



Maxi-Min Language Use A Critical Remark on a Concept by Philippe van Parijs

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*Look, I know wherein our most basic value judgements are rooted –
in compassion, in our sense for the suffering of the others
(Herbert Marcuse)¹*

Abstract. Philippe van Parijs explains in *Linguistic Justice for Europe and for the World* the concept of maxi-min language use as a process of language choice. He suggests that the language chosen as a common language should maximize the minimal competence of a community. Within a multilingual group of people, the chosen language is the language known best by a participant who knows it least. For obvious reasons, only English would qualify for having that status. This article argues that maxi-min is rather a normative concept, not only because the process itself remains empirically unfounded. Moreover, language choice is the result of complex social and psychological structures. As a descriptive process, the maxi-min choice happens in the reality fairly seldom, whereas the max-min use of languages seen as a normative process could be a very effective tool to measure linguistic justice.

Keywords: maxi-min, minimex, linguistic justice, language policy, language choice

Linguistic justice is a concept of responding to political language and participation needs. Philippe van Parijs sheds light on the manifold aspects of this concept in his book *Linguistic Justice for Europe and for the World* and in various articles. In his book, he explains why linguistic justice is understood as an important contribution to egalitarian justice, which itself is the basic principle of a free democratic world. Under conditions of justice, people are enabled to contribute to the international civil society, to the European political public sphere, and to a commonly shared political culture, which is necessary for building

1 Cited in Pennycook 2010: 7.

up a transnational demos in the sense of Habermas' idea of a European *demos* (Habermas 2001: 118 ff.). Van Parijs argues that a single common language is a precondition for egalitarian justice. It is also a precondition for the sustainability of political institutions and hence for the stability of democracy. He identifies English as a language most appropriate for this status. A transnational demos sharing a single common language and a plurality of *ethnos* on a regional level form the basis for such linguistic justice. The language chosen as a single common language should maximize the minimal competence of a community. Van Parijs suggests that for obvious reasons only English qualifies for having that status. Within a group of people with different mother tongues, it is the language known best by a participant who knows it least. This 'micro-mechanism' (van Parijs 2011: 15) is called the rule of minimal exclusion or *minimex* (van Parijs 2004; van Parijs 2007a). In other publications, it is also called the language of maximal minimal competence: *maxi-min* (van Parijs 2011: 14; van Parijs 2007b). Although the terms may vary, both seem to refer to the same concept. The term *maxi-min* is possibly chosen to avoid confusion with the theory of decision-making and the respective abbreviation *minimax* – 'minimum de moyens d'existence'. However, in decision-making theory, the term *maxi-min* is also used, namely for selecting the course of action whose worst (maximum) loss is better than the least (minimum) loss of all other courses of action possible in given circumstances. Anyhow, in van Parijs' words, this rule 'is a somewhat less obvious but no less general mechanism' (van Parijs 2011: 13) for the communication among multilingual speakers. In his view, self-reflection on one's own experience in multilingual contexts allows us to draw a conclusion that efficient and inclusive communication leads to the maxi-min principle of the language choice. Additionally, the maxi-min criterion has another, more general, meaning. He proposes a process of self-reinforcement, called *probability-driven learning*. This means some sort of a virtuous circle: most probably, particularly the languages which are expected to be most frequently used are also most frequently learned as foreign languages. Van Parijs calls this process 'maxi-min dynamics' (van Parijs 2011: 19–21).

In this article, I will argue that due to our knowledge about communication strategies the maxi-min use of languages is rather a normative concept, which arises from the idea of egalitarian justice in international communication. I am aware of the fact that van Parijs does not want to be an advocate of maxi-min as a normative concept. However, according to van Parijs, this principle contributes to justice if factual freedom is shared through a sustainable maxi-min criterion (van Parijs 2014). His main concern, therefore, is to generally maximize the chances in communication, particularly for the individuals who have the least knowledge of a language, which I consider a very important and a most relevant feature of critically applied linguistics in the sense of Pennycook (Pennycook 2010). However, the maxi-min process remains empirically unfounded so far.

Therefore, Grin comes to the conclusion that ‘the “maxi-min” (or “minimax”) rule may sometimes apply, but is also often a sham’ (Grin 2011).² The *probability-driven learning* principle seems to reflect the reality, whereas the maxi-min use of language does not. The reason for English being the winner has generally other reasons, which have been discussed by other authors (Ammon 2015, Gerhards 2010, Wright 2009, Van Els 2005, Phillipson 2003). The problem of empirical foundation of factors leading to a certain language choice is that these factors normally have no single or isolated cause but are the result of complex social and psychological structures (Ammon 2015: 52). They interact with numerous other influences on a given situation. These factors are the rules of social interaction like the rules of power, politeness, or identification. In some cases, it might be impolite to choose the language other than the language of the host (Brown 2005). In such cases, the mother tongue or the preferred language of a communication partner is chosen, even though someone else (or someone less important) would be excluded from communication or has to fall back on other strategies like interpreting, code-switching, intercomprehension, or machine translation (for research on mediation strategies, see the project MIME www.mime-project.org). The choice of the language of the host is very common in political communication. For example, when Barroso held a laudation on the occasion of the International Charlemagne Prize of Aachen in 2011, he spoke German because the award was given in Germany and not because he was sure that German was the language best known by the participant who knows it least. Presumably, even the awardee Jean-Claude Trichet was not able to understand German. Barroso held the final part of his speech in French, probably because of his better competences in that language and because it was the mother tongue of the awardee.

In fact, van Parijs acknowledges that there are different criteria for the choice of a language (van Parijs 2011: 16 f., 2007: 217). He mentions some of them: the maxi-min rule, didactic reasons, results of certain institutional language rules, parental contexts, symbolic reasons, expressive reasons, and sheer power. In his view, these factors influence the choice ‘only on minor magnitude’ (van Parijs 2011: 20). As soon as the efficiency has a priority, the maxi-min rule would apply. However, the mechanisms behind remain unclear. Moreover, van Parijs seems to be ambiguous about it when he resumes: ‘But even if the maxi-min dynamic accounts fully for the trends observed, it operates against a background deeply shaped by power relations, struggles, victories, and defeats in the case of the spreading of English as in any other language’ (van Parijs 2011: 21). Precisely against this background, the descriptive notion of maxi-min should not be sustained. There exists a lot of evidence for the complex nature of language choice,

2 According to the terminology in van Parijs’ latest publication *Linguistic Justice for Europe and for the World*, which I mainly refer to in this article, further on, I will only use the term ‘maxi-min’.

and some evidence shows that the choice for English follows the rules linked to the criteria other than the communicative justice. Furthermore, my point is based on the assumption that the rules for a fair and cooperative language choice imply appropriate knowledge about the group in which the communication takes place. In fact, to follow the maxi-min rule, one has to identify the mastered languages of everyone in a given group. A guess (van Parijs 2011: 14) would not be sufficient to establish a strategy for fair communication. This is an important difference between the maxi-min rule and other factors and rules of communication as described below. The rules of communication are mostly based on inherent social or introspective knowledge (for speaker-based decisions), while for making a maxi-min choice one has to be informed about the language competence of all others in order to be able to minimize the exclusion effectively.

Criteria that influence the language choice are based on various interactive rules: for instance, on the cooperation principle first formulated by Grice (Grice 1975). Following Grice's theory, conversational cooperation is divided into different conversational maxims. Accordingly, it might be more perspicuous to choose the language the speaker is able to express himself best in rather than choose a language in which the speaker could not guarantee the *maxim of manner*. This means to put what is said in the clearest, briefest, and most orderly manner. This can be understood as the opposite of maxi-min because it is speaker-orientated. In addition, the 'communication accommodation theory' developed by Giles (Giles–Coupland–Coupland 1991) was shown to be an influencing factor on the language choice (Ammon–Dittmar–Mattheier et al. 2006: 1590). Going beyond general assumptions about the interaction of the language choice and communication situation, Wodak et al. conducted a qualitative study on the language choice of various communication groups in EU institutions, and came to the conclusion that 'language choice and CS [Code switching] depend on a plethora of context-dependent factors' (Wodak–Forchtner–Krzyżanowski 2012: 180). Furthermore, any situation which would qualify for a maxi-min process is characterized by asymmetric language competences. As Coulmas states in a chapter about the language choice of groups, 'it is very rare that contact is between equals and more or less symmetric' (Coulmas 2013: 164). Therefore, there is no automatic process of language choice and there is no general process of communicative justice. The passive or active use of a language, which is only poorly mastered, can make somebody feel discriminated or even excluded (Lüdi–Höchle–Kohler et al. 2010: 5). On the other hand, one should keep in mind that failure to understand a language does not automatically mean exclusion from communication since there exist alternative mediation strategies. The study of multilingual groups done by the authors mentioned above shows that there is indeed a whole active network of foreground and background factors which influence the language choice. This network leads to the use of manifold multilingual strategies including code-

switching, interpretation, and possibly machine translation, or what is sometimes called translanguaging and ‘multilingual speech’ (Lüdi 2006: 14). But even in the so-called OLAT situations (one language at a time), asymmetric competence does not generally lead to a maxi-min decision. According to Ammon (2015: 54 f.), the rules of politeness, interaction, or power form the basis for the language choice which might develop into norms of communication. Furthermore, these norms can shape personal identity structures, whereby norms and social roles interact. As a result, individuals and groups can assign themselves to specific groups and develop a specific social identity. The attribution to a certain social identity thus can determine the language choice. Hence, various possibilities lie behind such a choice. Ammon (Ammon 2015: 58–63, 430) identifies eleven factors which influence the language choice. Due to space constraints, I only enumerate these factors: legal regulation, language competence, power, politeness, attitudes, identity, self-presentation, willingness to learn, follow-up communication, personal prominence, and specific social-linguistic knowledge about self-reinforcement through language choice. All these instrumental motivations can have influence on the decision which language to use in a given situation. The maxi-min rule is certainly one of the rules of interaction. All in all, in a given situation, we decide to use a specific language depending on the rules of interaction, our instrumental motivations, and social knowledge.

As stated above, the language knowledge of everyone in the group has to be enquired in order to establish a fair and cooperative use of a language. I have no personal experience with such situations, but I have experienced that social identity does not allow people to report the absent or poor knowledge of a specific language. This is particularly true for the English language. Even though the maxi-min rule would apply on the basis of any inherent knowledge, or the best language knowledge of each individual in a group, I argue that it is not valid for English. Accordingly, very often, the choice of English is rather the result of a cosmopolitan identity in the sense of someone’s own belief being a cosmopolitan than the result of justice considerations. The following scene took place in December 2015 in an international artist residence in Germany (this data material is obviously not representative, but I consider it being a typical situation): four Germans, two Russians, one Dutch, and one Polish came together for an informal get-to-know; they all had their national languages as mother tongues. The language competences were as follows: the two Russians spoke Russian and German; the Polish understood German very well, but was not willing to speak it; the Dutch spoke and understood German and French; the Germans spoke English, Dutch, and French. Without any prior agreements, the group started to speak in English, even though someone pointed out that the Russians would be excluded from the communication. Consequently, the Dutch translated from English into German for the Russians. The group as a whole

kept on speaking in English. Following the maxi-min rule, German would have been the only language the group should have chosen. This example illustrates that other motivations like identity or resentment towards German may play a role in this situation. Another frequent example is the choice of English within a 100% German-speaking academic context, e.g. at university lectures, or EU commissioners who use mainly English for press conferences (Kruse–Ammon 2013) although they are able to speak other languages as well and the language competence of the audience was not likely to have been enquired.

I argue that the examples and theories mentioned above provide evidence for the assumption that other factors than the maxi-min rule lead to the choice of English as the common language of a group. This choice might be far less fair and cooperative than the maxi-min rule suggests. Choosing English might very often be the result of a cosmopolitan identity. The reason is the development of English towards a lingua franca. Though English cannot be considered a real lingua franca since it lacks the respective important features such as the absence of mother tongue speakers of a relevant amount, there is the notion of *English as lingua franca* (ELF). Nevertheless, Seidlhofer defines ELF as ‘any use of English among speakers of different first languages for whom English is the communicative medium of choice, and often the only option’ (Seidlhofer 2011: 7). The English language is not unique in this sense, other languages might also be used as lingua franca, but English outstands them all in this function. Therefore, some authors call English the ‘international default language’; for example, Phillipson when he talks about the EU institutions (Phillipson 2015: 5) or Bolton & Kuteeva when they refer to the academic world (Bolton–Kuteeva 2012: 430). This means that ELF is the default language for people with a certain group identity, no matter what the precise language knowledge of all members of a group is. Ammon comes to the conclusion that ‘the decision towards using a specific language for international contacts is the more common (or natural) and therefore more accepted, the more meaningful its international status is’ (Ammon 2015: 427). People, therefore, choose English to suit their cosmopolitan identity, even at the cost of understanding.

I conclude that the maxi-min or minimax use of languages should be best understood as a normative process rather than a descriptive one. As argued above, a descriptive process happens in the reality fairly seldom, whereas the max-mini use of languages seen as a normative process could be a very effective tool for measuring linguistic justice. For a fair and cooperative process, the language which is really and not only assumedly the language or strategy with minimal exclusion is chosen. This language would not necessarily be English. The normative process would enable members of a certain group to openly reflect on their language use and its positive or negative effects for communicative justice. It would allow to reflect upon failures and chances a single lingua franca might have.

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