

# Table of Contents

1	Introduction .....	7
1.1	General introduction .....	7
1.2	Objectives and rationale .....	7
1.3	Research questions .....	8
1.4	Book overview .....	9
1.5	Terminology .....	10
2	Literature review and theoretical frameworks.....	13
2.1	Chapter introduction .....	13
2.2	The framework of legal theory .....	13
2.2.1	Language rights within the system of human rights .....	13
2.2.2	Immigrants as the beneficiaries of linguistic human rights.....	14
2.3	Other theoretical approaches to language rights.....	15
2.4	Critical discourse analysis (CDA) .....	16
2.4.1	Introduction to discourse analysis .....	16
2.4.2	Discourse analysis .....	16
2.4.3	Why CDA.....	18
2.4.4	The discourse-historical approach (DHA) .....	19
2.5	Chapter summary.....	20
3	Research methodologies.....	21
3.1	Chapter introduction .....	21
3.2	Interdisciplinarity.....	21
3.3	Research design – qualitative case study.....	21
3.4	Methodology in law.....	22
3.5	Methodology in linguistics .....	24
3.6	Levels of analysis in DHA.....	25
3.7	Written texts .....	26
3.7.1	Relation to research questions and selection of texts .....	26
3.7.2	Doctrinal analysis .....	26
3.7.3	The languages and translation of written texts.....	26
3.8	Documentary films .....	27
3.8.1	Relation of film analysis to the research questions .....	27
3.8.2	Selection of films, transcription and translation.....	27

3.8.3	Analysis integrating the socio-legal approach and DHA .....	28
3.8.4	Three-dimensional analysis in DHA .....	29
3.9	Interviews .....	32
3.9.1	Why interviews .....	32
3.9.2	Selection of participants and setting.....	33
3.9.3	Interview questions .....	34
3.9.4	Transcription and translation.....	35
3.9.5	Analysis of interview responses .....	36
3.9.6	Methodological limitations .....	38
3.10	Chapter summary .....	38
4	Contextual information on the Vietnamese and Ukrainian communities in the host societies .....	39
4.1	Chapter introduction .....	39
4.2	Czechia .....	39
4.2.1	The Vietnamese historically – from orphaned children to businessmen .....	39
4.2.2	The Vietnamese at present – a rather closed group of immigrants .....	40
4.2.3	Ukrainians historically – from intellectual elite to guest-workers .....	42
4.2.4	Ukrainians at present – immigrants and minority members .....	43
4.3	Poland .....	44
4.3.1	The Vietnamese historically – from privileged students to shop-owners .....	44
4.3.2	The Vietnamese at present – immigrants settled in several centres .....	45
4.3.3	Ukrainians historically – from an oppressed community to a culturally active minority <sup>47</sup>	
4.3.4	Ukrainians at present – more immigrants and less minority members .....	48
4.4	Chapter summary.....	49
5	International legislative framework for the protection of language rights.....	51
5.1	Chapter introduction .....	51
5.2	Minority linguistic rights in international law .....	51
5.2.1	The importance of legal regulation .....	51
5.2.2	The main instruments of international law regulating minority linguistic rights <sup>52</sup>	
5.2.3	Scope of application and classification .....	54
5.2.4	Individual and collective rights .....	54
5.2.5	What are the particular language rights and are they applicable for immigrants? 55	
5.3	The definition of national minority in international law .....	56
5.3.1	The importance of definition.....	56
5.3.2	The unresolved problem of definition.....	57
5.3.3	Definitions by individuals in international law .....	57

5.3.4	Definitions in sociolinguistics .....	59
5.3.5	Self-definitions .....	61
5.4	Chapter summary .....	61
6	National law of Czechia and Poland: language rights for national minorities and immigrants.....	62
6.1	Chapter introduction .....	62
6.2	Implementation of international obligations.....	62
6.3	National law protecting minorities .....	64
6.4	The Minority Acts .....	66
6.4.1	Structure and area of regulation in Czechia .....	66
6.4.2	Structure and area of regulation in Poland.....	67
6.4.3	The style of the Minority Acts .....	70
6.4.4	Rights granted by the Minority Acts .....	72
6.5	The definition of national minority in national law.....	74
6.5.1	Definitions in Czechia.....	74
6.5.2	Definitions in Poland.....	75
6.5.3	Comparisons with international law.....	77
6.6	Special institution for minorities .....	78
6.6.1	Minority Council in Czechia.....	78
6.6.2	Joint Commission in Poland.....	80
6.7	Laws regulating the acquisition and loss of citizenship .....	80
6.8	Chapter summary.....	81
7	Presentation of the communities in the mainstream television programmes .....	83
7.1	Chapter introduction .....	83
7.2	Description of the data.....	83
7.2.1	National public television programmes on minorities .....	83
7.2.2	Full-length films in Czechia.....	83
7.2.3	Documentary and fiction films in Poland .....	85
7.3	Detailed analysis of two films .....	86
7.4	Topics in the main characters' narrations.....	88
7.4.1	Topic 1: Identity in <i>Banana Children</i> .....	89
7.4.2	Topic 1: Identity in <i>Warsaw</i> .....	93
7.4.3	Discursive strategies and their linguistic realizations in the narratives on linguistic identities in <i>Banana Children</i> .....	97
7.4.4	Discursive strategies and their linguistic realizations in the narratives on linguistic identities in <i>Warsaw</i> .....	98
7.4.5	Topic 2: Traditions .....	100
7.4.6	Topic 3: Life in Vietnam.....	105

7.4.7	Topic 4: Education .....	109
7.4.8	Topic 5: Law .....	112
7.5	Comparison of the films produced in Czechia and Poland .....	114
7.6	Chapter summary.....	116
8	Interviews with leading figures of immigrant communities .....	117
8.1	Chapter introduction .....	117
8.2	Description of the data.....	117
8.2.1	Interview questions .....	117
8.2.2	Respondents .....	119
8.3	Analysis with focus on argumentation schemes.....	121
8.3.1	Argumentation schemes in the discussion of language education .....	121
8.3.2	Language education in Czechia.....	123
8.3.3	Language education in Poland .....	126
8.3.4	Argumentation schemes employed in the discussion of the organization of minority cultural events.....	129
8.3.5	Cultural events in Czechia.....	131
8.3.6	Cultural events in Poland .....	137
8.3.7	Argumentation schemes employed in the discussion of the rights of traditional minorities.....	139
8.3.8	Rights of traditional minorities in Czechia .....	140
8.3.9	Rights of traditional minorities in Poland .....	142
8.3.10	Argumentation schemes employed in the discussion of political representation 145	
8.3.11	Political representation in Czechia.....	146
8.3.12	Political representation in Poland.....	149
8.4	Comparison of views of the Vietnamese and Ukrainian respondents in Czechia and Poland.....	150
8.5	Chapter summary.....	151
9	Conclusions .....	153
9.1	Revisiting the research questions .....	153
9.2	The three distinct datasets.....	154
9.3	Summary of the findings of this study.....	154
9.3.1	The dataset of written laws.....	154
9.3.2	The dataset of film documentaries .....	156
9.3.3	The dataset of interviews.....	158
9.4	Reflections of the findings.....	159
9.4.1	Legacy of communism .....	159
9.4.2	Globalization and world in flux .....	162

9.4.3	Positive and negative rights.....	163
9.4.4	Power relations .....	164
9.4.5	Citizenship.....	164
9.5	The novelty of this book and ideas for future research .....	166
9.5.1	Importance of my work and value of interdisciplinary research.....	166
9.5.2	Possible impact of my work .....	167
10	Appendix – Interview questions.....	169
	Example – list of questions for Ukrainians in Poland.....	169
11	Bibliography .....	173
12	List of legislative documents.....	185
12.1	International law .....	185
12.2	Domestic law of Czechia .....	186
12.3	Domestic law of Poland .....	187