999 to 2017, all but the most recent report begins the section on Tibet by expressing concern for Tibet's "unique religious, cultural, and linguistic heritage." Tibet's 'unique linguistic heritage,' however, excludes its minoritized languages, and is limited solely to a single Tibetan language. In these reports, this single Tibetan language is typically discussed in the context of education and literacy, and in relation to the promotion of Mandarin Chinese. The bilingual education system is described as a field of conflict between the two languages—Tibetan and Chinese. Reports from 2010 onwards mention Tibetan language protests, confirming these as being related to a singular Tibetan language. From 2004 onwards, all reports mention that Mandarin and Tibetan are both official languages of the Tibet Autonomous Region (TAR), thus overlooking the elision of other nationalities (Lhoba and Monpa) and their languages, as well as the presence of other signed and spoken languages amongst Tibetans in the region.

This erasure of diversity is also reproduced by international organisations working as part of the global Tibet movement. None of these organisations recognise the existence of Tibet's

minoritized languages, spoken or signed. For example, the Tibet Advocacy Coalition, a network of Tibet advocacy groups with a core membership of five organisations (Tibet Advocacy Coalition, 2018), submitted a report in 2018 to the UN Committee on the Elimination of Racial Discrimination, regarding the PRC's fulfilment of its obligations under the Convention on the Elimination of All Forms of Racial Discrimination.^x The report devotes four of its thirty-five pages to the issue of language, without mentioning any of Tibet's minoritized languages. Nonetheless, it states that, "The call for language rights is one of the key demands Tibetans make to the Chinese government," and claims that the PRC has "systematically implemented policies and measures to undermine the usage and development of the Tibetan language" (p. 29). Three of the report's twenty concluding recommendations focus on language. However, none of these recommendations extend to Tibet's minoritized languages, instead recommending that: Tibetan be given the status of an official language; that measures to ensure equality between Tibetan and Chinese languages be universalised throughout the Tibetan areas of the PRC, and; voluntary Tibetan language associations be permitted to operate legally.

Finally, the PRC state itself, in its attempts to defend its human rights record, also reproduces the erasure of Tibet's linguistic minorities. Given the international attention focused on Tibetan language, and in particular bilingual education, international statements by the PRC often attempt to highlight positive developments in this regard. For example, during the interactive dialogue portion of the third Universal Periodic Review, a Tibetan member of the PRC delegation spoke for two minutes—one minute on freedom of religion, and the other on the promotion of the Tibetan language in the TAR. His defence of the PRC's policies towards Tibetan highlighted not only the "success" of the bilingual education program, but also the translation of government documents into Tibetan and the digital encoding of the Tibetan script. These comments follow on a longer tradition of highlighting supposedly successful promotion of the Tibetan language by the state in a series of white papers (The State Council of the People's Republic of China, 2015). More broadly, these declarations of the protection and promotion of Tibetan language fit within the PRC's claims to a commitment to protecting the language rights of minority nationalities, as expressed in their National Human Rights Actions plans (The State Council of the People's Republic of China, 2016), which consistently refer to the "ethnic minorities' right to learn, use and develop their own spoken and written languages."

Conclusion: The Continuing Relevance and Persistent Challenges of Rights

In December 2018, the State Council Information Office of the PRC released a new white paper on “Progress in Human Rights over the 40 Years of Reform and Opening Up in China” (China Daily 2018). The white paper drew attention to the issue of language rights, claiming that, “The right to use and develop the spoken and written languages of ethnic minorities is respected and fully protected.” It then went on to describe several ways in which language rights are supposedly respected in the PRC. This most recent declaration, taken in the context of the PRC’s many previous statements about how it successfully defends language rights for minority nationalities, including Tibetans, are indicative of how rights discourses continue to be both hegemonic internationally, and an important part of how the PRC presents itself as a good global citizen, despite recent crackdowns on civil society and attempts to undermine and Sinicise human rights.

My intention here is not to validate the PRC’s claims to respect language rights (and other human rights), but rather to draw attention to the continuing salience of rights discourses to the PRC as an international actor. Although the Xi Jinping era has seen increasing pressure on civil society and human rights defenders, we have not (yet) seen an attempt to disavow a human rights framework as a valid means for assessing the state’s “justness”. Rather, we have seen the opposite, with the PRC attempting to centre itself not only as a rights defender at home, but as a global model of good rights governance. If we consider this continued importance of rights discourses to the PRC in the light of the growth and spread of rights (including language rights) discourses amongst Tibetans, this suggests to me that despite the current challenges *for* rights in the PRC, we can nonetheless expect to see continued recourse to language rights discourses amongst Tibetans (though the extent to which Tibetans will be able to mobilise around these will likely remain limited).

The challenge *of* rights, however, is likely to prove more intractable. At present, Tibet’s linguistic minorities and their unique predicament are universally erased from rights debates by a

complex articulation of actors, including the PRC state, the international Tibet movement, and organs of the US state. The promotion of language rights for a singular Tibetan language is thus supported by a vast hinterland of institutional infrastructure and deep reserves of symbolic capital and material resources. Whereas claims for Tibetan language rights in the singular are made against the PRC state and must resist its mechanisms of political oppression, Tibet's linguistic minorities must make their rights claims against this same regime *and* against the enormous institutional apparatus that promotes their erasure by recourse to claims for Tibetan language rights in the singular. The persistence of these massive power asymmetries effectively deprives speakers and signers of Tibet's minoritized languages of the right to claim language rights. Tibetan language rights claims, expressed in the singular, are an integral part of these asymmetries, and thus any effort to secure language rights for the signers and speakers of Tibet's minoritized languages will necessarily involve a reformulation of how Tibetan language rights are claimed. A failure to reformulate these claims will amount to the continued deprivation of the right to have language rights for the speakers and signers of Tibet's minoritized languages.

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ⁱ Authors such as May (2005) and Skutnabb-Kangas and May (2016) distinguish between ‘language rights’ and ‘linguistic human rights,’ the former essentially being a subset of the latter. Whereas the term language rights typically refers to the right of a group use to a specific language in a particular context, linguistic human rights also includes individual (i.e., non-group) rights to language, as well as the rights of a language itself, rather than its speakers or signers. This article deals with language rights rather than the broader set of linguistic human rights.

ⁱⁱ Article 30 states that a child belongs to “a minority or who is indigenous shall not be denied the right ... to use his or her own language.

ⁱⁱⁱ Article 2 states that minorities “...have the right ... to use their own language, in private and in public, freely and without interference or any form of discrimination.”

^{iv} The relevant section of the Tibetan text of Article 4 of the constitution reads “mi rigs tshang mar rang nyid kyi skad dang yi ge spyod pa dang gong du spel ba’i rang dbang yod pa...” (Mkha’ mtsho skyid 2019).

^v In this sense, the PRC legal framework is broadly coherent with the vast majority of policies and legal mechanisms for language rights, which, according to Skutnabb-Kangas and May (2016:7) are typically non-binding, and characterized by “vague formulations, qualifications, and alternatives,” and thus do not produce obligations for states to act in support of minoritized languages.

^{vi} The Tibetan text for the relevant section of the Education Law (Article 12), reads “grangs nyung mi rigs gtso bo yin pa’i slob grwa dang gzhan pa’i las khungs su/ rang mi rigs dang yang na sa gnas mi rigs kyi spyod pa’i skad cha dang yi ge yis slob khrid byis chog/”. The operative phrase here is “slob khrid byas chog”—“may be used in education” (Rme ru son gsar, 2017).

^{vii} An alternative English translation (Congressional Executive Commission on China 2006), renders the key phrase (if possible) as “whenever possible.” The optionality of the usage is suggested in the Tibetan version by the use of the modal verb ‘*dgos*’ (Klu mo mtsho, 2016).

^{viii} As with the recommendation for language use in educational settings, the advisory, rather than obligatory nature of this article is marked with the modal verb ‘*dgos*’ (Klu mo mtsho, 2016).

^{ix} In this sense, the situation of Tibetan language rights is representative of broader issues with efforts to render the relationship between language and identity in terms of essentialist, monoglot, organic wholes (Errington, 2001).

^x These five groups are: International Tibet Network Secretariat, Students for a Free Tibet, Tibet Justice Center, Tibet Initiative Deutschland, and Tibetan Youth Association of Europe.