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Language, Indigenous Peoples, and the Right to Self-Determination

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Language has always played a significant role in the colonization of peoples as an instrument of subjugation and homogenization. It has been used to control nondominant groups, including Indigenous peoples, often leading to their exclusion or assimilation. Many Indigenous groups, however, use language as a tool to connect the members of their community, to assert their group identity, and to preserve their culture. Thus, language has been used both as a means of oppression and as a mobilizer of Indigenous groups in their struggles for national recognition. Recognizing the significance of language in the identity and culture of Indigenous peoples, this article analyses how language rights can be viewed as an aspect of the right to self-determination of these groups.

All peoples have the right to self-determination. This right is enshrined in article 1(2) of the Charter of the United Nations, as well as in common article 1 of the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR).¹ In the specific context of Indigenous peoples, this right is also enshrined in articles 3 and 4 of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).² States and international organizations, however, have long disagreed about the exact meaning of self-determination, and the contours of this right. With regard to Indigenous peoples, the right to self-determination has sometimes been understood to equate to secession.³ But, as with many definitions in the field of international law, self-determination has evolved as a concept and can convey a multitude of meanings. For example, many argue that there exist multiple forms of self-determination. In this article, we focus on the concept of internal self-determination.⁴ Irene Watson discusses the right to self-determination in the context of Indigenous peoples, as enshrined in UNDRIP, highlighting the importance of language in determining the lives of Indigenous peoples. She writes: “On the one hand [UNDRIP] recognizes the right to self-determination and, on the other hand it limits self-determination to being exercised in accord with state power.” She further attests that “the language and philosophies of empires have been and continue to be applied to dominate and subjugate First Nations Peoples, but at the same time the languages and philosophies of our old people continue to live and to centre First Nations’ futures.”⁵ It is an apt time to focus on the topic of Indigenous languages, since 2019 is the International Year of Indigenous Languages, as affirmed by the UN General Assembly.⁶ The decision to highlight Indigenous languages, made on a recommendation from the Permanent Forum on Indigenous Issues, was inspired by awareness of the alarming and increasing extinction rates of many of the world’s languages.⁷ The threat to Indigenous languages can be viewed as a threat to the culture and identity of Indigenous peoples. This article explores the link between language and the right to self-determination of these groups. It briefly discusses the importance of

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language and language rights in general and outlines the role played by language, the importance of language as an identifying factor for Indigenous peoples, and the importance of this identifier in relation to Indigenous peoples' cultural survival. The concluding section investigates the concept of language among Indigenous peoples and the relationship between language and self-determination.

Background to the Importance of Languages and Language Rights

In 2007, the number of languages spoken globally was estimated at seven thousand, but about half of these are at risk of disappearing over the next one hundred years, and every two weeks a language dies.⁸ While language loss and language shift have occurred across the globe and throughout human history, as languages have risen and declined in prominence, have become obsolete, or have adapted to changing circumstances to survive, the recent trend in language decline and death has been markedly different in scale from previous patterns of language usage.⁹ The world today is facing a mass extinction of languages. The loss of a language means not merely that a means of communication has been lost but that a unique vision of the world has been lost and a central aspect of cultural heritage damaged. In addition, scientific, medical, and botanical knowledge may be lost, particularly with the loss of the languages of Indigenous peoples, who have traditional knowledge of the environment. Most important, we lose the expression of humor, love, and life in these communities. In short, we lose the testimony of centuries of life. Some linguists, such as the late phonetician Peter Ladefoged, argue that language death is a natural part of the process of human cultural development and that languages die because communities stop speaking them for their own reasons. Ladefoged suggests that linguists should document and describe languages scientifically but not seek to interfere with the processes of language loss.¹⁰ A majority of linguists, however, including Larry Gorenflo of Penn State University and Suzanne Romaine of Oxford University, agree that language loss is a significant problem. They posit that most communities would prefer to maintain their languages if given a real choice. In addition, language loss, at the current rate, means that future linguists will have access to only a fraction of the world's linguistic diversity and will therefore have a skewed picture of what human language is and can be.¹¹ Some linguists consider linguistic diversity to be analogous to biological diversity and compare language endangerment to wildlife endangerment.¹² The United Nations Educational, Scientific and Cultural Organization (UNESCO) has been charting the languages of the world, including Indigenous languages, and has compiled the following six-level scale to measure language endangerment:

Safe: "Language is spoken by all generations; intergenerational transmission is uninterrupted."

Vulnerable: "Most children speak the language, but it may be restricted to certain domains (e.g., home)."

Definitely endangered: "Children no longer learn the language as mother tongue in the home."

Severely endangered: "Language is spoken by grandparents and older generations; while the parent generation may understand it, they do not speak it to children or among themselves."

Critically endangered: "The youngest speakers are grandparents and older, and they speak the language partially and infrequently."

Extinct: "There are no speakers left."¹³

At least 43 percent of the estimated seven thousand languages spoken in the world are within the endangered categories, further highlighting the vulnerability of many Indigenous languages.¹⁴

The Role of Language

Language is much more than words. “A different language,” Federico Fellini states, “is a different vision of life.”¹⁵ Thus, to deprive a people of their right to use their own language is to deprive them of one of the basic characteristics by which they define themselves, and to discriminate on the basis of language is to discriminate against what is at the very core of being human—the means of reasoning and communication.¹⁶ Furthermore, language is the lens through which people understand and conceptualize the world; it allows them to have meaningful relationships with other human beings.

Language is a reflection of a society, a community, that is bound up with the group’s culture. McCarty and Nicholas, for example, who have written extensively about language among Indigenous peoples, quote Mary Siemen, a member of an Indigenous community: “Language holds our culture, our perspective, our history, and our inheritance. What type of people we are, where we came from, what land we claim . . . all . . . are based on the language we speak.”¹⁷ Oyero Olusola underlines the connection between Indigenous language and culture, stating that language can “not exist independent of culture.” “In other words,” he continues, “language is situated within a sociocultural setting or community. It is an integral part of culture, a reflection of many features of a given culture.”¹⁸

Language acts as a repository for a person’s cultural history and traditional knowledge, two vital components of the identity of a people, especially among some Indigenous peoples, who maintain a deep connection to the land and the natural world. Tamara Starblanket maintains that an attack on the language of an Indigenous group can go beyond assimilation tactics, pointing out that “spiritual laws are encoded into Indigenous peoples’ languages.” She adds: “The dominating society forces another language (for example, English) onto scores of children, and the result is those children were never taught or do not remember why they have a relationship with their land. It becomes a deliberate process to isolate children from their land.”¹⁹ This statement reinforces the idea that language can go beyond the cultural element of Indigenous life and highlights that the curbing or loss of Indigenous languages can have a direct effect on their territorial lands. With dominant societies hindering or preventing the transmission of cultural knowledge and traditional land values, younger generations are being spiritually dislocated because they not being taught the value that their communities and ancestors have attributed to traditional lands.

Given the undoubted seminal role of language in a person’s life and the importance of language as a vehicle of cultural transmission among Indigenous peoples, colonizers viewed language a central element in their attempts to suppress and dominate Indigenous peoples. Their view of language as an instrument of subjugation, homogenization, and control often led to the exclusion and assimilation of Indigenous peoples. Fernand De Varennes and Elżbieta Kuzborska maintain that throughout history, language was needed for uniformity, to bind individuals to a particular empire or state. “Language diversity,” they point out, “gradually began to be seen as a menace, or at least an inconvenience, that would best be eradicated.”²⁰ As the process of language homogenization became the status quo for numerous states and Indigenous communities, the power of Indigenous communities, as facilitated by their shared language, and thus, their shared identity, was broken. Furthermore, as Teresa L. McCarty and Sheila E. Nicholas point out, “wherever there is a situation of domination and subordination between any two groups, whatever their colour or religion, this

will be reflected in the language relationship: one language dominating the other.”²¹ Over the years, Indigenous languages have been targeted for this very reason, to create disorientation and disassociation of Indigenous peoples from their heritage and cultural identity. For example, during the Guatemalan civil war, the state used attacks on Mayan language usage as a tool to destroy Indigenous customs and lifestyle. The state constructed “model villages” to which the Mayan population were forcefully moved. Rebecca Clouser argues that these villages were “ostensibly created to protect the survivors from the Guerrillas.” But “in reality,” she adds, “the villages were a coercive means by which the army sought to change the habits of the indigenous population.”²² Central to this effort was an outright ban on all aspects of Mayan culture, including religious practice and language usage. Those found using traditional languages were publicly punished. Also, in these villages, the government imposed its own ideology on the Indigenous peoples. They used names such as “Liberation Street” and forced the new inhabitants to undergo a strict re-education program. State and military aggression directed at the Mayan people’s ancestral lands, language, and cultural practices, undoubtedly damaged the transmission of oral history and traditional knowledge of the Mayan people. The example of the Mayan people, illustrating the relationship between language, identity, and power, shows why one of the fundamental demands of groups seeking self-determination is often that they retain the right to make decisions about and control their own language.

Language, Law, and Indigenous Peoples

The United Nations describes Indigenous peoples as “inheritors and practitioners of unique cultures and ways of relating to people and the environment . . . who have retained social, cultural, economic and political characteristics that are distinct from those of the dominant societies in which they live.”²³ Indigenous peoples have fought hard to win recognition in the international arena.²⁴ Their position in national and international law has evolved over the past seventy years and has been strengthened with the introduction of legal instruments aimed to enhance the protections required and the rights owed to Indigenous communities. Most legislation relating to Indigenous peoples involves some level of protection of the right to practice and maintain one’s language and culture. See, for example, articles 23 and 26 of the International Labour Organization (ILO) Convention no. 107,²⁵ articles 28 and 30 of ILO Convention no. 169,²⁶ and articles 13, 14, and 16 of UNDRIP.²⁷ Though the right to practice one’s own culture is also protected in many other human rights instruments, these documents make specific reference to the use of Indigenous languages and their protection, recognizing that Indigenous languages are important tools for demonstrating the cultural and historical uniqueness of Indigenous communities as well as Indigenous peoples’ cultural distinctness from non-Indigenous governments. Indigenous leaders have stressed this uniqueness when arguing for the establishment of greater Indigenous sovereignty and for special rights for Indigenous persons and communities.²⁸ To strengthen the vulnerability of many Indigenous communities and to ensure their survival, Indigenous peoples have highlighted the importance of their languages. As Maximilian Stefan Viatori and Gloria Ushgua state: “Indigenous languages can be a vital component of strengthening communities’ and individuals’ identification with an indigenous nation. Indigenous language programs can be important for unifying individuals and communities as a coherent indigenous nation and for gaining recognition from nation-state governments for increased indigenous sovereignty.”²⁹

The efforts of many Indigenous communities to maintain traditional languages and identity in the face of active repression has transformed these languages into powerful symbols that have become the basis for larger discussions of identity and self-determination.³⁰ Though culture can be preserved in ways other than through language,

language is a clear indicator of the uniqueness of a group of people. Preserving these languages is a crucial element in the revitalization of many Indigenous cultures. By continuing to use these languages, older generations have been able to share their knowledge of their history and culture with younger generations. But Indigenous languages not only symbolize cultural sovereignty, they enable it by facilitating communication through the generations.

Language can also be used in ways that can harm Indigenous peoples. National governments and international agencies, such as the World Bank, often use knowledge of a language to identify who is Indigenous and who is not. Consequently, Indigenous peoples who cannot display proof of their cultural distinctness by demonstrating, for example, that they can speak their traditional Indigenous language can be denied rights, resources, and recognition. In the United States, proof of blood or lineage has been the most prominent criterion for Indigenous recognition.³¹ Language, however, provides what may be the most obvious indicator of Indigenous peoples' cultural and historical uniqueness to outside audiences. In 1977, the Mashpee Wampanoag were required by the U.S. legal system to demonstrate their difference in order to claim land rights. They were unable to do so, because English was now the group's first language as a result of language subjugation policies and they subsequently lost their case for land rights (though they are now being actively considered for federal recognition, more than forty years after first applying for it).³² Similarly, language has been used to determine the legal status of Indigenous communities in Brazil. Viatori and Ushigua present the example of an Indigenous people in Brazil, the Patasho in the state of Bahia, who no longer speak their ancestral language because of land loss and the subsequent disintegration of traditional social structures. The Patasho now speak Portuguese, a national language that does not transmit the Indigenous heritage or identity of the Patasho. To address the loss of their traditional language and in an effort to gain official recognition, the Patasho "have made an effort to learn the distantly related language of the Maschali, another indigenous people in the state of Minas Gerais, and make it their own symbol of Patasho indigenous legitimacy."³³

Language and Self-Determination

In articles 14 and 15 of UNDRIP, Stephen May sees a "clear desire of Indigenous peoples for greater linguistic and educational control" that "is, in turn, a product of colonial histories of cultural and linguistic proscription, particularly within education, that must be regarded as being at the most extreme end of such practices."³⁴ The reclamation of linguistic and cultural practice is a powerful and symbolic move in the quest for greater self-governance and self-determination. We have seen a shift in recent years from the traditional approach of language protection to a more efficient process of language reclamation and revitalization with respect to Indigenous languages. It is important to highlight that the right to self-determination, which can be realized through secession, can also be realized internally and can be manifested in a variety of ways.³⁵ The right to self-determination concerns the ability of a people to control their destiny, to freely determine their political status, and to freely pursue their economic, social, and cultural development.

S. James Anaya demonstrates how some Indigenous peoples have manifested their right to internal self-determination by advocating for their right to use their Indigenous language in legal proceedings and other official contexts. While some states have accepted this trend, and some demonstrate "support for the use of indigenous languages in legal proceedings and other official contexts," others "have appeared reluctant to accede to a strict requirement to that effect."³⁶ Still other states, however, have acknowledged that decision making over language issues, among other things, can be an effective way for Indigenous peoples to

implement the right to self-determination of. Chile, for example, has asserted that the concept of internal self-determination can allow for a “space within which indigenous peoples can freely determine their forms of development, [including] the preservation of their cultures, languages, customs and traditions, in a manner that reinforces their identity and characteristics, in the context and framework of the States in which indigenous peoples live.”³⁷

Some Indigenous groups have lost their language as a consequence of colonialism, subjugation, and assimilation. Indigenous leaders in Brazil who use Western languages have been criticized for not being “truly” Indigenous or not really representing Indigenous claims,³⁸ and arguments have been made by Indigenous activists that “true” Indigenous self-determination can be expressed only through “noncolonial” languages. It has been suggested that self-determination can be expressed only through Indigenous languages, unfettered by the outlook of colonialism. But, as Taiaiaiki Alfred, scholar and Indigenous community member points out, “it does not automatically follow that because an Indian expresses himself in European terms, . . . his perspective is European.”³⁹ Claims that an Indigenous people cannot access the right to self-determination if they do not speak an Indigenous language equate to a double penalization of the group, who first lost their language as a consequence of colonization and then lose a right to self-determination as a result of the loss of language. Thus, the policies of states and international organization, mentioned earlier, that use language as a criterion for the establishment of indigeneity for the purpose of accessing funding and other resources, are flawed. In this vein, Viatori and Ushigua argue that “indigenous communities are not required to use their own languages in order to achieve sovereign status, but that communities who have ‘lost’ their languages can also effectively politicize and rework ‘colonial’ languages as vehicles for the expression of Indigenous self-determination.”⁴⁰ Thus, they continue, “many indigenous nations have successfully used their languages as tools for uniting their communities, fostering indigenous identity, and defining the boundaries of their self-determination—the ability of indigenous nations to make decisions about their identity, religion, culture, economy, and legal system without interference from external actors.”⁴¹ In New Zealand, for example, the Maori people are increasingly embracing their language and rejecting generations of stigma and shame associated with its use. This reclamation and revitalization of language has had an impact on the entire population of the country and now even non-Indigenous New Zealanders are looking to the Maori language and culture to help them make sense of their own cultural identities.⁴²

Conclusion

The right to self-determination can be implemented in a variety of ways, one of which is ensuring that Indigenous peoples have decision-making power over language policies. Having this power facilitates the development of the culture of the Indigenous group. It is vital, especially in this Year of Indigenous Languages, that states recognize the central role that languages play in the lives of Indigenous peoples and work with Indigenous groups to ensure that they have a say in language programs and policies, especially educational policies. Teaching Indigenous students in the mother tongue from an early age helps preserve their language and culture and maintain their communities’ identities.

States must also facilitate Indigenous language reclamation and revitalization, recognizing, acknowledging, and attempting to redress the damage done to language and culture by former colonial policies. Today we have the tools and technology to redress some of the damage. The Endangered Languages Project, for example, puts technology at the service of the organizations and individuals working to confront language endangerment by

documenting, preserving, and teaching Indigenous languages.⁴³ This interactive website gives users access to the most up-to-date and comprehensive information about endangered languages and allows users to submit information or samples in the form of text, audio, or video files. In addition, users can share best practices and case studies through a knowledge-sharing section and by joining relevant Google groups. Part of the efforts by states to facilitate Indigenous language reclamation and revitalization should include the promotion of the Endangered Languages Project and other, similar efforts.

Notes

¹ Article 1(2) of the UN Charter states that one of the purposes of the United Nations is “to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace.”¹ Article 1 of the ICCPR reads: “1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development. 2. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence. 3. The States Parties to the present Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right of self-determination, and shall respect that right, in conformity with the provisions of the Charter of the United Nations.” Article 1 of the ICESCR reads: “1. All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development. 2. All peoples may, for their own ends, freely dispose of their natural wealth and resources without prejudice to any obligations arising out of international economic co-operation, based upon the principle of mutual benefit, and international law. In no case may a people be deprived of its own means of subsistence. 3. The States Parties to the present Covenant, including those having responsibility for the administration of Non-Self-Governing and Trust Territories, shall promote the realization of the right of self-determination, and shall respect that right, in conformity with the provisions of the Charter of the United Nations.”

² Article 3 of UNDRIP reads: “Indigenous peoples have the right to self-determination. By virtue of that right, they freely determine their political status and freely pursue their economic, social and cultural development.” Article 4 reads: “Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.”

³ S. James Anaya, *Indigenous Peoples in International Law*, 2nd ed. (Oxford: Oxford University Press, 2004), 7–8.

⁴ The International Working Group for Indigenous Affairs (IWGIA) affirms: “What is most widely implied in the term self-determination is the right to participate in the democratic process of governance and to influence one’s future—politically, socially and culturally. Self-determination embodies the right for all peoples to determine their own economic, social and cultural development. Self-determination has thus been defined by the International Court of Justice as the need to pay regard to the freely expressed will of peoples. It is important to stress that for Indigenous peoples the term self-determination does most often not imply a secession from the state,” “Self-determination of Indigenous People,” IWGIA, April 8, 2011, <https://www.iwgia.org/en/focus/land-rights/330-self-determination-of-Indigenous-peoples>.

⁵ Irene Watson, *Indigenous Peoples as Subjects of International Law* (Oxfordshire: Routledge, 2018), 98, 104.

⁶ See UNGA A/RES/71/178, available at <https://undocs.org/en/A/RES/71/178>.

⁷ The United Nations estimates that 40 percent of the world’s estimated 6,700 languages are in danger of disappearing—the majority belonging to Indigenous peoples. UN Department of Economic and Social Affairs, “2019 International Year of Indigenous Languages,” January 2019, <https://www.un.org/development/desa/dspd/2019/01/2019-international-year-of-Indigenous-languages/>.

⁸ John Noble Wilford, “World’s Languages Dying Off Rapidly,” *New York Times*, September 18, 2007.

⁹ Stephen May, *Language and Minority Rights; Ethnicity, Nationalism, and the Politics of Language*, 2nd ed. (New York: Routledge, 2012), 2.

¹⁰ Peter Ladefoged, “Another View of Endangered Languages,” *Language* 68, no. 4 (1992): 809–811.

¹¹ “Effects of Language Endangerment, The Language Death, <https://languagedeath.weebly.com/effects-of-language-endangerment.html>, accessed September 27, 2109.

¹² For more see, University of Oxford, “Study Finds Links between Biodiversity and Language Diversity,” *News & Events*, May 8, 2012, <http://www.ox.ac.uk/news/2012-05-08-study-finds-links-between-biodiversity-and->

[language-diversity](#); Suzanne Romaine, “Preserving Endangered Languages,” *Language and Linguistics Compass* (2007) 1, nos.1–2 (2007): 115–132.

¹³ Christopher Moseley, ed., *Atlas of the World’s Languages in Danger*, 3rd ed. (Paris, UNESCO, 2010), <http://www.unesco.org/new/en/culture/themes/endangered-languages/atlas-of-languages-in-danger>.

¹⁴ Moseley, *Atlas of the World’s Languages in Danger*, interactive atlas, last updated July 5, 2017, <http://www.unesco.org/languages-atlas/index.php?hl=en&page=atlasmap>.

¹⁵ “Federico Fellini Quotes,” BrainyQuote.com, 2019, https://www.brainyquote.com/quotes/federico_fellini_106347.

¹⁶ Noelle Higgins, “The Right to Equality and Non-Discrimination with Regard to Language,” *Murdoch University Electronic Journal of Law* 10, no. 1 (2014): 1–38.

¹⁷ Teresa L. McCarty and Sheilah E. Nicholas, “Reclaiming Indigenous Languages,” *Review of Research in Education* 38, no. 1 (2014): 106–136.

¹⁸ Oyero Olusola, “Dynamics of Indigenous Language in Environmental Communication,” *Lagos Papers in English Studies* 1, no. 1(2007): 228–235.

¹⁹ Tamara Starblanket, “‘Kill the Indian in the Child’: Genocide in International Law,” in *Indigenous Peoples as Subjects of International Law*, ed. Irene Watson (Oxfordshire: Routledge, 2018), 190.

²⁰ Fernand De Varennes and Elżbieta Kuzborska, “Language, Rights and Opportunities: The Role of Language in the Inclusion and Exclusion of Indigenous Peoples,” *International Journal on Minority and Group Rights* 23, no. 3 (2016): 281–305.

²¹ Teresa L. McCarty and Sheilah E. Nicholas, “Reclaiming Indigenous Languages,” *Review of Research in Education* 38, no. 1 (2014): 106–136.

²² Rebecca Clouser, “Remnants of Terror: Landscapes of Fear in Post-conflict Guatemala,” *Journal of Latin American Geography* 8, no. 2 (2009): 13.

²³ “Indigenous Peoples at the UN,” UN, Department of Economic and Social Affairs, <https://www.un.org/development/desa/Indigenouspeoples/about-us.html>, accessed September 27, 2019.

²⁴ To read more about the evolution of law regarding Indigenous peoples, see *ibid*.

²⁵ Article 23 of the ILO Convention 107, also known as “The Convention concerning the Protection and Integration of Indigenous and Other Tribal and Semi-Tribal Populations in Independent Countries (1957)” reads: “1. Children belonging to the populations concerned shall be taught to read and write in their mother tongue or, where this is not practicable, in the language most commonly used by the group to which they belong. 2. Provision shall be made for a progressive transition from the mother tongue or the vernacular language to the national language or to one of the official languages of the country. 3. Appropriate measures shall, as far as possible, be taken to preserve the mother tongue or the vernacular language.” Article 26 reads: “1. Governments shall adopt measures, appropriate to the social and cultural characteristics of the populations concerned, to make known to them their rights and duties, especially in regard to labour and social welfare. 2. If necessary this shall be done by means of written translations and through the use of media of mass communication in the languages of these populations.”

²⁶ Article 28 of the ILO 169, also known as “Convention concerning Indigenous and Tribal Peoples in Independent Countries (1989),” reads “1. Children belonging to the peoples concerned shall, wherever practicable, be taught to read and write in their own Indigenous language or in the language most commonly used by the group to which they belong. When this is not practicable, the competent authorities shall undertake consultations with these peoples with a view to the adoption of measures to achieve this objective. 2. Adequate measures shall be taken to ensure that these peoples have the opportunity to attain fluency in the national language or in one of the official languages of the country. 3. Measures shall be taken to preserve and promote the development and practice of the Indigenous languages of the peoples concerned.” Article 30 reads: “1. Governments shall adopt measures appropriate to the traditions and cultures of the peoples concerned, to make known to them their rights and duties, especially in regard to labour, economic opportunities, education and health matters, social welfare and their rights deriving from this Convention. 2. If necessary, this shall be done by means of written translations and through the use of mass communications in the languages of these peoples.”

²⁷ Article 13 of UNDRIP reads 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. 2. States shall take effective measures to ensure that this right is protected and also to ensure that Indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.” Article 14 reads: “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. 2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination, 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.” Article 16 reads: “1. Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-Indigenous media without discrimination. 2. States shall take effective measures to ensure that State-owned media duly reflect Indigenous cultural diversity. States, without prejudice to ensuring full freedom of expression, should encourage privately owned media to adequately reflect Indigenous cultural diversity.”

²⁸ Stephen Newcomb, “Indigenous Sovereignty and the Political Subordination of Our Nations,” *Indian Country Today*, March 27, 2017, https://newsmaven.io/indiancountrytoday/archive/Indigenous-sovereignty-and-the-political-subordination-of-our-nations-JHIDBAe_IkqKH_obqfBKvQ/.

²⁹ Maximilian Stefan Viatori and Gloria Ushigua, “Speaking Sovereignty: Indigenous Languages and Self-Determination,” *Wicazo Sa Review* 22, no. 2 (2007): 7–21.

³⁰ For more see, “Language & Cultural Sovereignty,” Penn Arts & Sciences, <https://www.sas.upenn.edu/dpic/node/206>, accessed September 27, 2019.

³¹ Viatori and Ushigua. “Speaking Sovereignty.”

³² Les W Field, “Unacknowledged Tribes, Dangerous Knowledge: The Muwekma Ohlone and How Indian Identities Are Known,” *Wicazo Sa Review* 18, no. 2 (2003): 79–94.

³³ Viatori and Ushigua, “Speaking Sovereignty.”

³⁴ Stephen May, *Language and Minority Rights; Ethnicity, Nationalism and the Politics of Language*, 2nd ed. (New York: Routledge, 2012), 302.

³⁵ Some scholars do not agree with the internal versus external concept of self-determination. They view it as a more intrinsic concept. For more, see Anaya, S. James, *Indigenous Peoples in International Law*, 2nd ed. (Oxford: Oxford University Press, 2004), 105.

³⁶ S. James Anaya, *Indigenous Peoples in International Law*, 2nd ed. (Oxford: Oxford University Press, 2004), 139.

³⁷ Russel Lawrence Barsh, “Indigenous Peoples and the UN Commission on Human Rights: A Case of the Immovable Object and the Irresistible Force,” *Human Rights Quarterly* 8, no. 4 (1996): 782–813.

³⁸ Fernand De Varennes, 2012. “Language, Rights and Opportunities: The Role of Language In The Inclusion and Exclusion of Indigenous Peoples,” draft, February 17, 2012, <https://www.ohchr.org/Documents/Issues/IPeoples/EMRIP/StudyLanguages/FernandDeVarennes.doc>.

³⁹ Quoted in Viatori and Ushigua, “Speaking Sovereignty,” 18.

⁴⁰ *Ibid*, 8.

⁴¹ *Ibid*.

⁴² Charlotte Graham-McLay, “Maori Language, Once Shunned, Is Having a Renaissance in New Zealand,” *New York Times*, September 16, 2018; Stephen May, *Language and Minority Rights; Ethnicity, Nationalism and the Politics of Language*, 2nd ed. (New York: Routledge, 2012), 303–323.

⁴³ For more see the language map at <http://www.endangeredlanguages.com/>.