Ethical and Ideological Basis of Canada's Contemporary Indigenous Languages Policy

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Abstract

The purpose of this work is to study the international experience in the conservation and development of indigenous languages. An analysis is made of current Canadian law governing the protection of indigenous languages. Within the framework of a systematic approach, the study of preserving indigenous languages problem was carried out in connection with the most important elements of the political system in society. The method of comparison is used to compare the assessments made by the Canadian society of the current policy on the preservation of indigenous languages. The ethical and ideological foundations of the regulatory framework and the ongoing state policy to preserve the languages of Canada, including the principles of international law, the recognition of their own collective identities of indigenous peoples, are determined as well. The study reveals the consistency of the state and civil society institutions in Canada in assessing historical experience in preserving indigenous languages and the moral and ethical assessments of this activity, mediating modern forms of work.

Keywords: languages; indigenous peoples; legislation; Canada; reconciliation.

Introduction

The most important condition for the preservation and translation of traditional culture is the preservation and development of ethnic languages of indigenous peoples. The year of 2019 is proclaimed as the International Year of Indigenous Languages, the purpose of which is to draw attention to the problem of loss of these languages. Of the world's 6,700 languages, 40 percent are endangered. Most of the endangered languages are indigenous languages. 'Indigenous languages complement the rich tapestry of the world cultural diversity. Without them, the world would become poorer' ("Indigenous Languages matter", 2019). There is 'The urgent need to preserve, revive and promote indigenous languages' ("Rights of indigenous peoples", 2016). Extensive scientific literature and journalism is devoted to the preservation of the indigenous peoples' languages of Russia, the northern region and Siberia. The issues of teaching indigenous languages and contemporary problems in this area are investigated (Arefiev, 2017). A significant place is occupied by the analysis of the state and development of the regulatory framework for the preservation and development of the indigenous peoples' languages of Russia (Belov et al., 2017, Sagalakova, 2016, Sokolova, 2017). All publications emphasize the importance of this problem for our country, especially for peoples belonging to the category of small ones. Forms and methods of preserving languages are proposed (Denisova, 2018). Federal and regional legislation in this area has been developed. Nevertheless, the problem continues to be relevant and significant. We believe that it will be useful to pay attention to the forms and methods of the implementation of social and cultural functions by states faced with similar challenges. For us, research interest is the ethical foundation of public policy and the ethical assessment of public policy. This aspect is practically not disclosed in modern scientific literature. The purpose of this work is to study the international experience in the conservation and development of indigenous languages. The object of research is

the state sociocultural policy of modern Canada. The subject of the study is the ideological and ethical foundations of modern Canadian public policy on the conservation of indigenous languages. In connection with the goal, the research tasks are defined. To analyze the modern legislation of Canada, which regulates the protection of the languages of indigenous peoples; to identify the ideological and ethical foundations of the regulatory framework as the foundation of an implemented public policy; to study the forms of work of Canadian civil society institutions in the preservation of languages and the assessment of public policies in this area.

Methods

When studying this problem, an analysis was made of the regulatory content of modern Canadian law (in 2019) governing the conservation of indigenous languages. The analysis made it possible to identify the legislative assessment of the role of indigenous languages in the history of the formation of Canada, and the determination of the importance of indigenous languages as fundamental to the identity, culture, spirituality, worldview and self-determination of indigenous peoples. The analysis method made it possible to determine the basic principles of building a state policy for the preservation and development of indigenous languages and determine the ideological and ethical foundations of state activity in this area. This method is productive in assessing the reaction of the state to the complexity of ethnic, interethnic and cultural-spiritual processes in modern society. The idea of the systematic nature of the relationship between the object and the subject of research made it possible to consider the problem of preserving indigenous languages in Canada in the context of raising the issue on a global scale and in conjunction with the financial, institutional, spiritual elements of the political system in society. The comparison method allowed us to correlate the official valuation standards of legal acts and the assessment of the situation with the languages of indigenous peoples, formulated by the civil society institutions of Canada.

Results

In December 2016, the work began on making a bill becoming a law in order to protect indigenous languages in Canada (Trudeau, 2016). In 2017 and 2018, there was a wide public discussion of the bill with representatives of indigenous peoples, in which the First Peoples' Cultural Council, the Assembly of First Nations, the Department of Heritage of Canada participated (or DCH - Department of Canadian Heritage). On May 9, 2019, the House of Commons of the Canadian Parliament passed the Indigenous Languages Act (2019). The text of this normative act is interesting from the point of view of assessing the current situation and historical retrospective. The preamble to the law emphasizes the importance of recognizing and exercising rights relating to indigenous languages, as this underlies reconciliation with indigenous peoples and is fundamental to the formation of a country. The term 'reconciliation' is very indicative. The word is borrowed from the political vocabulary of modern Canada. In November 2018, Canadian Heritage and Multiculturalism Minister Rodriguez P. stated that 'Preserving, promoting, and reviving the languages of indigenous peoples is paramount to promoting reconciliation with indigenous peoples' (2018). In this context, the term 'reconciliation' indicates, in our opinion, the presence of disturbing, unresolved issues in the history of relations with indigenous peoples on the agenda of social polemics, and the existence of tension centers in interethnic dialogue.

In this paper, we dwell on the ideological and ethical foundations of the state national policy.

The Law on Indigenous Languages contains justifications for its significance and basic principles. The preamble evaluates previous discriminatory policies and actions of the government, in particular assimilation, forced resettlement, 'Sixties Scoop' practice (removal of indigenous children from their families and placement in foster families in the 1960-1980s), and resettlement of children in boarding schools, and it is noted that these activities have damaged the existence of indigenous languages. The Government of Canada is committed to providing adequate, sustainable and long-term funding for the restoration, revitalization, maintenance and strengthening of indigenous

languages and to provide a flexible approach that takes into account the unique circumstances and needs of indigenous groups, indigenous communities, the diversity of indigenous identities, cultures and history (An Act respecting Indigenous languages, 2019).

The text of the law emphasizes that the Government of Canada is committed to implementing the UN Declaration on the Rights of Indigenous Peoples and recognizes and exercises their right to self-determination and self-government. The law establishes a value-based approach to determining the significance of indigenous languages. The law enshrined the indigenous peoples of Canada ('First Nations'), Inuit and Métis (First Nations, the Inuit and the Métis Nation) to have their own collective identities, cultures and lifestyles. It was emphasized that indigenous languages were the first languages used in Canada and played an important role in establishing relations between Europeans and indigenous peoples. The significant role of indigenous languages in the development of Canada and the fact that they contribute to the diversity and richness of the linguistic and cultural heritage of the country are indicated. The legislator has identified the fundamental importance of languages for identity, culture, spirituality, worldview and self-determination of indigenous peoples. Based on the awareness of the importance and relevance of the problem, the goals of the state and society are formulated as an urgent need to support the efforts of indigenous peoples to restore, revive and maintain languages. Efforts to protect the vitality of indigenous languages contribute to enriching indigenous knowledge and preventing the loss of cultural diversity, biodiversity and spirituality. The law provides for broad cooperation between government bodies and civil society institutions in the preservation of indigenous languages. State support is planned for the activities of organizations, including indigenous organizations, and media in indigenous languages. The legislator seeks to take into account the unique circumstances and needs of the elders of the indigenous population, youth, children, the disabled, women, men and other persons (gender-diverse persons and two-spirit persons) (An Act respecting Indigenous languages, 2019).

During the discussion of the bill, assessments of the state policy pursued in previous years were expressed. Lorena Sekwan Fontaine, Sagkeeng First Nation in Manitoba, Assistant Professor, Department of Indigenous Studies, University of Winnipeg, author of work on boarding schools and Aboriginal language rights in Canada. Her doctoral dissertation was presented in a CBC documentary entitled 'Undoing Linguicide' and was awarded the RTDNA 2017 award. The author of the term 'linguicide' gives a negative assessment of the current policy and qualifies the state's activity as criminal (Fontaine et al., 2017). Such an assessment set the tone for the discussion of the bill and determined its vector.

From 2008 to 2015, the Truth and Reconciliation Commission worked in Canada. Since 2015, the 'National Center for Truth and Reconciliation' or NTCR, based at the University of Manitoba, was established on its basis. The center was created for those who suffered from Native American boarding schools and is positioned as a platform for learning and dialogue. The founders wanted families affected by boarding schools, communities and the whole of Canada to learn from these difficult lessons and not to repeat these mistakes. Reconciliation applies not only to the past, but also to the future, which should unite all of Canada. NTCR's information about boarding schools is aimed at achieving several goals. These goals are as follows: providing access to their own history to former students and their families and broadcasting the history of the Indian boarding school to future generations of students; study, preservation of the heritage and experience of the boarding school; ensuring public access to historical records and other materials in order to achieve reconciliation (National Centre for Truth and Reconciliation, n.d., "About").

Boarding schools have been operating in Canada for over 150 years. More than 150,000 children have been trained in them during this time. Often underfunded and crowded, these schools were used by the Canadian state and church as an assimilation tool. Thousands of students suffered from physical and sexual abuse, from loneliness and the desire to return and live with their family. The damage caused by these schools is affecting today. In 2009, the Truth and Reconciliation

Commission launched a multi-year process to listen to survivors, communities, and others affected by the boarding school system.

There is an operating site of the National Center for Truth and Reconciliation. The University of Winnipeg, the University of Manitoba, the National Center for Truth and Reconciliation (NCTR), the Library and Archive of Canada (LAC) participated in its development. The site has a section documenting the work and responses of the Truth and Reconciliation Commission of Canada or TRC. The authors of the project note that 'saving records is much more than storing documents in storages. We are creating a new decolonizing archive, built on the principles of respect, honesty, wisdom, courage, humility, love and truth. This archive aims to become a mirror that will allow all Canadians to understand the history of Canada and the treatment of indigenous peoples' (National Centre for Truth and Reconciliation, n.d., "Achieve"). Over the course of six years, TRC has been able to document the work of boarding schools 'one of the most vicious components of the colonial heritage that destroyed indigenous people'. Work on replenishing information on the site continues. Today, there you can find unique information about boarding schools and students, and the history of these schools creation. Of particular interest to history, there are reports of officials of the nineteenth and twentieth centuries on education, on the creation of boarding schools for indigenous children and analytical notes on their activities and living conditions. In the framework of our study, the reports of the Truth and Reconciliation Commission with the information review of the periods from 1939 to 2000 and from 2015 to 2016 are of particular interest (National Centre for Truth and Reconciliation, n.d., "Reports"). The information collected and published in these reports on the practice of boarding schools allowed us to make a conclusion about on the practice of linguicide in the country and begin to search for new forms of preserving indigenous languages and new forms of dialogue with them. These conclusions are based on an array of documents, memoirs, and analytical materials; therefore, the assessments and conclusions appear to be absolutely reasoned.

Based on the data obtained in the course of work of Canadian civil society institutions on the study of preservation forms of indigenous languages in the past, an assessment of previous state policy was formulated in the law in 2019. However, the 'linguicide' term is not used in this law.

The federal budget of Canada provides for the prospective financing of programs for the preservation and development of indigenous languages. In 2017, the Government of Canada allocated \$ 89.9 million from the budget for a three-year period to preserve, promote and revive indigenous languages and cultures. Funding will be directed at 1320 hours of annual language training for 480 participants of all ages in seven indigenous languages (like Wendat, Cree, Anishnabe, Kanien'keha, Innu, Atikamekw and Inuktitut); to issue six textbooks for students in five indigenous languages (such as Wendat, Cree, Algonquin, Atikamekw and Inuktitut) with translation into French and English; to record audio materials in the languages of Wendat, Cree, Kanien'keha, Innu, Atikamekw, Algonquin and Inuktitut ("Preserving, Promoting and Revitalizing Languages", 2018).

In the future, it is planned to increase budget financing of this activity, suggesting an increase in allocated funds, and it should be amounted up to \$87 million by 2023.

As you can see, funding for the preservation and development of languages is very generous. The amount of funding is associated with the assessment and awareness of the importance of preserving indigenous languages.

Discussion

After analyzing the Indigenous Languages Act (2019), we identified the basic principles of legislation that determine the formation of Canada's public policy. It captures the role of indigenous languages in establishing relations between Europeans and indigenous peoples; defines the fundamental importance of languages for identity, culture, spirituality, worldview and self-

determination of the indigenous peoples of the country. The Indigenous Languages Act 2019 reflects an assessment by the international community of languages conservation. The law sets the goal of setting the act of 'reconciliation with indigenous peoples, which is fundamental to the formation of the country'. Fixation, assessment of this problem and an attempt to resolve it seem significant from the comparative discourse point of view. Not all states assess the situation with the preservation of indigenous languages from such an angle and reflect this in existing sources of law. For modern Russia, the issue of preserving the languages of indigenous peoples is relevant. In the current regional legislation, there are declarative norms containing the definition of languages in the culture of indigenous people's importance (Dorzheeva, 2018).

We will not find estimates of the language policy pursued in the state in normative acts. For modern Russian reality, the need for such assessments in legislation is not an idle question and requires scientific analysis. Questions remain open to what can this kind of assessment lead to a dispute or a constructive social dialogue. Perhaps it is wiser to simply fix the problem and look for ways to resolve it within the framework of law, leaving outside the assessment of past historical experience. In this case, the answer to this question will depend on the political will of the legislator and on the methods adopted by the state for legislative equipment. Canada has taken the path of reflecting and consolidating the outcome of social debate in law. However, radical assessments of the current state policy ('linguicide') remained within the framework of scientific work and were not included in the text of the law. The existing definitions and assessments serve as the basis for building state policy and financing programs for the preservation of indigenous languages from the state budget. We also note interesting forms of work of civil society institutions and the reflection of their activities in the regulatory framework. There is no experience with the application of the Indigenous Languages Act of Canada 2019, but it will be very interesting for Russia as well. A comparative analysis of the laws of other countries governing the conservation of indigenous languages will also be useful. This work identifies only the ethical foundations of modern Canadian law and requires a return to this issue when the relevant law enforcement practice has been accumulated.

Conclusion

In this paper, an analysis is made of the latest Canadian legislation in the field of indigenous languages preservation, which regulates the most important relations and has not yet been studied in the scientific literature. The ethical and ideological foundations of building a state policy to preserve the languages of Canada are determined. They include a negative assessment of previous state activities in this area (although the law is moving away from the radical definitions available in the polemic space), and they offer the state's goals of reconciliation with indigenous peoples, which, in our opinion, indicates the presence of incomplete social discussion in modern Canadian society. The ideological and ethical foundations of the normative framework and the implemented state policy are the consolidation of the indigenous peoples right to self-determination and self-government, the recognition of their own collective identities and the assertion that indigenous languages were the first languages used in Canada and played an important role in establishing relations between indigenous and newcomers peoples. The focus is on the fundamental importance of indigenous languages for the identity, culture, spirituality and self-determination of indigenous peoples. The law establishes the cooperation of the state and civil society institutions in the restoration and development of languages and obliges them to provide support from the state. Based on these basic principles, state policy is built and appropriate government funding for the conservation of indigenous languages is determined. The results of the study may be useful in developing public policies for the languages preservation of indigenous peoples of Russia.

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