



National Inuit Positions on Federal Legislation in Relation to the Inuktitut Language

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Introduction

Inuit in Canada are one people sharing a common language, Inuktitut. The majority of Inuit live in 50 communities spread across Inuit Nunangat, the Inuit homeland in the Arctic whose existence predates Canada. Inuit Nunangat is a distinct geographic, political, and cultural region that today includes the Inuvialuit Settlement Region (Northwest Territories), Nunavut, Nunavik (Northern Quebec), and Nunatsiavut (Northern Labrador). Inuit Nunangat makes up 38 percent of Canada's landmass and 50 percent of its coastline. It is by area the largest homogenous cultural and linguistic domain in Canada. The majority of Inuit in Inuit Nunangat self-identify as being able to speak Inuktitut conversationally.

Inuktitut is an original language of Canada, as exemplified by its status as an official language in the Northwest Territories and Nunavut. The majority of Inuit in Canada speak Inuktitut as their mother tongue.

The Government of Canada sought to eradicate Inuktitut and culturally assimilate Inuit through the federal day schools and residential schools it operated throughout Inuit Nunangat. Inuktitut survives today due to the resilience and vigilance of Inuit who have sought to transmit our language to future generations. In order to achieve reconciliation, Canada must take full and effective reciprocal measures to adequately support the revitalization, maintenance, and promotion of Inuktitut.

The Crown and Government of Canada have a fiduciary relationship with Inuit, and special fiduciary responsibilities that arise within that relationship. The four comprehensive land claims agreements form a core part of the Crown-Inuit relationship. These land claims agreements are protected under Section 35 of the Constitution, which also protects Inuit rights in relation to such non-territorially defined matters as self-government, language and culture. Case law has elaborated other Constitutional dimensions of the relationship between the Crown,

represented by federal, provincial and territorial governments, and Inuit, including those rooted in the honour of the Crown and the duties of consultation and accommodation.

The Crown and federal, provincial and territorial governments also have broader human rights obligations in relation to Indigenous peoples, including rights referenced in the *UN Declaration on the Rights of Indigenous Peoples*. The interrelated, interdependent rights affirmed by the *UN Declaration* include language and cultural rights.

Inuit affirm that Inuktut should be spoken at every sector of Inuit society, including as the primary language of instruction in early learning and child care programs and from K-12, throughout Inuit Nunangat.

The example of Kalaallit Nunaat (Greenland) is evidence that this goal is achievable. Kalaallisut is the variation of Inuktut spoken by Inuit in Kalaallit Nunaat (Greenland). Kalaallisut is that jurisdiction's sole official language and it is spoken at every sector of society. The flourishing of Kalaallisut is a model reference point for Inuit in Canada. Kalaallit Nunaat's experience with maintaining and promoting Kalaallisut demonstrates how Inuktut can also thrive when it is adequately recognized, resourced, and supported by the State.

Inuit Nunangat legislative and policy space

Inuit Nunangat is the Inuit homeland encompassing the 50 Inuit communities in Canada that fall within the Inuvialuit Settlement Region, Nunavut, Nunavik, and Nunatsiavut. Inuit Nunangat must be recognized and defined within legislation as a distinct legislative and policy space for the application of Inuktut-specific legislative content. Inuit Nunangat is the geographic region where the majority of Inuktut speakers reside. There are, therefore, unique considerations for Inuktut that should inform legislative content. These considerations are as follows:

- Inuktut has official language status in the Northwest Territories (*NWT Official Languages Act*) and Nunavut (*Official Languages Act* and *Inuit Language Protection Act*)
- The *Labrador Inuit Constitution* recognizes Inuktut as an official language of the Nunatsiavut Government
- Languages commissioners were established through official languages legislation in the Northwest Territories and Nunavut
- Inuktut language rights are not officially recognized or legislated in Nunavik

- The Government of Nunavut and Government of the Northwest Territories receive federal funding for the revitalization, maintenance and enhancement of Inuktitut through agreements funded by the Development of Official-Language Communities Program and the Aboriginal Peoples' Program
- Nunavik and Nunatsiavut do not receive similar dedicated federal funding for Inuktitut revitalization, maintenance and enhancement. Furthermore, in the absence of formal recognition, legislation or Indigenous languages policy, the Government of Quebec and the Government of Newfoundland and Labrador do not provide dedicated funding for the revitalization, maintenance and enhancement of Inuktitut in their jurisdictions
- The majority of Inuit in Inuit Nunangat live in Nunavut and Nunavik, where the majority populations in both regions speak Inuktitut as a mother tongue
- The right to access services in Inuktitut is a priority in Inuit Nunangat

Guiding principles

The co-development of legislative content should be guided by the following principles:

1. Human rights-based approach: Legislative content should build upon the rights affirmed by the *UN Declaration on the Rights of Indigenous Peoples*. Legislative content should protect and promote Inuktitut and cultural expression consistent with Canada's international undertakings, including the *International Covenant on Civil and Political Rights*, the *International Covenant on Economic, Social and Cultural Rights*, and the *Convention on the Protection and Promotion of the Diversity of Cultural Expressions*, proclaimed by the U.N.
2. Distinctions-based approach: The Government of Canada should consider the possibility of standalone Inuktitut legislation in the formation of distinctions-based legislative content. Inuktitut-specific legislative content should at minimum be enumerated within a dedicated Inuktitut section of a bill. This is necessary to provide the specificity needed to address the unique demographic, cultural, and political considerations of the linguistic character and identity of Inuit Nunangat.
3. Inuit Nunangat approach: Inuktitut-specific legislation should apply to the Inuit Nunangat policy space. This means that federal programs, agreements, and rights should apply to Inuit Nunangat, utilizing the four Inuit land claims organizations.

4. Machinery change must be distinctions-based: Machinery change prescribed by legislation must cohere to the unique demographic, cultural, and political considerations of Inuit Nunangat.
5. Consistency with existing federal principles: Legislation should fully reflect, in content and structure, the federal government's *Principles respecting the Government of Canada's relationship with Indigenous peoples*.

Status of Inuktitut

There are 12 main dialects of Inuktitut spoken among the 50 communities in Inuit Nunangat. Language status in each of the four regions and sub-regions of Inuit Nunangat is influenced by diverse factors that include the role and influence of colonial policies targeting Inuktitut for extinction, local histories, and changing attitudes. The language revitalization, maintenance, and promotion needs of each region vary accordingly. Local and regional language initiatives tend to target language revitalization, maintenance, or promotion, or some combination of the three.

UNESCO classifies languages as either safe (children speak language at home, at school, in community, and on the media), unsafe (children speak language at home, but not much at school), and endangered (children don't use the language at home, and the school is mostly in another language). The status of Inuktitut is either unsafe or endangered depending on the region and dialect in question. In Nunavut for example, Inuinnaqtun is considered endangered while Inuktitut is unsafe. Inuktitut is endangered in the Inuvialuit Settlement Region and Nunatsiavut. Inuktitut is unsafe in Nunavik.

The table below (Figure 1) presents the number of conversational Inuktitut speakers in each of the four regions of Inuit Nunangat based on self-report, the total Inuit population of each region, and the proportion of the population that self-reports conversational Inuktitut speaking ability.

Figure 1. Inuit population by knowledge of Inuktut, Statistics Canada 2016 Census

Region	Proportion of residents that speak Inuktut (%)	Approximate number of speakers	Inuit population
Inuvialuit Settlement Region	22	685	3,110
Nunavut	89	26,840	30,140
Nunavik	99	11,705	11,800
Nunatsiavut	21	490	2,285
Inuit Nunangat (Total)	84	39,715	47,335

Note: Numbers are based on self-report of speaking ability

Inuit Nunangat Language Accords

Federal funding for Inuktut should be streamlined to enable equitable access to resources, greater flexibility in the use of resources, and Inuit self-determination in the acquisition and implementation of resources. Bilateral Inuit Nunangat Language Accords negotiated between Inuit representational organizations and the federal government would be a more constructive and impactful alternative to the current federal approach. Inuit Nunangat Language Accords should reflect the following elements:

- **Inuit Nunangat approach:** Bilateral accords should be negotiated between the federal government and each of the four Inuit regional organizations rather than provincial or territorial governments, except where Inuit regional organizations determine otherwise. The federal practice of unevenly resourcing Inuktut within Inuit Nunangat must end by extending constructive agreements to include Nunavik and Nunatsiavut.
- **Multiyear funding:** Inuit Nunangat Language Accords should be multiyear, flexible agreements to support long-term projects and initiatives.
- **Equitable funding:** Inuit Nunangat Language Accords should utilize a funding formula that respects the varying status of Inuktut in each region; resources allocated for Inuktut should be equitable in view of resources allocated for French in those jurisdictions.

- Broad scope: Inuit Nunangat Language Accords should be broad in scope to encompass the range of supports required to support Inuktitut revitalization, maintenance, and promotion, including the following areas:
 - Broadcast media
 - Print media and educational resources development
 - Early childhood education and K-12 schooling
 - Grants for community-based projects and initiatives
 - Implementation of language rights

Inuktitut official language status

Federal legislation in relation to Inuktitut should recognize Inuktitut as an official language of Inuit Nunangat, defined as the Inuit homeland encompassing the 50 Inuit communities in Canada that fall within the Inuvialuit Settlement Region, Nunavut, Nunavik, and Nunatsiavut.

The *Official Languages Act* provides preferential treatment for English and French in Inuit Nunangat that, combined with sections 23 of the *Constitution Act, 1982*, creates an environment of de-facto linguistic and cultural assimilation of Inuktitut speakers. In the absence of any balancing legislative commitments to Inuktitut, the recognition of English and French as official languages by the *Official Languages Act* entails an inferior status for Inuktitut within Inuit Nunangat. The *Official Languages Act* aspires to create true equality between English and French throughout Canada, including Inuit Nunangat, but in the process relegates Inuktitut to a marginal role within Inuit Nunangat. This is true in the provision and resourcing of core programs and services. Inuktitut speakers make up the majority of the population in Inuit Nunangat yet the federal government allocates a larger share of public sector resources for the English and French speaking minority populations.

Access to federal services

Access to federal services in Inuktitut is vital for Inuit, especially in Nunavut and Nunavik where Inuktitut is the majority mother tongue. Having access to services in Inuktitut can be a life and death matter. In addition to Inuktitut being recognized as an official language within Inuit Nunangat, legislative content should create an obligation for the provision of federal services in Inuktitut within Inuit Nunangat.

Machinery change

Inuit support machinery change at the national level that leads to practical and lasting support for Inuktitut revitalization, maintenance, and promotion efforts. However, machinery change at the national level should build upon rather than duplicate institutions at the territorial levels.

Official languages legislation of the Northwest Territories and Nunavut create Languages Commissioner offices. The Nunavut *Inuit Language Protection Act* created the Inuit Uqausinginnik Taigusiliuqtiit, the Inuit language authority in Nunavut.

Legislation should create both a national Inuktitut Language Authority as well as an Office of Inuktitut Language Commissioner

Inuktitut Language Authority

An Inuktitut Language Authority should be created, with duties that include the following:

- Development and dissemination of Inuktitut tools, resources, and learning materials;
- Facilitation of sharing of resources and information between Inuit regions;
- Development of Inuktitut terminology and assist Inuit regions with implementation of the standard Inuktitut writing system;
- Monitoring of Inuktitut status and support regional and community revitalization, maintenance and promotion efforts.

The program of work and staffing of the Inuktitut language authority should be determined by Inuit.

Inuktitut Language Commissioner

Call to Action 15 of the Truth and Reconciliation Commission calls on the federal government to appoint an Indigenous Languages Commissioner to be tasked with promoting Indigenous languages and reporting on their status. Inuit see a National Language Commissioner or Commissioners as useful only to the extent that Inuktitut language rights are recognized and affirmed by legislation, with the Commissioner's duties including a corresponding ability to monitor, investigate, and seek remedies for Inuktitut speakers.