

# Addressing Indigenous language loss by unsettling the linguistic hierarchies entrenched in Canada's language policies

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This article aims to contribute to the discussion about language policy in Canada and to provide policy makers and the general public with a broad historical and social context in which to situate these policies. As is widely known, Canada's Indigenous languages are critically endangered, which has detrimental consequences for Indigenous communities. As a result, Indigenous communities and the Canadian federal government have both been working towards solutions to the challenge of Indigenous language loss. In this paper it will be argued that there are linguistic hierarchies entrenched in Canada's language policies which result in social, cultural, and economic inequities between different language groups; that these inequities are issues of rights that need to be addressed according to Canada's national and international commitments; and that the proposed policy solutions for addressing Indigenous language loss would be most effective if they reflected an unsettling of these linguistic hierarchies.

*Keywords: Indigenous; language loss; language policies; hierarchies; language rights; policy planning*

## 1 Introduction

The widespread language loss experienced by Indigenous communities in Canada has devastating effects for Indigenous peoples, as language is essential to cultural heritage and identity. Therefore, the Truth and Reconciliation Commission of Canada (TRC) asserts that the critical status of Canada's Indigenous languages needs to be addressed as a crucial part of the reconciliation process. Both Indigenous communities themselves and the Canadian federal government have recognized the need to address the issue of language loss and are working diligently to address this. Many Indigenous communities are implementing language revitalization projects to preserve their languages and to increase the numbers of speakers. In solidarity with this goal, the J. Trudeau government announced its commitment '[...] to implementing all 94 calls to action' of the TRC, including the Language and Culture sub-section which calls for acknowledging Aboriginal language rights and enacting an Aboriginal languages Act (Mas, 2015; TRC, 2015, p. 6). In December 2016, prime minister Justin

Trudeau indicated the sincerity of this promise at a special assembly of Indigenous leaders by announcing his plans to introduce an *Indigenous Languages Act* ‘in hopes of preserving and revitalizing First Nations, Metis and Inuit languages in Canada’ (Staff, 2016).

There is a wealth of cultural diversity in Canada that we have not yet managed to fully embrace. Ry Moran, the director of the National Centre for Truth and Reconciliation, emphasizes that for successful language revitalization ‘[...] we need a country that realizes we are collectively richer when we understand our national identity not just in terms of two official languages, but as a country full of rich languages that have existed here long before Canada was even dreamed of’ (Moran, 2016). At this pivotal moment when the federal government drafts the details of its *Indigenous Languages Act*, exploring a broader historical perspective can help achieve the truly multicultural and multilingual national identity that is necessary to address Indigenous language loss in Canada.

I will argue that there are linguistic hierarchies entrenched in Canada’s language policies which result in social, cultural, and economic inequities between different language groups; that these inequities are issues of rights that need to be addressed according to Canada’s national and international commitments; and that the proposed policy solutions would be most effective if they reflected an unsettling of these linguistic hierarchies. My goal is neither to provide recommendations for how Indigenous communities themselves might address the growing concern of language loss, nor to suggest that funds currently allocated to providing French language resources and services should be reduced and given to Indigenous languages. I simply intend to provide a wider context for policy makers and the general Canadian public that may be useful in coming to respectful and meaningful solutions.

First, this article will demonstrate the social, cultural, and economic effects of the linguistic hierarchies in Canada’s language policies on French as a non-dominant official language, on non-Indigenous non-official settler languages, and on the Indigenous languages of Canada. The consequences for policy will then be discussed in terms of language rights, linguistic human rights, international and national commitments and constitutional issues, and practical considerations for language policy planning and implementation will be suggested. It will be concluded that in planning legislation to satisfy the TRC’s Calls to Action, it would be helpful to consider the relations between Indigenous languages and the other non-dominant languages of Canada and to decolonize and break down the linguistic hierarchies in place in order to prevent further gaps between policy and reality.

## 2 Linguistic Hierarchies in Canada's Language Policies

### 2.1 Preliminary context

Although Canada is officially a bilingual and multicultural country, the language policies implemented to achieve this identity are rooted in colonial hierarchies resulting in financial and cultural inequities for the minority Francophone population, the so-called 'immigrant' groups, and the Indigenous peoples of Canada in relation to the dominant Anglophone white settler population. The long-standing and continued existence of these inequities suggests the need for widespread language policy reforms associated with multilingualism and multiculturalism in Canada. Linguistic hierarchies in Canada's language policies currently institutionalize the majority settler languages English and French as official languages while the multicultural policy 'renders the language resources that newcomers bring with them simply a cultural trait' and the Constitution fails to mention Indigenous language rights (Haque, 2010, p. 293).

As a former colony country where primarily white European settlers have become the dominant population, Canada has a long history of conflict and oppression. Through examination of the history of Canada's Bilingualism and Multiculturalism Acts, it becomes clear that the current language policies are rooted in linguistic and racial hierarchies that privilege English and French over non-Indigenous non-official languages and Indigenous languages and that value English most of all in reality despite institutional equality of the two official languages. These linguistic hierarchies result from the misleading categorization of different groups both in policy and in mainstream society. For instance, the common categorization of 'immigrant languages' in opposition to Canada's official languages is problematic because it erases the fact that English and French are also immigrant languages to these lands. Furthermore, Snelgrove et al. (2014) argue that any non-Indigenous person living on appropriated land is a settler. Therefore, while '[...] not all settlers are created equal', immigrants are complicit in settlement, making them settlers along with descendants of English and French colonizers (Snelgrove et al., 2014, pp. 6, 13-15).

Pearson (2002) claims that the problematic category of Canadian 'immigrants' is the product of the interconnected processes of aboriginalization, ethnification, and indigenization. Firstly, the process of aboriginalization denotes the relationship between Indigenous minorities coexisting with the majority who established a settler state in their ancestral lands (Pearson, 2002, pp. 1000-1001). In this sense, aboriginalization defines Indigenous people *in relation to* the settler state in order to explore how Indigenous social orders can function within these settler states (Pearson, 2002, p. 1006). Secondly, the process of ethnification applies to migrants who experience stigma because of the perception of their cultures and/or appearances as distinct from the majority settler population. This involves the categorization of 'others' by the majority settler group where various ethnic groups become forcefully conglomerated as a single entity with one label such as 'immigrant'. Throughout this process, '[...] "ethnic markers, real or

imagined”, ignore the possibility that generations of persons so categorized, may be born within the society of settlement’ (Pearson, 2002, p. 1002). As a result, permanent residents and locally born citizens who have assimilated to the majority culture are still categorized as ‘immigrants’ and are therefore treated as outsiders. (Pearson, 2002, p. 1001). Finally, the indigenization of majority settlers occurs when members of this group see themselves as a separate category that is ‘[...] neither ‘Native’ nor exotic’ (Pearson, 2002, p. 1004). Through this process, majority settlers come to identify themselves as Canadians rather than as Europeans, indigenizing themselves to the land by making it their home and by creating a new lineage and identity for themselves (Pearson, 2002, p. 1006).

These processes of the ethnification of ‘immigrants’ and the indigenization of the majority settler groups result in the categories in the Royal Commission on Bilingualism and Biculturalism (1963-1969) (RCBB) of majority settlers as ‘founding nations’ of Canada and other settlers as ‘immigrants’. These misleading categories are complicit in the perpetuation of what Haque and Patrick (2015) would call racialized linguistic hierarchies. Haque and Patrick (2015) speak of racialized linguistic hierarchies because of the RCBB’s exclusion of ‘heritage and indigenous languages from Canada’s linguistic ordering and its ‘founding peoples’ discourse’ and because of the asymmetry in the Canadian state’s treatment of Indigenous languages as compared with its treatment of English and French (Haque & Patrick, 2015, p. 38). They argue that language and culture policies have been used to address the Canadian state’s concerns respecting national unity and ‘have functioned to manage racial difference through processes of erasure, forced assimilation and exclusion’ (Haque & Patrick, 2015, p. 27). For instance, it was their categorization as ‘other ethnic groups’ that allowed ‘immigrants’ to be placed on the peripheries of the ‘founding nations’, in contrast to their status as co-settlers in reality. Once ‘immigrants’ were categorized as ‘other ethnic groups’, despite their collective label, it was claimed that their ‘[...] diversity atomized and hence negated their opinions’ thereby excluding their suggestions from the Commission (Haque, 2010, p. 271).

It is clear that the categories currently employed in policy and mainstream society are problematic. Pearson (2002) argues that ‘[t]here is no neutral language one can draw upon to describe and analyse aboriginal, immigrant and settler citizenship patterns, since these names are both a political construct and cultural artefact’ (p. 1000). However, since it has been demonstrated that the label of ‘immigrant’ is misleading and continues to perpetuate linguistic hierarchies, it will not be used in this paper except where it occurs in quotations from other authors. I will use the term *official languages* to refer to English and French and will call Anglophone and Francophone Canadian citizens who are descendants of white Europeans *majority settler populations*. The terms *other settlers* or *non-majority settlers* will be used rather than ‘immigrants’ and I will call the languages spoken by these groups *non-Indigenous non-official languages*. In using these terms, I hope to be transparent about the fact that French, English, and non-Indigenous non-official languages are all settler

languages which occupy different hierarchical positions above Indigenous languages within Canada's language policies. Furthermore, I have deliberately structured this section in terms of this hierarchy by ordering my discussion of each category of language group beginning from the highest hierarchical position to the lowest. This was done to show how the effects on language groups are dependent on their level in the linguistic hierarchies entrenched in Canada's language policies.

Furthermore, while this article focuses mainly on one main linguistic hierarchy in Canada's language policies with English at the top followed by French, then non-Indigenous non-official languages, and Indigenous languages at the very bottom, I am using the plural term 'hierarchies' in order to recognize the need for intersectionality in this work. For instance, studies show that there are further racialized linguistic hierarchies between non-Indigenous non-official languages where speakers of Western European languages in Canada are less likely to feel negative economic impacts than are speakers of other non-Indigenous non-official languages (Pendakur & Pendakur, 2002, p. 167). It is probable that there are also further hierarchies between Indigenous languages where larger and more influential communities receive more funding and media attention for language revitalization projects than do smaller communities. While this level of specificity is beyond the scope of this paper, it is important to take into account the added complexity of these sub-hierarchies when working towards unsettling the main linguistic hierarchy in Canada's language policies.

These institutionalized hierarchies, along with gaps between official policies and reality, result in economic disadvantages and language loss for minority groups in Canada. These common themes of historical conflict, policy hierarchies, and the resulting inequities will be examined below in order to illustrate the connected contexts for language policy planning for French, non-Indigenous non-official languages, and the Indigenous languages of Canada. I will argue that in aiming to improve the status of Canada's Indigenous languages, or of any of Canada's non-dominant languages, it is crucial to unsettle the linguistic hierarchies that connect and rank them. To this end, I will explore how the recurrent themes of linguistic and racial hierarchies in legislation, a long history of conflict and oppression, and gaps between official policies and reality are reflected in the contexts of French as a non-dominant official settler language of Canada, non-Indigenous non-official languages of Canada, and Indigenous languages of Canada. My goal is to illustrate connections between language groups and between the various legal instruments that impact them as a first step towards understanding the linguistic hierarchies in Canada.

## **2.2 French as a non-dominant official settler language in Canada**

The tensions between 'the two solitudes' have a long history, as the linguistic conflicts in Canada and their resulting language policies '[...]' are intertwined with the rise of French and English as world languages and especially with almost a millennium of intermittent conflicts and accommodations between

France and England' (Mackey, 2010, p. 18). These European rivalries continued during and after the settling of North America, where linguistic distinctions did not line up with provincial boundaries. This led to the need for accommodation of minorities in every province of Canada. Often, this need for accommodation caused tension between the majority settler groups. For example, French settlers were originally the dominant settler majority in Western Canada before they were eventually outnumbered by English settlers. This meant that English settlers begrudgingly '[...] had to accommodate them, not because of any understanding of an historical French-English compact, but simply because of their numbers and their precedence' (Mackey, 2010, p. 30). These sorts of tensions entrenched a deep hostility between the Francophone and Anglophone populations of Canada (Mackey, 2010, p. 29). This historical context of conflict is important because it has resulted in further struggles which laid the foundation for Canada's current language policies. These include the very low representation of the Francophone population in federal government and public service in the 1930s and 1940s, the controversy surrounding the forced participation of French Canadians in the Second World War, and the dominance of commerce in Quebec by the English-speaking minority before the Quiet Revolution (Mackey, 2010, p. 30-31).

Additionally, considering the connection between the strong French Canadian desire to preserve the French language in Canada and the Quebecois sovereignty movement may assist in thinking about how to strike a balance between Canadian national unity along with regional cultural identities, multiculturalism, and multilingualism. Firstly, the Royal Commission on Bilingualism and Biculturalism (1963-1969), which created the *Official Languages Act* (1969), was initiated in response to a crisis in Canadian national unity as Quebecois nationalism grew stronger (Haque & Patrick, 2015, p. 30). It is also significant to note the role of language and cultural identity in the platform of The Parti Québécois. The linguistic agenda of the party is evident from its historic implementation of *Bill 101: The Charter of the French Language* with 213 articles of language legislation, which include making French the sole official language of Quebec (Mackey, 2010, pp. 36-39). Furthermore, the no vote against Quebecois independence in the 1980 referendum consisted largely of English-speaking citizens and allophone communities, demonstrating the strong link between the sovereignty movement and the French language (Mackey, 2010, p. 38). The strong proportion of Quebec's population that voted for independence (49.89%) in the 1995 referendum suggests that the current federal and provincial language legislation is not sufficiently balancing Canadian national unity with the regional cultural identity of Quebec, nor with ideas of multiculturalism and multilingualism. May (2014) claims that in such situations, implementing group-differentiated rights, where rights and group identity are defined by who wants to claim them and where the approach is graduated, can produce successful language legislation that is also better received by the broader society (pp. 268-269). His case study of the linguistic legislation in the autonomous region of Catalonia in Spain could therefore be a useful model for Canadian policy planners.

In addition to this long history of conflict between English and French Canada, French is valued less than English in Canada's complex set of linguistic hierarchies. Although the *Official Languages Act* institutionalizes French and English as equal and aims to preserve their vitality equitably, there are gaps between official policy and reality that result in language loss and economic disadvantage for French Canadians. For example, as a minority group outside of Quebec, Ontario, and New Brunswick, Francophones in the rest of Canada experience first language loss as their use of the French language has been declining steadily since 1991 (Ignace & Ignace, 2008, p. 429). This leads to feelings of loss and frustration due to limited access to their language, culture, and identity (Iqbal, 2005, pp. 310-313). French activities and resources for Francophones are often scarce and can be difficult to access, to the point where '[f]orty-three percent of francophones living outside Quebec say they express themselves better in English than in French' (Iqbal, 2005, p. 307). Iqbal (2005) reinforces this disparity by claiming that in Western Canada '[d]espite rhetoric about the economic advantage and cultural enrichment brought about by bilingualism, there appear to be few initiatives that help prevent French language loss and increase French language skills among francophone adults' (p. 321).

Although Canada has two official languages, it is clear that English is significantly privileged over French. Christofides and Swidinsky (2010) demonstrate that in Quebec, where Anglophones are a minority group, the earnings of unilingual Anglophones do not differ significantly from those of unilingual Francophones. In contrast, unilingual Francophones in the rest of Canada are at a great financial disadvantage as compared with Anglophones (p. 151). Furthermore, there is a significant difference between the economic returns to knowing and using English as a second language for Francophones and knowing French as a second language for Anglophones (Christofides & Swidinsky, 2010, pp. 151-152). While simply having knowledge of French as a second official language provides bilingual Anglophones in the rest of Canada with opportunities for work in higher paying industries and occupations, bilingual Francophones in Quebec must actually use their skills in English as a second language at work in order to benefit from equivalent higher earnings (Christofides & Swidinsky, 2010, pp. 145-146).

These findings suggest that the current federal, provincial, and territorial language policies for French as an official language of Canada require adjustments. A good first step would be for language policy planners to think of ways to increase intergenerational transmission of French outside of Quebec and 'Francophone adults must be given greater daily opportunities to live in French' in order to reduce language loss for Francophones living in the rest of Canada (Iqbal, 2005, p. 321). When planning to increase intergenerational transmission of French outside of Quebec, it is also important to consider the crucial role of mothers in transmitting the language at home as studies show that '[...] transmission of the French language is more likely to occur when the francophone parent is female rather than male' (Iqbal, 2005, p. 308). Finally, it is necessary to explore how to reduce the barriers to language transmission that can

come about through partnership with a non-Francophone person because ‘[...] in British Columbia, among the francophones who are in linguistically exogamous relationships and who have children, only approximately 20% of children up to four years of age speak French at home most often’ (Iqbal, 2005, p. 308).

Secondly, it is clear that language policy planners would do well to address the unequal economic returns to knowing and using a second official language in terms of English in Quebec and French in the rest of Canada. In doing so, it would be useful to also understand other economic variables in order to draw clear comparisons between different groups. For example, when researching this issue, legislators could consider other possible labour market benefits of bilingualism such as lower underemployment and increased job mobility, and could control for the quality of proficiency in English or French as a second language as well as possible socioeconomic status effects resulting from family characteristics (Christofides & Swidinsky, 2010, pp. 138-139). Finally, it is important to use caution when drawing conclusions from sample sizes that have been reduced due to the difficulty in attaining accurate census information (Christofides & Swidinsky, 2010, p. 140).

### 2.3 Non-Indigenous non-official languages of Canada

When considering the history of conflict and oppression in Canada with respect to non-majority settler groups and their languages, it is important to recognize that Canada has a long history of racist immigration policies, including an immigration policy ‘[...] based on racial and geographical exclusions’ implemented by Prime Minister Mackenzie King after the Second World War, whereby only white Europeans were encouraged or even permitted to immigrate to Canada (Haque, 2010, p. 290). This did not change until 1962 when the economic importance of immigration was recognized and the focus turned to the level of education, training, and skills of newcomers rather than their race or country of origin (Haque, 2010, p. 290). However, Pearson (2002) argues that ‘[i]n many ways, the new rules of admission were no less discriminatory than the old, since those able to acquire the ‘points’ on a scale of ‘race-blind’ economic criteria were still drawn from a geographically restricted set of classed, gendered and national origin candidates’ and new arrivals still faced discrimination due to ethnic and cultural differences (p. 997). Nonetheless, with these changes in policy, there was a gradual decrease in European immigration to Canada and a dramatic increase in immigration by people from Asian, African, and South and Central American countries (Haque, 2010, p. 291). In addition to the hierarchies that non-majority settler groups were already subject to, this resulted in further hierarchies *between* non-majority settler groups. There was a division between white European newcomers who could invisibly assimilate into one of the majority settler groups by learning one of Canada’s official languages and racialized ‘visible minority’ newcomers for whom ‘[...]this strategy was forever out of reach’ (Haque, 2010, p. 291).



These racial hierarchies are perpetuated through the inherent linguistic hierarchies in Canada's language policies. Firstly, Haque (2010) argues that the *Bilingualism and Biculturalism Commission* set up a hierarchy of two founding groups (English and French settlers) in Canada where '[...]all other ethnic groups were homogenized as multicultural' and were treated as peripheral to the 'founding nations' (p. 268). The establishment of this hierarchy required the use of various inconsistent arguments by the commission. For example, the lack of unifying values between non-majority settler groups was considered a barrier to collectivity that prevented these groups from being included as a 'third force' to the 'founding nations' of Canada. In contrast, the wide range of opinions within both English and French settler communities was not seen as problematic to each of these populations being considered a collective 'founding nation' (Haque, 2010, p. 271). Secondly, the commission claimed that in the cases of both French and English, the languages were deeply connected to the cultures of these groups, whereas for the 'other ethnic groups' it was claimed that their cultures could be preserved without speaking their languages of origin (Haque, 2010, p. 280). As a result, '[a]lthough the Multiculturalism Act [1988] recognizes non-official cultural identities, this is a notion of culture that is essentially uncoupled from language' (Haque, 2010, p. 294). Furthermore, the Commission argued that since 'immigrants' had chosen to move to Canada '[...] they forfeited the right to ask for any formal recognition of their cultures and languages' (Haque, 2010, p. 276). It is significant that the Commission did not make this same assumption about majority settler populations forfeiting their right to recognition of English and French. Finally, the commission prioritized the teaching of Canada's two official languages, providing no public funding to the teaching of other settler languages, and stated that integration through official language proficiency was necessary for full citizenship and economic participation (Haque, 2010, pp. 283-285). However, the federal government of Canada does not adequately support this integration as the current Language Instruction for Newcomers to Canada (LINC) program aims only to teach survival-level proficiency in one of the official languages at 'a level not sufficient to access postsecondary education or meet the language demands of professional fields' (Guo, 2013, p. 31).

As a result of these hierarchies in policy, non-majority settler groups in Canada experience language loss and economic disadvantage. Studies show that '[...] 50% or more of the immigrants to Canada do not maintain the language(s) from their country of origin' (Mady, 2012, p. 75). Even in cases where school-aged newcomers have a positive sense of identity connected to the language of their country of origin, most still stop studying these languages after arriving in Canada. Frequently, this language shift is not a matter of choice, but rather occurs because formal instruction in the language is simply not available (Mady, 2012, p. 79). Furthermore, adult migrants to Canada are economically disadvantaged due to the effects of the LINC program. Haque (2010) argues that '[i]nherent in the policy is the assumption that the state does not have a responsibility to provide instruction to levels that would facilitate economic or social mobility' (p. 293). The resulting low levels of official language proficiency

often attained by newcomers to Canada means that they are usually restricted to low-paying jobs without opportunities for advancement (Haque, 2010, pp. 292-293).

The federal government tried to address this problem in 2003 by introducing the Enhanced Language Training (ELT) program ‘to provide a higher level of language training for the workplace’ with an emphasis on ‘language training for specific fields’ (Guo, 2013, p. 31). However, Guo (2013) argues that the ELT programs are problematic because of their emphasis on teaching Canadian values and their focus on employability (pp. 32-36). Guo (2013) claims that many ESL teaching materials in Canada ‘focus on superficial descriptions of cultural facts and behaviours, thus ignoring the complexity and ambiguity of the cultural experience of most newcomers’ and that they contain assimilationist advice to ‘think like a Canadian’ (p. 33). Furthermore, ELT bridge-to-work programs “focus[] on presentability and employability of immigrants for the Canadian labour market through processes such as reducing their accents, anglicizing their names, and adapting to Canadian linguistic and cultural norms’ (p. 34). This is problematic because it ‘place[s] pressure on immigrants to assimilate without promoting changes in the larger Canadian society’ thus contributing to the inequality and discrimination faced by non-majority settlers in Canada (Guo, 2013, pp. 34-36).

Even speakers of non-Indigenous non-official languages who have managed to master one of Canada’s official languages face ethnolinguistic discrimination economically. For example, Pendakur and Pendakur (2002) show that even with proficiency in a majority settler language ‘members of ethnic minorities who [also] speak their ethnic language tend to fare worse in labor markets than members of those same minorities who do not’ (p. 174). The ethnolinguistic discrimination experienced by non-majority settler groups is subject to further racialized linguistic hierarchies between these groups as ‘[...] languages associated with non-European origin people predominate among languages with negative estimated earnings differentials’ (Pendakur & Pendakur, 2002, p. 167). Similarly, George and Chaze (2014) found that engineers who speak with accents that are perceived as foreign are denied jobs ‘that require speaking with the public with a “Canadian” accent’ and are penalised for the perception that they have limited official language proficiency based solely on their accents (p. 4). Finally, young non-majority settlers face barriers to attaining economic advantage through official language bilingualism, as ‘immigrant’ children are often discouraged from enrolling in French immersion (Mady, 2012, p. 80-82). These institutional instances of racism emphasize the fact that class and race associations for different varieties of a language mean that the economic advantages and social mobility that are meant to come from second language acquisition of a dominant language are more of a myth than a reality (May, 2014, pp. 381-382).

These inequities for non-majority settler groups in Canada necessitate education and language policy reforms. For example, it would be beneficial for the Canadian government to adjust the LINC program to teach higher levels of

proficiency aimed towards economic integration and to make changes to public school curriculums in order to incorporate non-Indigenous non-official languages to a greater degree and to increase non-majority settler students' access to official language immersion opportunities. Furthermore, Guo (2013) suggests including newcomers' professional knowledge and community input in the planning of language programs for adults coming to Canada and asserts that "[t]he receiving society also needs to change in order to recognize political, cultural, linguistic and economic contributions of immigrants to Canada" (p. 37). Finally, there is a need to determine what kind of language rights are deemed appropriate for non-majority settler groups. Research into the advantages and disadvantages of different kinds of language rights for immigrant groups in other countries should be conducted as part of the policy planning process. It is important to incorporate consultations with non-majority settler groups of Canada surrounding their struggles and goals and to listen to their recommendations when planning policy changes. During the planning and implementation of policy adjustments, we should question pre-existing assumptions about the rights of these groups that have been entrenched in policy and mainstream society through the RCBB's narrative of 'two founding nations' with 'other ethnic groups' on the peripheries.

#### 2.4 Indigenous languages of Canada

The long history of oppression of the Indigenous peoples of Canada by colonial settlers continues systematically and systemically today and stems from colonial attitudes which define Indigenous peoples, cultures, and languages as '[...] primitive and as barriers to civilisation and modernity' (Haque & Patrick, 2015, p. 28). As is widely known, these racist ideologies motivated harsh assimilationist policies, including a horrific system of residential schools aiming to destroy Indigenous cultures and languages, which have lasting trauma for Indigenous communities today (Haque & Patrick, 2015, p. 28).

Despite resistance movements by Indigenous peoples in the 1960s and 1970s and the end of the residential school system in Canada, Indigenous peoples and their languages continue to be marginalized in federal policies that are entrenched in racialized linguistic hierarchies (Haque & Patrick, 2015, p. 29). The same hierarchy established by the *Bilingualism and Bicultural Commission* that placed non-majority settler groups at the peripheries of the two 'founding nations' of Canada excluded Indigenous peoples from the equation completely (Haque & Patrick, 2015, p. 30). Furthermore, when Indigenous communities voiced their concerns about their experiences of poverty, cultural loss, and dismissal of their status as first citizens of Canada, the commission '[...] exceptionalise[d] and pathologise[d] the problem [...]' rather than addressing it (Haque & Patrick, 2015, p. 31). For example, the commission dismissed communities' concerns about language loss, concluding that Indigenous languages were primitive and therefore not meant to survive and '[t]he tremendous diversity among indigenous languages was accordingly seen not as a sign of the great cultural richness of indigenous communities, but as a barrier to

language maintenance and education as well as to the accessing of government services' (Haque & Patrick, 2015, p. 31). In this way, racist ideologies predicted, naturalized, and facilitated language loss.

These same ideologies perpetuated racial hierarchies in the *Hawthorn-Tremblay Report* and the *White Paper of 1969*, both of which suggested adjustments to the treatment of Indigenous peoples that were still entrenched in a Western worldview (Haque & Patrick, 2015, pp. 33-34). This trend of trying to make improvements while imposing dominant values and approaches was repeated in 1987 during the attempts to create a *Canadian Heritage Languages Institute* that would directly affect Indigenous languages, without consulting Indigenous communities (Haque & Patrick, 2015, pp. 33-34). Furthermore, although the *Constitution Act* of 1982 '[...] gave constitutional recognition to aboriginal rights and treaty rights,' the treatment of Indigenous peoples was still inferior to the treatment of settler populations (Haque & Patrick, 2015, p. 35). Notably, this act increased language rights for Anglophones and Francophones by '[...] guaranteeing the ability of members of these two language groups to use their own language and receive government services and education in it in a range of contexts', whereas it did not include any recognition of Indigenous language rights (Haque & Patrick, 2015, p. 35). This cemented the racialized linguistic hierarchy between settlers and Indigenous peoples of Canada. Haque and Patrick (2015) argue that the *Task Force on Aboriginal Languages and Cultures* (2005), which was created to correct these past mistakes, also operates within colonialism because it suggests addressing Indigenous language rights through the Constitution, which has been demonstrated to be a product of colonialism and racism (Haque & Patrick, 2015, p. 37). Ironically, such efforts to gain support for the protection and promotion of Canada's Indigenous languages necessarily involve '[...] appealing to the 'aboriginal rights' referred to in Section 35 of [the Constitution]...even though Section 35 makes no mention of indigenous languages and the courts have yet to recognise any constitutional obligation on government to protect or promote these languages'(Haque & Patrick, 2015, p. 39). As a result, a constitutional challenge is currently being prepared by Lorena Fontaine and David Leitch arguing that this '[...] same section of the Constitution that enshrines First Nations treaties should [...] also grant aboriginal people in Canada the right to schooling and public services in their ancestral languages' (Luksik & Howell 2016).

More progressive initiatives to improve the status of Canada's Indigenous peoples that foster the support of Indigenous communities have had their recommendations largely ignored. This was the fate of the Royal Commission on Aboriginal Peoples (RCAP) which was established in 1991 in response to the Oka Crisis in Quebec (Hughes, 2012, p. 101). RCAP's final report was released in 1996 and suggested 440 recommendations to be implemented over 20 years that were '[...] centred on a vision of a new relationship, founded on the recognition of Aboriginal peoples as self-governing nations with a unique place in Canada' (Hurley & Wherrett, 1999). The 1998 response *Gathering Strength: Canada's Aboriginal Action Plan* did not implement the majority of RCAP's

recommendations and '[t]he government's general approach to the RCAP report has been the subject of critical observations by national and international human rights bodies' (Hurley & Wherrett, 1999).

One success of RCAP is that its recommendation to create the TRC was eventually implemented (Hughes, 2012, p. 104). However, Hughes (2012) argues that the heavy reliance on Western lawyers and Western systems such as judicial inquiry in these processes means that '[...] both RCAP and the TRC are instances of the Canadian political and legal systems operating along mostly well-established routines, not instances of extraordinary efforts being brought to bear in response to problems perceived as falling entirely outside of state capacities' (Hughes, 2012, p. 104). Furthermore, she argues that the RCAP commissioners' insistence that the government take a holistic approach and implement all of the report's recommendations doomed it to fail (Hughes, 2012, p. 117). Given that Canada's current government has adopted such a holistic approach by promising to implement all of the TRC's Calls to Action, it is important to learn from the strengths and weaknesses of RCAP to ensure the successful implementation of these Calls to Action.

It is clear that there is a complex set of linguistic hierarchies at play that disadvantage Indigenous communities. These legislative and ideological hierarchies result in insufficient funding for Indigenous language maintenance and revitalization projects. For example, although BC passed the *First Peoples' Heritage, Language and Culture Act* in 1996 to provide leadership roles and public funds to Indigenous peoples in order to revitalize their cultures and languages, '[...] as of early 2006, the BC government has not provided secure funding for the foundation it created to implement the Act' (Ignace & Ignace, 2008, p. 431). Furthermore, the legislative hierarchies that place Indigenous languages beneath the two official languages translate into hierarchies of resource allocation. For instance, in 2005 the Canadian government proposed allocating \$160 million over ten years to be used in initiatives for all of the Indigenous languages of Canada. This is minimal funding compared to the \$751.3 million dollars total that is collectively held by eight provincial governments to promote the French language over only five years (Ignace & Ignace, 2008, p. 431). Another striking example of the unequal distribution of funding is that '[i]n Nunavut, French speakers receive \$3,902 per capita in funding for language services and programs, whereas Inuit receive \$44 per capita for similar programs and services' (Ignace & Ignace, 2008, p. 431). Finally, the Canadian government imposes Western goals and priorities on what little funding is granted for projects in Indigenous language education and literacy, in that '[...] it has been limited to market-driven, western-hegemonic projects, such as job-based literacy training or language teaching, that can demonstrate improved retention and higher grades relative to mainstream schooling for indigenous populations deemed "at risk" of not being integrated into the dominant labour market' (Haque & Patrick, 2015, p. 38).

These linguistic hierarchies and the corresponding lack of funds result in severe language loss along with social and economic disadvantages for

Indigenous peoples in Canada. Sixty percent of all the Indigenous languages of Canada are spoken in British Columbia, and all of these languages are critically endangered or approaching extinction (Franks & Gessner, 2013, p. 12). This has devastating effects for Indigenous communities because of the essential role of language in cultural heritage and identity (Ignace & Ignace, 2008, p. 417). Furthermore, there are significant gaps between official policies and reality which have negative effects on communities. For instance, although the *Northwest Territories Official Languages Act* (1984) declares the nine Indigenous languages of the territory as officially equal to French and English, the focus on the translation of resources and on access to services in the languages rather than on intergenerational transmission in the home has meant that this Act has not made significant progress in reversing language shift (Ignace & Ignace, 2008, p. 429). Finally, research shows that the education of Indigenous children in English-dominant schools can have harmful social, health, and economic effects including '[...]impoverished living conditions-with unemployment and with housing and health problems- and, partially through these conditions, alcoholism, suicide[...] and very serious mental harm: social dislocation; psychological, cognitive, linguistic, and educational harm, and [...] also economic, social and political marginalization' (Skutnabb-Kangas & Phillipson, 2010, p. 86). These social and economic disadvantages for Indigenous peoples manifest themselves in the Canadian context through '[...] substandard educational systems, underrepresentation of indigenous students and indigenous-identified faculty in higher education and the lower average salaries of indigenous people compared to white Canadians' (Haque & Patrick, 2015, p. 29).

Studies show that there is a strong connection between knowledge of one's Indigenous language and health and wellness. For example, Hallett et al (2007) find that in BC, 'those bands in which a majority of members reported a conversational knowledge of an Aboriginal language also experienced low to absent youth suicide rates' whereas in 'those bands in which less than half of the members reported conversational knowledge suicide rates were six times greater' (p. 398). Because of this connection, McIvor et al (2009) argue that 'culture, and therefore language, leads to stronger identities and wellness, language revitalization must also be considered in Aboriginal health research and health promotion initiatives' (p. 15). Furthermore, Thompson (2012) emphasizes that healing of historical collective trauma can occur through language as a connection to one's ancestors (p. 142). Finally, Oster et al (2014) urge policy makers and researchers to work towards increasing cultural continuity, including protecting Indigenous languages, in individual First Nations as a way to reduce type 2 diabetes rates in these communities (p. 10).

Language has also been acknowledged as an important source of Indigenous law where the legal principles 'may be so ingrained in the language of the [community] that [they] cannot be translated in an accurate or meaningful way into English' (Fletcher, 2006, pp. 21 & 28). For instance, the Mohawk language plays an important role in the court law of the Akwesasne court. B. Cole, G. Terrance, & K. Ransom indicate that there is a lot of work being done to

articulate Akwesasne legal values and principles in the language instead of using words for concepts of justice that have more aggressive colonial connotations (personal communication, January 16, 2017). Furthermore, Fletcher argues that language speakers are better placed to understand their community's Indigenous law, which suggests that language loss can also lead to losing connection to Indigenous legal principles and traditions. (Fletcher, 2006, pp. 4 & 28).

These grave injustices towards the Indigenous peoples of Canada, the negative social, cultural, economic, and health effects of language loss, the recent Calls to Action of the TRC, and the preparation of a constitutional challenge to recognize Indigenous language rights all point to the need for major policy reforms. In planning and implementing J. Trudeau's government's proposed *Indigenous Languages Act*, it will be crucial to incorporate local knowledges of Indigenous peoples and to consult and collaborate with Indigenous communities about their needs and goals. When formulating adjustments to language policies that aim to unsettle the linguistic hierarchies, it is important to seek out critiques from the perspective of colonized Indigenous communities and to acknowledge that Western knowledge is not neutral, but a dominant local knowledge because '[i]t is when we acknowledge the localness of each of our own knowledge that we have the proper humility to engage productively with other knowledge traditions' (Canagarajah, 2005, pp. 14 & 20).

In terms of practical considerations for planning policies for the Indigenous languages of Canada, it is important to develop practical methods and incentives to '[...] restore use of language in everyday communication as well as in culturally and ceremonially important functions' (Ignace & Ignace, 2008, p. 432). It would be beneficial to consider the important role of local educators for the success of language policies and to think about how multilingual education can facilitate discussions about oppression in order to work towards a more just future for all (Hornberger, 2008, p. 208). Towards this end, there is a need for more formal training and certification for Indigenous language instructors. It is also crucial that school boards establish and clarify their accountability to spending funds '[...] on language learning in a way that relates to what the community wants' (Blair & Laboucan, 2006, p. 212). Furthermore, support and collaboration of all levels of government is necessary at every stage of language and educational policy planning and implementation (Blair & Laboucan, 2006, p. 213). Throughout this involvement of outsiders to Indigenous communities, it is important to prevent linguistic theft, which is the appropriation of linguistic knowledge and intellectual property of Indigenous communities by dominant outsiders. This has been a serious problem for many communities who feel that their language has been exploited and who lack sufficient resources to deal with these violations (Ignace & Ignace, 2008, p. 433). Finally, '[...] it is important to find as many ways as possible to elevate the status of the language in the eyes of speakers, nonspeakers, and outsiders' which can be partly achieved through creating resources for literacy in the language (Blair & Laboucan, 2006, p. 209). Since '[p]lanning for a language's status as medium of education and developing its corpus for those uses go hand in hand' it would also be helpful to recognize

the connected steps of corpus planning and language policy planning (Blair & Laboucan, 2006, pp. 212-213 & Hornberger, 2008, p. 203).

Although it is outside the scope of this paper to examine the contexts of different Indigenous language groups in detail, in actual policy planning it is necessary to avoid overgeneralizing by placing all the Indigenous communities and languages of Canada into one pan-Indigenous group.

### **3 Consequences for policy**

It is clear that there are linguistic hierarchies entrenched in Canada's language policies which have detrimental effects on French language speakers, non-majority settler groups, and the Indigenous peoples of Canada. The inequities between Canada's language groups are issues of rights that, in the case of French and Indigenous languages, the federal government has made national and international commitments to protect. The remainder of this paper will discuss considerations that could be helpful for policy makers to keep in mind when drafting solutions such as the *Indigenous Languages Act*. This includes a discussion of language rights and linguistic human rights as they relate to Canada's national and international commitments and some more general practical considerations for language policy planning.

#### **3.1 Language rights and linguistic human rights**

Despite the significant connection between language rights, political debates, and political theory, there is insufficient research surrounding '[...] the issue of language rights from the perspective of normative political theory' (Patten & Kymlicka, 2003, p. 1). Research from this perspective would involve investigating how language rights claims connect with principles like freedom or equality within a political theory such as liberalism, feminism, or postmodernism. Political theorists have formulated normative theories that examine rights claims for diversity issues of race, Indigenous peoples, immigration, nationalism and religion, but not linguistic diversity (Patten & Kymlicka, 2003, p. 1). This is surprising due to the following three relationships between language rights, language policies, political debates, and political theory. Firstly, language policy has practical consequences for language rights. Language policy affects: internal usage in public institutions, public services provided, communication in courts and legislatures, media of instruction and subjects of public education, private language usage, immigration, and official declarations (Kymlicka & Patten, 2003, pp. 16-26). Secondly, political theory impacts language policy which then determines language rights. For instance, political theories surrounding citizenship, nationhood, multiculturalism, and deliberative democracy rely upon assumptions about which languages are spoken by whom and necessarily have consequences for language policy and language rights (Patten & Kymlicka, 2003, p. 16). Thirdly, language is inextricably linked to many key political debates of our time, including how to deal with transition to democracy, regional minority



nationalism, immigrant integration, transnational democracy, biodiversity, and multicultural models of citizenship (Patten & Kymlicka, 2003, pp. 3-16). Because of the ties between language rights, political theory, and political debates, and because language policies have practical implications for how language rights are implemented, Kymlicka and Patten (2003) argue that language policies should be informed by a normative theory of language rights (p. 36). This means that language policies should be based on an understanding of language rights and that these policies and rights together can facilitate decisions regarding conflict resolution within current political debates. This approach is particularly important in Canada, where the linguistic hierarchies entrenched in language policies do not grant equal rights of access, use, and protection to all languages, which results in severe inequities and political tensions between groups.

Linguistic human rights (LHRs) provide a particular conception of language rights which emphasizes the social and political causes of language loss to justify official protection and support of non-dominant languages (May, 2012, p. 8). Skutnabb-Kangas and Phillipson (1995) argue that “[l]inguistic rights should be considered basic human rights” but, that only speakers of a dominant language enjoy all of the fundamental LHRs (p. 1). The authors define LHRs as including “the right to learn the mother tongue, including at least basic education through the medium of the mother tongue” and collective “guarantees of representation in the political affairs of the state” (p. 2). They argue that protecting LHRs is particularly important because depriving people of LHRs can prevent them from enjoying other human rights such as the right to a fair trial and access to education (p. 2).

Grin (2005) claims that an argument for promoting language policies that support linguistic diversity based on LHRs is not strong enough on its own, because it relies solely on moral considerations (p. 448). He suggests using the tool of language policy evaluation which views language policy as a type of diversity management with the goal of increasing welfare. Grin (2005) explains that “[t]he chief purpose of evaluating language policies as a form of public policy is to contribute to democratic political debate by clarifying language policy options [...]’ (p. 450). He argues that a language policy evaluation perspective successfully counters doubts surrounding feasibility of language revitalization, appropriate allocation of limited resources, and distributive fairness, and therefore provides the strongest justification for protecting language diversity (p. 457). Similarly, Patten and Kymlicka (2003) use the strong connection between language and important current political debates to argue for a normative theory of language rights that includes ‘[...] standards for evaluating the decision about which languages to privilege in which contexts’ (p. 36).

When formulating language policies in the Canadian context of complex linguistic hierarchies, it is important to consider factors to help decide which languages to privilege in which contexts. In order to do so, it is necessary to understand the context of connectedness within these hierarchies. Furthermore, it is crucial to constantly evaluate such language policies in order to be transparent

about their implications and to ensure that the current linguistic hierarchies do not remain entrenched.

### 3.2 International and national commitments and constitutional issues

As is well known, the *Indigenous Languages Act* was proposed in response to the TRC's Calls to Action. It is therefore obvious that the Act should implement the goals set out in the language and culture section as part of the federal government's commitment to implementing the Calls to Action. However, it would also be useful for policy makers to address the concerns and values of other international and national commitments in order to draft an effective and meaningful solution to the problems related to Indigenous language loss.

Firstly, in 2007 the United Nations General Assembly adopted the UN Declaration on the Rights of Indigenous People (UNDRIP) articulating the fundamental rights of Indigenous peoples. Three of this Declaration's articles address Indigenous language rights. Article 13 stipulates for the right of Indigenous peoples to revitalize their languages and to understand and be understood in legal and administrative proceedings; Article 14 establishes the right to manage their own educational systems and to teach and learn in their own languages; and Article 16 provides for the right to produce their own media in their own languages (United Nations). Canada officially endorsed UNDRIP in 2010, therefore these three articles should inform the policy decisions made in drafting the proposed *Indigenous Languages Act* (Franks & Gessner, 2013, p. 86).

Secondly, policy makers would benefit from taking into consideration the Assembly of First Nations National First Nations Language Strategy which was developed in 2007. This document outlines a twenty year vision for the revitalization of First Nations languages in Canada, including the implementation of a First Nations Languages Act. In drafting the proposed *Indigenous Languages Act*, policy makers could use the five goals of this strategy as useful guiding principles. These goals are the following:

1. Increase the number of First Nations people who speak their language by increasing the opportunities to learn their language.
2. Increase the opportunities to use First Nations languages by increasing the number of circumstances and situations where First Nations languages can be used.
3. Improve the proficiency levels of First Nations citizens in speaking, listening to, reading and writing First Nations languages.
4. Increase the rate of which First Nations languages can be enhanced, revitalized and developed so that they can be used in the full range of modern activities.
5. Foster among First Nations and Non-First Nations a positive attitude towards, and accurate beliefs and positive values about First Nations

languages so that multi-lingualism becomes a valued part of Canadian society. (Assembly of First Nations, 2007, p. 9).

Finally, it would be useful for policy makers to consider the constitutional challenge being prepared by Fontaine and Leitch which suggests that Indigenous language rights should be entrenched in section 35 of the *Constitution Act 1982*. When interviewed by CBC about his work with Dr. Fontaine, Leitch explained: ‘aboriginal languages should be awarded "similar consideration" to French and English, which [...] tend to dominate talk about language rights in Canada. He would rather not have to take the case to court, and hopes the government will instead address the issue as it follows up on the recommendations of the Truth and Reconciliation Commission.’ He and Fontaine argue that s. 35 guarantees ‘a right to keep cultural ties like language alive’ and that the government is therefore obligated to provide schooling in Indigenous languages. Leitch believes this is an issue of equality, which he expresses by saying ‘I want peace in my own country. I don't want to feel like 350 years later, the people who were here first, their languages, their culture, their traditions are trampled upon.’ (Brown, 2007).

### **3.3 Practical considerations for language policy planning and implementation**

It has been demonstrated that Canada’s current language policies are subject to linguistic hierarchies resulting in language loss and social and economic disadvantages for Francophones, non-majority settler groups, and Indigenous peoples. In order to address these issues by adjusting the current legislation and creating new language policies such as the *Indigenous Languages Act*, the following practical considerations will be relevant and useful.

Firstly, it will be necessary to acknowledge the difficulty in defining membership in linguistic groups due to the potential inaccuracy of census self-reporting and due to the complex relations between ethnicity and language (Christofides & Swidinsky, 2010, p. 140). May (2011) argues that since not all individuals of an ethnic group that is associated with a particular language actually speak that language and since in many cases the same language is spoken by many different ethnic groups, ‘[d]etermining that an individual belongs to a particular linguistic minority is thus not an issue of establishing some type of legal or political category, it is principally an objective determination based on some concrete link between an individual and a linguistic community’ (p. 272).

Secondly, the interdisciplinary nature of language rights means that an interdisciplinary approach is needed in order to plan and implement policies which address the aforementioned inequalities. For example, Skutnabb-Kangas and Phillipson (2010) demonstrate that economic globalization leads toward linguistic homogenization and glocalization (in other words, ‘[t]he practice of conducting business according to both local and global considerations’, Oxford

English Dictionary). They argue that '[l]inguistic glocalization needs to be discussed in a politico-economic framework which relates the hierarchization of languages to global and local power relations' (p. 81). Similarly, Kontra et al (1999) highlight the connections between language, education, linguistics, and international trade (pp. 15-16). They claim that the intersection of these different disciplines necessitates the multidisciplinary clarification of terms in order for '[...] sociolinguists, human rights lawyers, and politicians...to understand linguistic human rights in similar ways' (Kontra et al., 1999, pp. 2-3). This includes the need to question the supposed universality of concepts (such as mother tongue) and of the prioritization of different kinds of rights over others (such as the valuing of individual rights over collective rights). This process of questioning is necessary because '[t]here may be Euro-centricity and Western-centricity in how language rights are conceptualized, and this need not be a blessing' (Kontra et al., 1999, p. 2). The need to clarify which worldview(s) influence the conceptualizing of language rights is particularly relevant to the Canadian context where colonial hierarchies in legal instruments have dictated Indigenous language rights for many years without appropriate consultation with the communities.

Thirdly, it is important to consider the economic feasibility of enacting various language policies in Canada and the economic justifications for doing so. Grin (2005) proposes that it is possible to estimate the '[...] net social value of different linguistic environments... by importing methods from environmental economics' (p. 454). Using this approach, he provides examples of costs for different language policies in the Basque country, Guatemala, Quebec, and the European Union to demonstrate that when broken down by cost per resident, language policies tend to be much less expensive than is popularly believed (Grin, 2005, p. 454). For example, 'the total cost of the far-reaching *Charter of the French language* in Quebec [...] ranges [...] from 0.28 percent to 0.48 percent of provincial GDP- that is, less than half a percentage point' and 'even the supposedly horrendous cost, to the European Union, of having 11 official languages, amounted to 0.8 percent of the EU's budget, or 1.82 Euros per resident and per year' (Grin, 2005, p. 454). Although more detailed economic research will need to be conducted on the Canadian context, by this logic, the adjustment of current language policies in Canada and the implementation of new ones should be economically feasible.

Furthermore, it is important to acknowledge that many justifications for implementing effective language policies for linguistic minorities are rooted in economic terms rather than solely in moral arguments. For example, the economic effects of the connection between language and health and wellness have not been studied and would be useful to explore. In addition, Skutnabb-Kangas and Phillipson (2010) argue that language rights are categorized as non-market values, which are therefore protected less than market values in international law (p. 89). This results in a state obligation to interfere based on economic principles regarding market failures (Grin & Vaillancourt, 2000, p. 104, Skutnabb-Kangas & Phillipson, 2010, p. 90). Without such cases of state

support, the imposition of dominant languages causes disadvantages in monetary, social, and temporal terms for minority speakers, as demonstrated for non-majority language groups in Canada. Similarly, liberal political theory provides a convincing justification for implementing effective language policies because '[...] it is difficult to see what would justify the marginalization of most of the world's small languages for the benefit of the larger languages and the native speakers of the latter' (Grin, 2005, p. 455). Furthermore, Grin and Vaillancourt (2000) argue that when deciding how much to spend on a language policy, normally '[...] the amount of services should be equal to what can be financed from the taxes paid by the group for these services' but that this rule of user-pay does not apply for linguistic minorities in socioeconomically underprivileged situations and/or '[...] when the imperilled position of the minority language is the result of [...] oppression -usually at the hand of the holders of power in the majority community' (p. 107). This fits the context of oppression of Indigenous communities and the socioeconomic disadvantage faced by Francophones, non-majority settler groups, and Indigenous peoples in Canada. Lastly, multilingualism has economic benefits and social market values including increased job opportunities, enhanced creativity, and more efficient cross-cultural communication (Skutnabb-Kangas & Phillipson, 2010, pp. 91-92). Therefore, in planning language policies '[b]oth market and non-market values...have to be considered...because languages are both economic and cultural goods' (Skutnabb-Kangas & Phillipson, 2010, p. 93).

Finally, at every stage of language policy planning and implementation in Canada, it is crucial to consider the importance of ongoing evaluation. Blair and Laboucan (2006) emphasize this need by stating that '[e]stablished policies need to be revisited and rethought' as the situation of a particular language changes (p. 209). Furthermore, policy evaluation is necessary from a political theory perspective. Patten and Kymlicka (2003) argue that formulating a normative theory of language rights that evaluates what kind of language rights should be granted to which language groups addresses '[...] the fact that language policies inevitably involve privileging a limited set of languages' in a way that the approaches of benign neglect or Linguistic Human Rights cannot' (Patten & Kymlicka, 2003, p. 36). Significantly, language policy evaluation democratizes the policy planning and implementation process by clarifying the efficiency of different policy options and by identifying who benefits from these policies and how (Grin, 2005, p. 450). Lastly, establishing province-wide committees to share input is crucial to the effective and appropriate implementation of language policies (Blair and Laboucan, 2006, p. 212). When planning policy for Indigenous languages, these committees must be largely composed of community representatives. It is essential to follow traditional protocols and to collaborate with Elders in order to understand community goals and concerns and to listen to and incorporate their suggestions (Blair & Laboucan, 2006, p. 211).

#### 4 Conclusion

In conclusion, this paper has demonstrated that there are deeply rooted linguistic hierarchies in Canada that result in language loss and social and economic disadvantages for Francophones, non-majority settler groups, and Indigenous peoples in relation to the dominant Anglophone majority settler population. It is important to note that the *Bilingualism and Biculturalism Commission*, which first entrenched these hierarchies in legislation, was originally initiated with the goal of restoring Canadian national unity in the face of the Quebecois nationalist movement (Haque & Patrick, 2010, p. 30). This shows the crucial interdependence of the futures of all the languages in Canada. In this extreme case, efforts to appease one linguistic minority were conducted in a way that produced a hierarchy that continues to severely disadvantage other non-dominant groups in the country. Furthermore, although the commission's projects such as the *Official Languages Act* (1969) were meant to grant English and French equal status in Canada, the language loss commonly experienced by Francophones outside of Quebec and the economic disparity between Anglophones and Francophones in Canada reflects a huge gap between policy and reality. This suggests that the colonial narrative of Canada's 'two founding nations' that excludes Indigenous peoples as the first inhabitants of the land and that has included years of oppression of Indigenous communities leading to language loss, also fails to grant equal status to the two groups it apparently tries to privilege. Therefore, the linguistic hierarchies in Canada officially privilege English and French over Indigenous and non-majority settler languages and cultures, but practically privilege English only. A similar gap has been revealed between Canada's *Multiculturalism Act* (1988) which was meant to recognize the contribution of 'other ethnic groups' to Canadian life through '[...]the enrichment that results from the meeting of a number of languages and cultures' and the language loss and economic disadvantages experienced by Canada's non-majority settler groups (Haque, 2010, pp. 281-282). This second large gap between policy and reality further demonstrates that in addition to causing severe inequities between groups, Canada's language policies also do not accomplish their official goals of harmonious bilingualism and multiculturalism.

Based on these findings, it becomes clear that in planning legislation to satisfy the TRC's 94 Calls to Action, it would be helpful to consider the relations between Indigenous languages and the other non-dominant languages of Canada and to decolonize and break down the linguistic hierarchies in place in order to prevent further gaps between policy and reality. This will allow us to work towards a more just co-existence for the different groups in the country. In so doing, it is important to question why these hierarchies have been naturalized. Referring to the similarities between RCAP and the TRC, Hughes (2012) argues that '[t]racing the footsteps of where we have been before will not substitute for the creativity and audaciousness that will be required to engage settler society in the process of the TRC, nor for the ingenuity and solid public-policy expertise required to draw the focus government to develop political will' (p. 126). This

means that continued dependence on Western legal systems that are connected to Canada's colonial image of two 'founding nations' will not create the necessary systemic changes to implement the TRC's Calls to Action effectively. In order to have a deeper impact and to avoid repeating past injustices, understanding the context of the linguistic hierarchies in Canada's language policies in order to unsettle them is an important first step towards meaningful change.

The drafters of the recently announced *Indigenous Languages Act* would benefit from valuing language and language rights, respecting history, and learning from past policy shortcomings in order to unsettle these linguistic hierarchies. While this is simply a brief preliminary examination of the Canadian context, it is hoped that along with further research and collaboration with members of these groups, this perspective will help increase understanding of the interconnected contexts of these language groups and assist in the implementation of the goals of UNDRIP, the TRC, and the AFN National First Nations Language Strategy. I believe that implementing a policy evaluation approach would be an excellent way to adjust Canada's current legislation and to add new legislation to protect and promote the languages and cultures of Canada's Indigenous peoples, non-majority settler groups, and Francophone populations. It is absolutely essential to incorporate ongoing consultation with community members and to listen to the recommendations that they formulate. An interdisciplinary approach should be utilized and economic considerations should be taken into account. Not only would eliminating the linguistic hierarchies of Canada's language policies alleviate inequities between language groups, promotion of linguistic diversity would also provide advantages to Canada as a nation-state. For instance, 'multilingualism has social market value' in terms of recruitment in the global labour market and in terms of increasing creativity and innovation (Skutnabb-Kangas & Phillipson, 2010, p. 91). Therefore, language policy reforms to make Canada a multilingual and multicultural country could make it a more equitable and a more *prosperous* nation-state.

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