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**Language rights:
Efficiency, justice, implementation**

BENGT-ARNE WICKSTRÖM

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Language rights: Efficiency, justice, implementation*

BENGT-ARNE WICKSTRÖM[†]

Abstract

An economic analysis of language rights takes its point of departure in individual preferences. One compares the implementation costs to the value attributed to the rights by the individuals; a certain allocation of rights should then be implemented if the aggregated value exceeds the costs of realizing the allocation.

The costs of implementing a certain right are as a rule both conceptually and practically well defined. Generally they will decrease *per capita* when the number of beneficiaries increases. This implies that optimal rules should be expressed in terms of a “critical mass” of beneficiaries.

The definition of value is more difficult and, hence, more interesting. As in any cost-benefit analysis, the point of departure is the individual propensities of pay for the rights allocation. The benchmark is then that rights should be realized if aggregated benefits exceed costs. The benchmark, however, has to be modified in different directions. Modifications are necessary if:

- rights increase the status of the language and this in turn increases the individual propensities to pay (more rights should be implemented than in the benchmark case).
- rights increase the size of future generations using the language (more rights should be implemented than in the benchmark case).
- rights decrease the size of future generations using other languages (less rights should be implemented than in the benchmark case due to the concave cost structure).
- the speakers of the language are poorer than speakers of other languages and the government wants to redistribute in favor of the poor (more rights should be implemented than in the benchmark case).
- linguistic diversity is a good in itself and the language is small and threatened (more rights should be implemented than in the benchmark case).

The practical legal realization of language rights depends in part on the federal structure of the state. A sensible federal structure depends on the geographical distribution of the speakers of the languages. Manipulations of the federal structure can then be used by a majority to discriminate a minority

Keywords: language rights, linguistic justice, efficiency, status planning, federalism, linguistic discrimination

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[†]Andrássy-Universität Budapest

Research group “Economics, policy analysis, and language” (REAL)

Email: bengt-arne.wickstroem@andrassyuni.hu