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INDIGENOUS LANGUAGES ACT

MASKWACIS POSITION PAPER

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Dedication

This paper is dedicated to all Maskwacis peoples, particularly awâsisak. The writers would like to honor and recognize all the Cree Language educators who have worked so hard to help promote, preserve and revitalize Nêhiyawêwin in the Maskwacis community.

Topic: Indigenous Language Act

Introduction

This position paper has been prepared by Maskwacis Cultural College (MCC) to be used as a basis for action in the area of the proposed Indigenous Language Act by the Federal Government of Canada. This paper is prepared on behalf of statements made by the Four Chiefs of Maskwacis: The Samson Cree Nation, The Ermineskin Cree Nation, The Louis Bull Tribe and The Montana Cree Nation. MCC is the designated site of the Early Engagement Session between the Federal Government and First Nations for the central Alberta region. MCC is located in the Maskwacis Cree territory therefore, the Four Chiefs of Maskwacis have determined that their stand on the Indigenous Languages Act should be heard by the Federal Government of Canada. This paper focuses on two aspects: the Maskwacis position and areas of concern on the discourse of Indigenous languages.

Background Information to the Early Engagement Session

1. Parliament of Canada, 1st & 2nd Reading, as of 2016-12-01

S-212 An Act for the advancement of the aboriginal languages of Canada and to recognize and respect aboriginal language rights.¹

2. Assembly of First Nations

Prime Minister Justin Trudeau announced the Indigenous Language Act to Assembly of First Nations on December 6, 2016.²

Maskwacis Position

The Maskwacis territory is part of Treaty Six; signed in 1876 at Fort Carlton and Fort Pitt, and is a fundamental part of the relationship between the First Nations and Canada. Education is a treaty right and is recognized and affirmed in section 35 of the Constitution Act, 1982. This right is reflected in the original spirit and intent of the treaties, and include language, traditions and culture. Maskwacis is the traditional territory of the Plains Cree and are home to four First Nations located in central Alberta: Samson Cree Nation, Ermineskin Cree Nation, Louis Bull Tribe and Montana First Nation.

¹ <http://www.parl.ca/LegisInfo/BillDetails.aspx?billId=8064056&Language=E&Mode=1>

² <http://www.afn.ca/policy-sectors/languages/>

The Four Chiefs of Maskwacìs have the inherent right to pass laws that govern their peoples. The Four Chiefs of Maskwacìs, namely Chief Vernon Saddleback, Chief Craig Mackinaw, Chief Irvin Bull, Chief Leonard Standing on the Road, have stated they do not agree with a consultation process on developing an Indigenous language legislation nor do they support the Federal Government of Canada's plan to legislate the language.

The Four Chiefs of Maskwacìs enacted their inherent authority to pass their own laws and on June 21, 2016, the Chiefs of Maskwacìs signed the Maskwacìs Nêhiyawêwin Declaration Act. Those Chiefs were Chief Kurt Buffalo of the Samson Cree Nation; Chief Randy Ermineskin of the Ermineskin Cree Nation; Chief Irvin Bull of the Louis Bull Tribe; and Chief Darrell Strongman of the Montana Cree Nation.

The Four Chiefs of Maskwacìs are committed to ensuring that the Federal Government of Canada acknowledge and honor the treaty relationships established by the Crown with the peoples of Maskwacìs. This commitment involves receiving the necessary resources and funding opportunities from the Federal Government of Canada to each of the Four Nations within Maskwacìs to ensure cultural continuity and Nêhiyawêwin as a sacred language is preserved, revitalized, and promoted.

Maskwacìs Nêhiyawêwin Declaration – June 21, 2016

The Maskwacìs community firmly believes in protecting, preserving, revitalizing and promoting Nêhiyawêwin. Maskwacìs honors their own Nêhiyawêwin Declaration, which is

Guided by the Sacred Teachings of Kohkominawak (our Grandmothers) and Kimosominawak (our Grandfathers), who tell us Nêhiyawewin is the language in which we communicate with Kise Manito; that Nêhiyawêwin is a Sacred language spoken in the Spirit world.”³

In addition, Maskwacìs

Adopted the United Nation Declaration on the Rights of Indigenous Peoples by Resolution wherein Articles 13-14 affirms:

13.1 Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

14.1 Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.

³ Maskwacìs Nêhiyawewin Declaration, June 2016

14.3 States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

As Maskwacìs people we have an inherent right to determine our own destiny and advancing Nêhiyawêwin is the responsibility of the Maskwacìs people in order to honor the sacredness of Nêhiyawêwin. The Treaties reinforce our language rights. We cannot risk these rights to be further legislated by the Federal Government of Canada.

Nêhiyawêwin cannot be advanced and regulated in the same way as the official languages act for French and English in Canada. We have declared, “Recognizing Nêhiyawêwin has always been our official language, both orally as well as our Indigenous traditional syllabic form, given to our peoples by Kise Manito and is an imprint on the Universe.” Nêhiyawêwin brings up history, a set of principles, stories, ways of being and knowing in the world that are critical to the health and wellbeing of the peoples of Maskwacìs. Nêhiyawêwin is the official language of Maskwacìs of the Treaty No. 6 territory.

Maskwacìs acknowledges the principles outlined in Call 14 in the Truth and Reconciliation Commission’s Calls to Action:

- i. Aboriginal languages are a fundamental and valued element of Canadian culture and society, and there is an urgency to preserve them.
- ii. Aboriginal language rights are reinforced by the Treaties.
- iii. The federal government has a responsibility to provide sufficient funds for Aboriginal-language revitalization and preservation.
- iv. The preservation, revitalization, and strengthening of Aboriginal languages and cultures are best managed by Aboriginal people and communities.
- v. Funding for Aboriginal language initiatives must reflect the diversity of Aboriginal languages.

Areas of Concern on the Discourse of Indigenous Languages

Nation to Nation Perspective

It is important to acknowledge Prime Minister, Justin Trudeau’s attempt towards a “true nation-to-nation dialogue and relationship” with Indigenous peoples, in particular towards enacting an Indigenous Languages Act to protect and promote the languages.⁴ However, there have been attempts to address the multiple issues and challenges facing Indigenous peoples and those efforts have for the most part been ineffective. There are

⁴ <https://pm.gc.ca/eng/news/2016/12/06/prime-minister-justin-trudeaus-speech-assembly-first-nations-special-chiefs-assembly>

many historical examples to draw upon, however, one prime example is the Indian Control of Indian Education (1972). The federal government accepted this document, yet almost 46 years have passed and there are still disproportionately higher departure rates and lower graduation rates in the province for First Nations students. Many policy initiatives over the years have focused attempts towards improving First Nations, Metis and Inuit learners' success. For example, exploring only the province of Alberta, guiding documents used include: the First Nations, Metis and Inuit Policy Framework (2002). Although dated, this document continues to offer guidance to the ministry although much has advanced on the educational landscape. More recent guiding documents include *Alberta's Expression of Reconciliation* and the *United Nations Declaration on the Rights of Indigenous Peoples*. In 2010 the Memorandum of Understanding (MOU) for First Nations Education was signed by the Assembly of Treaty Chiefs in Alberta, the Government of Alberta and the Government of Canada, which supports collaboration on a variety of education priorities and issues. The agreement is in force for 10 years.⁵ The main point being, the federal government continues to be the main driver.

There is momentum around a “nation-to-nation dialogue and relationship” with Indigenous people. Staying abreast of what this actually means and how this is shifting around the Canadian landscape is key. An interesting point of reference is the Government of Canada has signed the largest self-government agreement in Canada with the Anishnabek Nation in Ontario in order for them to gain control of their own education system. Exploring how this implicates engagement of Indigenous education in Ontario is important to pay attention to moving forward.⁶

Understanding the implications of imperialistic legislations, policies, and understanding the ways that legislated identities have been constructed for Aboriginal people in Canada are important. The processes and methods can potentially be replicated as it relates to Indigenous languages therefore, we cannot be part of the discourse of replicating colonial classifications and regulations in this form.

Legislated Identities

“Because identities are embedded in systems of power based on race, class, and gender, identity is a highly political issue, with ramifications for how contemporary and historical collective experiences are understood. Identity, in a sense, is about ways of looking at people, about how history is interpreted and negotiated, and about who has the authority to determine a group's identity or authenticity (Clifford 1988, 289, 8). For Native people, individual identity is always being negotiated *in relation to* collective identity, and *in the face of* an external, colonizing society. Bodies of law defining and controlling “Indian-

⁵ <https://education.alberta.ca/first-nations-métis-and-inuit-education/guiding-documents-agreements-resources/everyone/guiding-documents-agreements-resources/>

⁶ https://www.canada.ca/en/indigenous-northern-affairs/news/2017/12/anishnabek_nationeducationagreement.html

ness” have for years distorted and disrupted older Indigenous ways of identifying the self in relation not only to collective identity but also to the land” (p. 4).

Indigenous identity is often theorized as something that can be negotiated and evolved rather than as an “authentic essence” as explained by Lawrence (2003). “The blurring and shifting of cultural boundaries that can occur in white-dominated contexts when Native-ness is theorized not as an authentic essence but as something negotiated and continuously evolving can have dangerous repercussions for Native people in terms of asserting Aboriginal rights” (p. 22).

“In both Canada and the United States, Native identity has for generations been legally defined by legislation based on colonialist assumptions about race, native-ness, and civilization, which are deeply rooted in European modernity... Indigenous sovereignty, then, must involve the different nations recreating a future truer to their pasts than the intervening colonial frameworks” (Lawrence, 2003, p. 24). Indigenous peoples in Canada are heavily legislated and this complex issue of identity has many challenging implications that will take generations to resolve.

Media’s impact on the discourse of Indigenous Languages

In reading the following from CBC News North (June 19, 2017):

Canada doesn't have a federal Indigenous languages act, and this would be the first step toward creating measures for their protection and promotion. The development of a languages law was initially announced in Prime Minister Justin Trudeau's 2015 mandate letter to the heritage minister.⁷

It is important to pay attention to Media’s impact on the discourse of Indigenous Languages. According to Anderson and Robertson (2011), “An examination of press content in Canada since the sale of Rupert’s Land in 1869 through to 2009 illustrates that, with respect to Aboriginal peoples, the colonial imaginary has thrived, even dominated, and continues to do so in mainstream English-language newspapers. Further, the press has never been non-partisan or strictly objective in Canada. A wealth of studies, and observations from daily life, readily demonstrate this” (p. 3).

Rhetoric like “*Indians get every for free*” is present in Canadian consciousness that the Canadian media has helped to implant. It has not be made explicit in the media that federal bureaucratic structures take funds away from Indigenous communities; this is what will happen in the case of legislating Indigenous languages. Instead of building a bureaucracy around legislating Indigenous Languages where the majority of funds will not go to serving Indigenous Nations, there must be second thoughts about how the federal government can help to reduce the negativity that the media promotes against its’ Indigenous peoples in Canada. It is important to identify the role that media plays in the continued promotion of negative, failed and poor relationships between Indigenous and

⁷ <http://www.cbc.ca/news/canada/north/indigenous-language-inuktitut-natan-obed-1.4168017>

non-Indigenous Peoples in Canada. The media's negative impacts will affect Indigenous language revitalization efforts made in Indigenous communities within Canada if the federal government continues to ignore this issue.

Evaluation and Assessment Measures

It is stated above that an Indigenous languages act “would be the first step toward creating **measures** for their protection and promotion.” This brings forward a multitude of concerns associated with evaluation and assessment measures. In a study done for the Maskwacis Cultural Board of Directors titled *Nêhiyaw Pimatisiwin: Indigenous Life & Values* (2015), the nature of adult literacy in the Maskwacis community was investigated. The following was noted:

Current assessments are oriented toward measuring learning deficits, they fail to take into account social, economic, and political realities, lifelong learning is not observed, and no available data measures work-related learning. In other words, current approaches to assessment focus on measuring the intellectual aspect of the individual, as observed through standardized testing rather than an integration of the emotional, physical, and spiritual aspects of the person. ...the current assessment also does not take into account the “acquisition of aboriginal knowledge, including the traditional, spiritual, and ecological” (p.11). (p. 40)

Once again, Indigenous knowledge remains absent from evaluation measures and in order to address this matter, Indigenous languages must be brought to the forefront of the discussion. This is a very complex matter that requires more research. There is little to no support being supplied from the federal government to Indigenous communities in developing the necessary methods to determine best practices, not only for evaluation and assessment measures, but to the entire scope of language revitalization efforts in Indigenous communities. Indigenous communities, particularly the forefront workers like Indigenous Language educators, are left to grapple with this huge task on their own. This needs to change.

Summary

There is momentum around creating a new relationship with Indigenous peoples and this calls to reimagine the future together. Nêhiyawêwin remains at the heart of Maskwacis and is sacred to understanding our epistemology. Therefore this should remain at the heart of the government's “true nation-to-nation” relationship with Maskwacis in their fiduciary role and responsibility in preserving, revitalizing, and promoting the language. A future together is to honor and uphold the spirit and intent of the treaties with the people of Maskwacis. Maskwacis peoples would be best served if funding flows to each First Nations to promote, preserve & revitalize the language within the community because Nêhiyawêwin is our language.

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