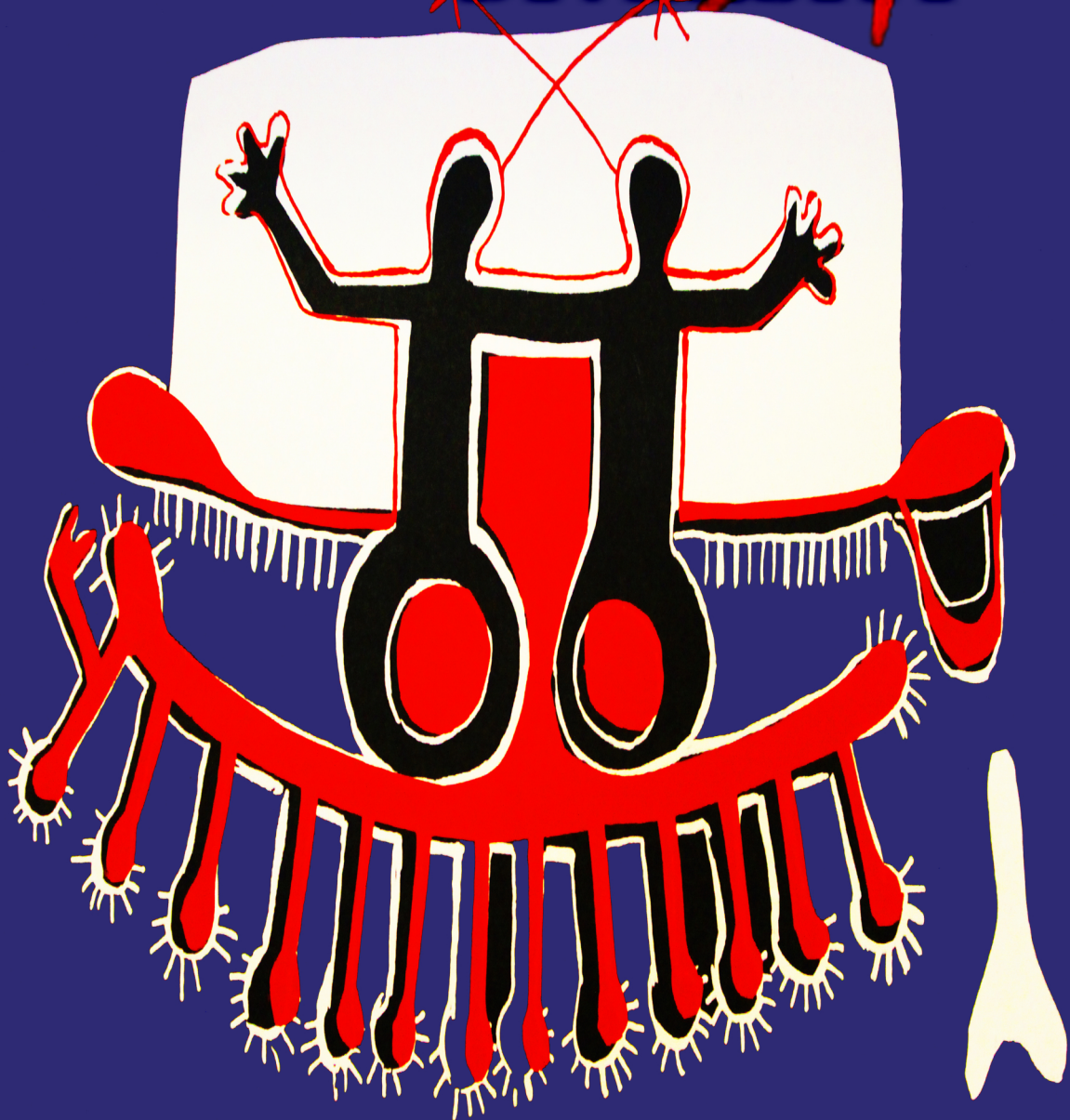


# LANGUAGE RIGHTS AND CULTURAL DIVERSITY



Edited by Xabier Irujo and Viola Miglio

## 9

# Giving Language Rights Meaning Revitalizing Basque, Navajo, and Other Indigenous Languages and Cultures

*Jon Reyhner*

The Basques are the indigenous people of Europe, with a language and culture dating back tens of thousands of years to the Upper Paleolithic Era before the arrival of the Indo-European languages that later spread across the continent. As indigenous people they share many characteristics with other indigenous peoples worldwide. First and foremost they have managed to survive with a distinct culture despite their lands being overrun by Roman, Arabic, Spanish, and French armies. They have held on to their unique language and culture despite repeated government efforts at repression, especially in the schools educating their children. As that repression has lessened in recent years they have been faced with the onslaught of the forces of globalization and popular media, especially movies and television, in the “world languages” of Spanish, English, and French. English is not just a worldwide language of commerce and diplomacy, it is as Basque writer Iran Zaluda notes, “the only language that allows any literature to be known worldwide: it is the passport to The World Republic (that is to say market) of Letters.”<sup>1</sup>

In an increasingly urban, globalized, and capitalist world that favors economic utility, geographically restricted minority languages and cultures are often seen as rural, backward, and of little use. But this modern world is also increasingly one of the

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1. Zaldua, “Eight Crucial Decisions,” 100.

lonely crowd and bowling alone<sup>2</sup> where supportive belief systems and social networks that serve key human needs are being lost. Extended families give way to modern nuclear families and age-specific peer groups replace cross-age groupings that allow the transmission of traditional time-tested values across generations. When an Ojibwe<sup>3</sup> high school student on the Red Lake Reservation in Minnesota shot and killed a teacher and seven students in 2005, Navajo Nation president Joe Shirley emphasized how the breakdown of long-established cultures helped make such a tragedy possible:

I believe these kinds of incidents are evidence of natives losing their cultural and traditional ways that have sustained us as a people for centuries. . . .

Even on the big Navajo Nation, we, as a people, are not immune to losing sight of our values and ways. Each day we see evidence of the chipping away of Navajo culture, language and traditions by so many outside forces.

Because we are losing our values as a people, it behooves native nations and governments that still have their ceremonies, their traditions and their medicine people, to do all they can to hang onto those precious pieces of culture. That is what will allow us to be true sovereign native nations. This is what will allow our people to stand on our own. The way to deal with problems like this one is contained in our teachings.<sup>4</sup>

Political conservatives usually want to promote traditional and family values, however they also in Spain, France, and the United States and elsewhere tend to follow a “one nation, one language” ideology that sees a single national language as unifying a nation despite a history of revolutionary and civil wars, as in the American, French, and Russian Revolutions and the English, American, and Spanish Civil Wars where many on both sides of these conflicts spoke the same languages and in contradiction to more stable multilingual countries like Switzerland. Languages, like flags, become superficial symbols of unity and replace the basic concepts that democracies are built on, including liberty and justice for all. This display of ethnocentric nationalism that tramples minority rights is shortsighted in our increasingly globalized world. In a world democracy, English, Spanish, and French speakers would certainly be calling for minority rights as their

2. See e.g., Riesman, Glazer and Denney, *The Lonely Crowd* and Putnam, *Bowling Alone*.

3. Also known as Ojibwa, Anishenabe or Chippewa.

4. Joe Shirley Jr. “Another Viewpoint,” 5.

concerns for their languages and cultures would be swamped by speakers of Chinese and Hindi. Democracies that do not protect minority rights can be as tyrannical as dictatorships.

### Language Repression

Responding to an antibilingual education “English for the Children” initiative, Proposition 203 on Arizona’s November 2000 ballot Navajo Nation president Kelsey Begaye declared in a press release that the “preservation of Navajo culture, tradition, and language . . . is the number one guiding principle of the Navajo Nation.”<sup>5</sup> He wrote,

The Navajo Way of Life is based on the Navajo language. By tradition, the history of our people and the stories of our people are handed down from one generation to the next through oral communication. Naturally, the true essence and meanings for many Navajo stories, traditions and customs cannot be fully transmitted, understood or communicated as told through non-Navajo languages.<sup>6</sup>

In four of Arizona’s fifteen counties a majority of voters were against Proposition 203, and three of those counties comprised large portions of the Navajo Nation, the largest Indian Nation in the United States in area and second largest, after the Cherokee, in population. Ironically, it was Spanish speaking immigrants from Latin American countries that were targeted by this law, and its negative effects on efforts to revitalize indigenous languages was just collateral damage. The fear and anger against the rising tide of Spanish-speaking immigrants to the United States threatening to make “white” Americans the new minority can be seen in books like Victor Davis Hanson’s *Mexifornia* where “Mexico has now invaded America” destroying the “inheritance from our hard-working and creative forefathers.”<sup>7</sup>

Linguicism (language prejudice) has a long history in countries around the world. In Spain it goes back to at least 1766 when the president of the Council of Castile prohibited printing books in any language other than Spanish and two years later King Charles III declared that “teaching will only be carried out in Spanish.”<sup>8</sup> Across the border in France, in the push for equality during the

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5. Begaye, “Guest Commentary,” 4.

6. *Ibid.*

7. Hanson, *Mexifornia*, 31 and 150.

8. As quoted in Ametzaga, “Introduction to a Political History of the Basque Language and Literature,” 42.



French Revolution, the Basque language was seen as retrograde and antirevolutionary. In the late nineteenth century, social Darwinist thinking mistakenly applied ideas about biological evolution, especially natural selection leading to the survival of the fittest, to the development of civilizations with American Indian, Basque, and other indigenous languages and cultures being seen as dying vestiges of a less civilized past. An example of this attitude can be seen Karen Stocker's 2005 study titled *I Won't Stay Indian, I'll Keep Studying*. Stocker found in Costa Rica a challenge shared by indigenous peoples worldwide where "the label *Indian* had connotations of backwardness and even inferior intellect. . . . Being Indian automatically set students up for being treated as inferior" and that "for most students from the [Indian] reservation, projecting an Indian identity seemed incompatible with school success."<sup>9</sup> Indigenous peoples are often faced with a false dichotomy where they are told they must choose the modern world and the national language or remain "savage" or at least "backward" less educated second-class citizens.

To speed the development of supposedly backward, savage people, their children were taught the national language of their country and punished for speaking their Indigenous language. Punishment for speaking Basque in schools in the late nineteenth and early twentieth centuries included the "iron ring," comparable to the "Welsh Knot" used in Wales, to punish students for speaking Welsh. One Basque student recalled, "when I was young I had to wear in several occasions the iron ring, that in this case had thorns in order to cause a wound in the finger. This way I learned Spanish. The student who took the ring could not play with the others and rambled alone by the schoolyard, far from all, since the only way to take off the ring was to accuse to another boy of having spoken in Basque."<sup>10</sup> At the end of the week the student with the Welsh Knot or the iron ring would receive corporal punishment. These efforts at minority language suppression can lead to resistance. Basque author Bernardo Atxaga writes about being punished in school for speaking Basque, as have many American Indians and other indigenous peoples, but instead of abandoning it, it became his household language.<sup>11</sup> A

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9. Stocker, *I Won't Stay Indian*, 2.

10. Ametzaga, "Introduction to a Political History of the Basque Language and Literature," 41.

11. Atxaga, "The Cork and the Anchor."

countervailing force to globalization is localization, the desire to be of a particular place and to know one's particular heritage. For Atxaga, writing in Basque is "an act of love, . . . commitment . . . autonomy, . . . an aesthetic act, and act of renovation and modernity."<sup>12</sup>

Parallel to the repression of minority languages and cultures in Spain under the dictator Francisco Franco was the post-World War II era in the United States when a conservative majority in the U.S. Congress began to eliminate American Indian reservations as a final act of forced assimilation. However repression can stimulate resistance. The Basque, like other indigenous peoples, have both resisted and accommodated the forces that intersected their lives from the ancient Romans to the modern Spanish and French. They largely adopted Catholicism and their language has incorporated foreign words, however its grammar has resisted change. Author Mark Kurlansky found for the Basque and other groups "political repression produces cultural revival."<sup>13</sup> Ironically, the relaxation of repression can have the opposite effect as Deborah House notes in her study, *Language Shift among the Navajos*.<sup>14</sup> No longer having to fight for cultural and linguistic survival people can relax and start letting it slip away as mass media and popular culture drowns out their Indigenous voices. Kurlansky writes, "The promotion of the Basque language remains the goal of most [Basque] nationalists,"<sup>15</sup> however, the effectiveness of that promotion beyond mere rhetoric can be in doubt for Indigenous peoples generally.

## Language Revitalization

Countering repressive efforts of national governments were various efforts at cultural revival. A Basque renaissance began with Floral Games in 1879 that included Basque literary competitions, games, folk singing, and oral poetry.<sup>16</sup> Private schools were set up to teach Basque but under Franco after the Spanish Civil War they were suppressed. However, the many refugees from that war elsewhere in Europe and in North and South America worked to keep their language alive outside of Spain. One effort was to

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12. Ibid., 86.

13. Kurlansky, *The Basque History of the World*, 158.

14. House, *Language Shift among the Navajos*.

15. Kurlansky, *The Basque History of the World*, 331.

16. Conversi, *The Basques, the Catalans and Spain*, 51.

translate the classics of world literature into Basque to show that it was “capable of expressing anything written in any human language.”<sup>17</sup>

To develop a written form that all Basque could read and understand some standardization was needed. The Basque dialects in the south and north of Basque country varied enough to cause difficulty understanding each other. To standardize the language for written purposes central dialects were used to make it the most understandable for those both in the south and north.<sup>18</sup> Creation of a Basque written corpus helped give it prestige against the rural backward stereotype that most Basque and other speakers of Indigenous languages suffer under.

After World War II, the human rights movement epitomized by the foundation of the United Nations in 1945 and calls for self-determination and minority civil rights led to a reversal of the termination policy in the 1960s in the United States and ushered in self-determination that facilitated the establishment of American Indian locally controlled schools starting with Rough Rock Demonstration School in 1966 and Navajo Community College in 1969 that sought to include Navajo language and culture as part of their curriculum. Lionel Bordeaux, President of Sinte Gleska (Tribal) College in South Dakota, noted that the founders of tribal colleges, “foresaw the need to preserve the Indian culture so cultural preservation is really the foundation of tribal colleges.”<sup>19</sup> In 2011 there were thirty-six small tribal/Indigenous colleges in the United States and one in Canada.<sup>20</sup>

In Spain, the post-Franco Spanish Constitution of 1978 in article 3.3 declared, “the richness of the different linguistic modalities of the Spanish state is a cultural heritage that will be the object of special respect and protection” and in 2007 a Council and an Office of Official Languages of the Ministry of Territorial Policy was created to give attention to linguistic rights. However University of Navarre professor Asier Barandiaran concludes, “its effectiveness has been nil.”<sup>21</sup> With more success, the Basque re-

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17. Ametzaga, “Introduction to a Political History of the Basque Language and Literature, 52.

18. *Ibid.*, 55.

19. Bordeaux, “Higher Education from the Tribal College Perspective,” 11–18.

20. See the American Indian Higher Education Consortium’s web page at [www.aihec.org/](http://www.aihec.org/).

21. Barandiaran, “Linguistic Policy and Controversies Relating to Basque in the Historic Community of Navarre (2000–2009),” 329.

gional government promotes Basque literature through a subsidy to the Basque Writers Association and prizes, but authors seeking wider readership are drawn to international languages, especially Spanish but also English.

In the United States when conservatives began pushing to making English the Official Language of the country in the 1980s, Indigenous peoples of the United States, led by Native Hawaiians who saw their recently established Hawaiian language immersion schools threatened, lobbied successfully to get a Native American Languages Act passed in 1990 that made it U.S. policy to “preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages.”<sup>22</sup> However, that policy has led to only few million dollars of funding for language revitalization projects. More funding was provided for American Indian programs by the Bilingual Education Act passed in 1968, which was mostly to support transitional bilingual programs to help Spanish-speaking students learn English. However in 2001 with the signing of the No Child Left Behind Act, the efforts of the government turned to promoting English language acquisition with no Native language support.

### **Globalization, Liberalism, and the Onslaught of Modernity**

Like the many other indigenous peoples who have moved off their traditional lands, often to cities to find jobs, the Basques have undergone a diaspora that has led them to the United States and other countries across the globe. They, like indigenous peoples worldwide, are survivors, having faced repression and even genocide off and on throughout their history. For the Basque, the death of Franco in 1975 accelerated the easing of three and a half decades of repression, leading in 1979 Basque Statue of Autonomy and a subsequent increase in the number of schools teaching Basque and in Basque. The 1982 Law for the Normalization of the Use of Euskara [Basque] led to new publishing houses for Basque writers, something most indigenous peoples can only hope for today. For Miren Agur Meabe, writing in a minority language shows “*pride in the language and respect for one’s neighbor*, pride and respect based on the principles of equality and solidarity, and not on assimilation.”<sup>23</sup> According to Iban Zaldua “There is no doubt that

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22. Title I, Sec. 104(1) of Public Law 101-477, October. 30, 1990, Native American Languages Act. Retrieved [www2.nau.edu/jar/SIL/NALAct.pdf](http://www2.nau.edu/jar/SIL/NALAct.pdf)

23. Meabe, “Five Reasons for Writing in the Language of the Neighborhood,”

the nationalist movement [since the 1950s] turned the Basque language into one of the main faces of contemporary Basque identity. . . . Race and religion, which had been the pillars of the first nationalist movement, were pushed into the background.”<sup>24</sup>

However the liberalization Spain has undergone since the Franco’s death that led to a Basque revival also has its downside. Mark Kurlansky notes in his *Basque History of the World*, today more than government repression it is television, movies, and other modern mass media that are threatening the Basque language, a sentiment echoed by American Indian elders. As Koldo Izagirre argues, “the triumph of liberalism may well end up harming Basque, because modern liberal thought places no special emphasis on a sentimental attachment to a minority language.”<sup>25</sup> Liberals tend to look at individual rather than group rights. The eminent sociolinguist Joshua Fishman notes that group rights need to be respected and to “view local cultures (all local cultures, not only their own) as things of beauty, as encapsulations of human values which deserve to be fostered and assisted (not merely ‘preserved’ in a mummified sense).”<sup>26</sup> He asserts,

The denial of cultural rights to minorities is as disruptive of the moral fabric of mainstream society as is the denial of civil rights. Civil rights, however, are focused on the individual, while cultural rights must focus on ethnocultural groups. Such groups have no recognized legal standing in many Western democracies where both establishment capitalist thought and anti-establishment Marxist thought prophesies the eclipse of culturally distinct formations and the arrival of a uniformized, all-inclusive “modern proletarian” culture.<sup>27</sup>

Fishman argues for the need to recognize “cultural democracy” and to see efforts to preserve and restore minority languages as societal reform efforts that lead to the appreciation of the beauty and distinctiveness of other cultures as well as one’s own. He emphasizes that efforts to restore minority languages should be “facilitating and enabling” rather than “compulsory and punitive.”

Language restoration efforts face a difficult path. Deborah House notes in her study *Language Shift among the Navajos* that

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24. Zaldúa, “Eight Crucial Decisions,” 94.

25. See Izagirre, *Incursions en Territorio Enemigo* as quoted in Landa, “Identity, Language, Creation.”

26. Fishman, *Reversing Language Shift*, 33.

27. *Ibid.*, 70.

Navajos, like other Indigenous peoples, “are faced with the dilemma of how to create an authentic yet viable Navajo identity in an irreversibly modern world.”<sup>28</sup> There is in fact a danger that Indigenous and other minority groups can in fact define themselves as the “white man’s shadow,” as opposite everything that the materialistic and individualistic Euro-American man is perceived as being.<sup>29</sup> They can also become repressive themselves if they gain power. A permanent Council to support the Basque language was established in 1995 and declared that it is “unacceptable for anybody to attack our language, the most fundamental element of the identity of the Basque Country and heritage we all share as citizens.”<sup>30</sup> Such a call can be seen as a suppression of free speech and dissenting points of view, which can lead discrimination against anyone who does not fall in line with language revitalization efforts. House, who took Navajo Studies classes and taught at the Navajo tribal college in the 1990s, found there:

non-Navajo students (Anglo, Hispanic, and others) were encouraged to disparage their own upbringing and cultural experiences. Furthermore, their language, literature, religion, family life, and ethnic identities are routinely, and at times painfully, denigrated and devalued by Navajo and non-Navajo instructors, administrators, and other students.<sup>31</sup>

House found that while much was spoken about the importance of revitalizing Navajo language and culture at Diné College, much less was actually being done. The ideal Navajo lifestyle that was promoted in some Diné College classes of “shepherding and growing a small garden, living in a hogan, and driving a team of horses” was not really viable for most Navajos, especially considering the great increase in Navajo population over the last century.<sup>32</sup>

## Healing the Wounds of Colonialism

Sally Midgette writes, “I have heard several Native Americans speak feeling about their sense of rootlessness and despair, and how they recovered when their grandmothers taught them to speak Tolowa, or Navajo, and they regained a sense of themselves

28. House, *Language Shift among the Navajos*, xxvii.

29. Ibid. See also Simard, “White Ghosts, Red Shadows,” 333–369.

30. Ametzaga, “Introduction to a Political History of the Basque Language and Literature,” 66.

31. House, *Language Shift Among the Navajos*, 38.

32. Ibid., 87.



and their heritage.”<sup>33</sup> Interviewing Navajo elders in their own language, Northern Arizona University professor of modern languages Evangeline Parsons Yazzie found, “Elder Navajos want to pass on their knowledge and wisdom to the younger generation. Originally, this was the older people’s responsibility. Today the younger generation does not know the language and is unable to accept the words of wisdom.”<sup>34</sup> She concluded, “The use of the native tongue is like therapy, specific native words express love and caring. Knowing the language presents one with a strong self-identity, a culture with which to identify, and a sense of wellness.”<sup>35</sup> A Navajo elder told her,

You are asking questions about the reasons that we are moving out of our language, I know the reason. The television is robbing our children of language. It is not only at school that there are teachings, teachings are around us and from us there are also teachings. Our children should not sit around the television. Those who are mothers and fathers should have held their children close to themselves and taught them well, then our grandchildren would have picked up our language.<sup>36</sup>

In a similar study a Navajo elder lamented,

television has ruined us. A long time ago, they used to say, don’t do anything negative or say anything negative in front of children. It doesn’t take that long for a child to catch onto things like this. Therefore a mother and a father shouldn’t use harsh words in front of the children. . . . These days . . . they see movies with people having sex in them and they’re watching. In these movies they shoot each other. . . . Movies are being watched every day, but there is nothing good in it.<sup>37</sup>

As indigenous children learn English or other “national” languages and cultures through the media and in schools, they increasingly become separated from their heritage, and some cannot speak to their grandparents. One of Yazzie’s informants told her, “Older people who speak only Navajo are alone.”<sup>38</sup> Many American Indians see language as the key to their identity, and they question whether one can be Cherokee, Navajo, Crow, Seminole, and so forth without speaking their tribal language.

33. Midgette, “The Native Languages of North America,” 39.

34. Yazzie, “A Study of Reasons for Navajo Language Attrition as Perceived by Navajo Speaking Parents,” 3.

35. *Ibid.*

36. *Ibid.*, 135.

37. McCauley, “*Our Songs Are Alive*,” 242.

38. Yazzie, “A Study of Reasons for Navajo Language Attrition as Perceived by Navajo Speaking Parents,” 4.

In the 1970s the all-Navajo Rock Point Community School Board concluded “that it was the breakdown of a working knowledge of Navajo kinship that caused much of what they perceived as inappropriate, un-Navajo, behavior; the way back, they felt was to teach students that system.”<sup>39</sup> Kinship through family and clans, for the Navajo and other tribes, establishes rules for interacting in a respectful manner. To counteract this breakdown the Rock Point School Board established a Navajo-English bilingual program in their school that emphasized Navajo Social Studies and the Navajo beliefs about kinship, The Rock Point bilingual program was modified and transported to the Window Rock Public School where it was found the Navajo immersion students showed more Navajo adult-like behavior than the Navajo students not in the immersion classes.<sup>40</sup>

Many American Indian leaders have expressed their support for their indigenous languages. At the 2005 annual meeting of the National Indian Education Association, Cecelia Fire Thunder, then president of the Oglala Sioux at Pine Ridge, testified, “I speak English well because I spoke Lakota well. . . . Our languages are value based. Everything I need to know is in our language.” She declared that language is more than communication: “It’s about bringing back our values and good things about how to treat each other.” Sisseton Wahpeton tribal college president William Harjo LoneFight declared, “When people spoke Dakota, they understood where they belonged in relation to other people, the natural world, and to the spiritual world. They truly knew how to treat one another.”<sup>41</sup> Northern Cheyenne educator Richard Littlebear found,

Our youth are apparently looking to urban gangs for those things that will give them a sense of identity, importance, and belongingness. It would be so nice if they would but look to our own tribal characteristics because we already have all the things that our youth are apparently looking for and finding in socially destructive gangs.<sup>42</sup>

He writes how,

If we could transfer the young people’s loyalty back to our own tribes and families, we could restore the frayed social

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39. Holm and Holm, “Rock Point,” 178.

40. Holm and Holm, “Navajo Language Education,” 141-167.

41. as quoted in Ambler, “Native Languages,” 8.

42. Littlebear, “Some Rare and Radical Ideas for Keeping Indigenous Languages Alive,” 4.

fabric of our reservations. We need to make our children see our languages and cultures as viable and just as valuable as anything they see on television, movies, or videos.<sup>43</sup>

A study of Hopi Indians in Arizona linked language loss to “un-Hopi” behavior by youth that included “substance abuse, gang membership, and domestic violence” and a decline in Hopi traditional values of hard work and humility.<sup>44</sup> A study of Hawaiian language immersion programs found that families “valued the program’s emphasis on Hawaiian culture as much as its focus on the language” because students learned respect and other values.<sup>45</sup>

### Language Revitalization and Academic Knowledge

There is a pervasive idea that time spent in school with indigenous languages will hold students back from learning the academic subjects that are critical for success in the modern world. However, evidence from indigenous language immersion schools from around the world indicate students who are taught in their indigenous language, even when they enter school not knowing it, are not held back. In fact in many cases teaching ethnic minority students in the national language, even when they only speak a dialect of it at home, have a history of substandard educational performance as is the case with the New Zealand Māori, Canadian and Australian Aboriginals, Native Hawaiian, Native Alaskans, and American Indian children.<sup>46</sup> As in the case of other studies of bilingual education, Jasone Cenoz, professor of research methods in education at the University of the Basque Country, finds,

International evaluations indicate that the [test] results of the BAC [Basque Autonomous Community], where the minority language is the most common language of instruction, are at least the same and even higher than in similar education contexts which are monolingual.<sup>47</sup>

43. *Ibid.*, 5.

44. Nicholas, “‘How Are You Hopi if You Can’t Speak It?’ An Ethnographic Study of Language as Cultural Practice Among Hopi Youth,” 58.

45. Luning and Yamauchi, “The Influences of Indigenous Heritage Language Education on Students and Families in a Hawaiian Language Immersion Program,” 46. For more examples of the effect of language revitalization on student behavior see Reyhner, “Indigenous Language Immersion Schools for Strong Indigenous Identities,” 138–152.

46. See e.g., Barrington, *Separate But Equal* and Reyhner and Eder, *American Indian Education*.

47. Cenoz, *Towards Multilingual Education*, 108.

She finds “bilingual education is compatible with successful academic development” and it is important to Basque as a language of instruction and not just teach it as a separate subject. These students taught in Basque can also achieve “a good command of Spanish.”<sup>48</sup> She concludes,

The maintenance and promotion of a minority language, Basque in this case, contributes to the maintenance of linguistic and cultural diversity. There are important ecological, historical, economic, cultural and emotional reasons to go on protecting and promoting Basque and giving Basque children the opportunity to learn and use Basque along with other languages in schools which aim at multilingualism and multiliteracy.<sup>49</sup>

It is clear that well-planned and implemented indigenous language revitalization programs can get children speaking their Native language without hurting their learning academic subject matter as well as national and world languages.

However, it is not enough just to teach children their indigenous language, they also need to be taught subjects in that language. Experience with Māori language revitalization indicates that seven years teaching in Māori starting in preschool will give students a command of their Native language that can survive their becoming fluent in the national language.<sup>50</sup> However, ironically, if language revitalization programs are successful in their ultimate goal that Joshua Fishman stresses of getting the language transmitted again in the family and students start coming to school again speaking their indigenous language, then waiting to fifth grade, as many Hawaiian immersion schools do to introduce the national language will most likely hold these students back from fully participating in the wider society. Effective language revitalization and bilingual education programs need to fit local situations, and no one model is adequate to address the needs of different communities.

### **Language Rights as a Basic Human Right**

The United Nation’s 1948 Universal Declaration of Human Rights declares in Article 26 that “Parents have a prior right to choose

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48. *Ibid.*

49. *Ibid.*, 239. See also Elorza and Muñoa, “Promoting the Minority Language Through Integrated Plurilingual Language Planning,” 85–101.

50. Hill and May, “Exploring Bilingual Literacy in Māori-Medium Education,” 161–183.

the kind of education that shall be given to their children.”<sup>51</sup> According to the U.S. State Department’s website:

The protection of fundamental human rights was a foundation stone in the establishment of the United States over 200 years ago. Since then, a central goal of U.S. foreign policy has been the promotion of respect for human rights, as embodied in the Universal Declaration of Human Rights. . . . Because the promotion of human rights is an important national interest, the United States seeks to:

- Hold governments accountable to their obligations under universal human rights norms and international human rights instruments;
- Promote greater respect for human rights, including freedom from torture, freedom of expression, press freedom, women’s rights, children’s rights, and the protection of minorities.<sup>52</sup>

In Article 29 of the UN’s Convention on the Rights of the Child entered into force in 1990, “States Parties agree that the education of the child shall be directed to. . . . The development of respect for the child’s parents, his or her own cultural identity, language and values” as well as “for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own.” Only Somalia and the United States have not ratified this Convention.<sup>53</sup>

Despite the lukewarm support of the United States, the UN continues to advance human rights efforts.<sup>54</sup> The UN declared 1993 the International Year of the World’s Indigenous People and then UN Secretary General Boutros Boutros-Ghali wrote in his foreword to the 1994 book *Voices of Indigenous Peoples: Native People Address the United Nations* that half the world’s languages stopped being spoken in the twentieth century and,

The modern world will therefore prove to have been a great destroyer of languages, traditions, and cultures. The latter are being drowned by the flood of mass communications.

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51. United Nations, “Universal Declaration of Human Rights, 1948.” Retrieved [www.un.org/en/documents/udhr/](http://www.un.org/en/documents/udhr/)

52. U.S. Department of State, “Human Rights.” Retrieved [www.state.gov/g/drl/hr/](http://www.state.gov/g/drl/hr/).

53. United Nations, *Convention on the Rights of the Child*, G.A. Res. 44/25, November 20, 1989, entry into force November 2, 1990, in accordance with Art. 49. Retrieved [www2.ohchr.org/english/law/crc.htm](http://www2.ohchr.org/english/law/crc.htm).

54. See Mertus, *The United Nations and Human Rights* and Mertus, *Bait and Switch*.

. . . Today, cultures which do not have powerful media are threatened with extinction. We must not stand idly by and watch that happen. . . . Allowing native languages, cultures, and different traditions to perish through “nonassistance to endangered cultures” must henceforth be considered a *basic violation of human rights*.<sup>55</sup>

On September 13, 2007 the United Nations adopted the Declaration on the Rights of Indigenous Peoples, which includes language rights. Only Australia, Canada, New Zealand and the United States voted against this declaration. However, since then all four of these countries have reversed their positions. On December 16, 2010, President Barack Obama declared,

And as you know, in April, we announced that we were re-viewing our position on the U.N. Declaration on the Rights of Indigenous Peoples. And today I can announce that the United States is lending its support to this declaration.

The aspirations it affirms—including the respect for the institutions and rich cultures of Native peoples—are one we must always seek to fulfill. And we’re releasing a more detailed statement about U.S. support for the declaration and our ongoing work in Indian Country. But I want to be clear: What matters far more than words—what matters far more than any resolution or declaration—are actions to match those words. . . . That’s the standard I expect my administration to be held to.<sup>56</sup>

Article 13-1 of the declaration reads “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” and Article 14-1 reads “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.”<sup>57</sup>

The post-World War II human rights efforts associated with the United Nations have recognized the right of self-determination, which includes local self-government, for Indigenous groups

55. Boutros-Ghali, “Foreword,” in *Voices of Indigenous Peoples*, 13-14.

56. Obama Announces Support for UN Indigenous Rights Declaration, Voice of America News. Retrieved [www.voanews.com/english/news/usa/Obama-Announces-Support-for-UN-Indigenous-Rights-Declaration-112008964.html](http://www.voanews.com/english/news/usa/Obama-Announces-Support-for-UN-Indigenous-Rights-Declaration-112008964.html)

57. United Nations Declaration on the Rights of Indigenous Peoples, adopted by General Assembly Resolution 61/295 on September 13, 2007. Retrieved [www.un.org/esa/socdev/unpfi/en/drip.html](http://www.un.org/esa/socdev/unpfi/en/drip.html)



and the right to maintain and revitalize their languages and cultures in and out of schools. Language and cultures are the markers of human identity that define the lifeways and values of groups. The destruction of languages and cultures leads to a rootlessness that leaves children directionless in a world that offers myriad hedonistic dead ends of drugs and materialism. As the late American Indian activist Vine Deloria, Jr. (Standing Rock Sioux) wrote in his book *God Is Red*, "A society that cannot remember and honor its past is in peril of losing its soul."<sup>58</sup> Efforts at indigenous culture and language revitalization are integral to group survival and have an important place in modern society. The United States's longest serving Commissioner of Indian Affairs (1933–1945) John Collier concluded in his *The Indians of the Americas* that modern Americans "have lost that passion and reverence for human personality and for the web of life and the earth which the American Indians have tended as a central, sacred fire."<sup>59</sup> Later in his memoir *From Every Zenith* he wrote, "Assimilation, not into our [modern American] culture but into modern life, and *preservation* and *intensification of heritage* are not hostile choices, excluding one another, but are interdependent through and through."<sup>60</sup>

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58. Vine, *God Is Red*, 276.

59. Collier, *The Indians of the Americas: The Long Hope*, 17.

60. Collier, *From Every Zenith: A Memoir*, 203.

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