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Language, Power, and Public Law: A Comparative Study of Language Policies and Institutional Legitimacy

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Abstract

In the domain of public law, language is not merely a vehicle of communication but a latent foundation of power distribution, state formation, and institutional legitimacy. This article undertakes a philosophical-comparative inquiry into the intricate relationship between language, power, and public order; a relationship crystallized in state language policies, the configuration of official languages, and the boundary-making between the legal and the social. Language is here theorized as a symbolic institution of legitimation, simultaneously a vector of domination and of possibility. Through an in-depth study of three legal systems, namely Iran, Switzerland, and Belgium, the article explores how state linguistic architectures are not mere cultural instruments, but constitutive elements of political trust and public legitimacy. In Iran, the state's exclusive reliance on Persian, absent meaningful inclusion of other linguistic groups, risks symbolic marginalization and erosion of institutional credibility. In contrast, the Swiss and Belgian models reveal how language, as a legal act and symbolic regulator, is restructured within layered and pluralistic frameworks. Drawing on Bourdieu, Habermas, and Lessig, the article posits that the official language is itself a legal institution—central to the architecture of legitimacy. This reconceptualization invites a critical rethinking of Iran's language policies, cautioning that continued monolingualism may undermine the very conditions of political cohesion.

Keywords: institutional legitimacy; language policy; official language; public law; symbolic order.

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