



Native Women's
Association of Canada



L'Association des
femmes autochtones
du Canada

Bill C-91, An Act Respecting Indigenous Languages

Brief to the Senate of Canada

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The Native Women's Association of Canada has long advocated for the recognition of Indigenous women's unique and exceptional roles as the caregivers, Knowledge Keepers and core teachers to pass Indigenous languages on to future generations. Much of this work has centered around the lived experiences of Indigenous women including their position as the primary, and often sole caregivers, in their homes and communities. The colonial policies that underscore Indigenous language loss in Canada specifically attempted to silence Indigenous women's voices as mothers, leaders, and teachers in their communities. For these reasons, we must make sure that these voices are heard in all language legislation, policies and programs moving forward.

Specifically, NWAC's policy priorities related to Indigenous women's role in language protection, promotion, and revitalization include:

- Ensuring NWAC is a full and equal participant in the development, implementation and delivery of all programs and services in relation to Bill C-91.
- Hiring Indigenous women for language programs and services to both create the programs tailored to each community and language and lead the delivery of these programs in their communities.
- Including Jordan's Principle under section 8 of the Act in recognition that Indigenous language rights have supremacy over provincial rights regarding education.
- Promoting all Indigenous languages as Official Languages protected by the Charter of Rights and Freedoms.

Between December 2017 and March 2018 NWAC developed a report titled 'Indigenous Women's Engagement on the Development of Indigenous Language Legislation' for Canadian Heritage informed by 5 engagement sessions and an online survey. In this report and in the related 'Final Activity/Results Report' we express a number of concerns with the consultation process. The first is the limited scope of the consultation process. With only a few months to complete the engagement sessions, NWAC and its PTMAs were unable to adequately consult at the grassroots level. Due to that shortened timeframe, we were unable to fully represent all geographic regions in the report. For example, we could not access voices from the northern territories because we did not have the time to conduct outreach and promote the engagement sessions and surveys in these difficult to access regions. Second, from the start, NWAC was not included in the co-development process. It was noted that this process began in 2016 when Prime Minister Justin Trudeau made the joint announcement with the Assembly of First Nations. Women's voices were an afterthought, finally joining the conversation in 2018 at the end of the consultation phase. Finally, NWAC was asked to give feedback on the Bill only after it was introduced on February 5th 2019. This



resulted in a very limited opportunity to analyze the Bill before it was debated on February 7th 2019.

Specific amendments must be made to the Act in order to ensure that it is responsive to Indigenous women's central role in language revitalization:

- Section 5 which outlines the purposes of the Act must include a clause that states the Government of Canada's commitment to; 'support and promote the role of Indigenous women in the use and revitalization of Indigenous languages.'
- Section 5 must also include a clause that states the government's commitment to making Indigenous languages Official Languages under section 16 of the Canadian Charter of Rights and Freedoms. Indigenous language rights must also be protected under Section 23 of the Charter which outlines Minority Language Educational Rights.
- Section 8 must include Jordan's Principle in recognition that Indigenous language rights have supremacy over provincial rights regarding education.

NWAC is committed to ensuring that our Provincial and Territorial Member Associations (PTMAs) can build relationships that will meaningfully carry out this legislation at the grassroots level. This means establishing relationships with local women, elders and organizations who have the best knowledge about the specific language needs of their communities. Through greater support NWAC can empower our PTMAs to make sure that we can very quickly reach agreements with the smaller organizations in a way that is actually meaningful for them.

Indigenous women's autonomy, community, and leadership have been undermined by the Indian Act's sexist and racist provisions that forebear the loss of Indigenous languages through the legal erasure of Indigenous women. The Indian Act's policies of disenfranchisement legally cast out Indigenous women and, in the process, severed the possibility of transmitting their status, cultural practices and languages to their children.

The future of our languages relies on our children and those children rely on their mothers. Indigenous women are the primary caregivers of their households and nearly 30% of Indigenous families are headed by single mothers. According to the 2016 Census, 205,000 Indigenous responses reported living with a female lone parent while only 53,000 Indigenous responses reported living with a male lone parent. That means, almost four times more Indigenous people reported living with a lone female parent than a lone male parent. These trends situate Indigenous women as the first and primary language teachers to their children through the earliest stages of their lives. Early childhood is the best time for children to start learning language because they can learn simply through immersion. Only by incorporating language learning into the



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practices of everyday life can we hope to achieve and maintain high proficiency within our limited timeframe.

Most of our Indigenous languages are endangered, and the majority of our language speakers are aging— estimates show that only 3 out of the 90 Indigenous dialects in Canada are expected to survive into the next century. The only way to guarantee the futurity of Indigenous languages is through Indigenous women. When we talk about Indigenous language revitalization we are talking about the future— we are talking about children and the women who raise them. How, when and where we include Indigenous women in language legislation will decide the future of Indigenous languages in Canada. If we continue to silence and ignore Indigenous women's exceptional role as the primary language teachers of the next generation, we will fail to revitalize Indigenous languages.

Indigenous women must lead the development of community-based language learning programs. To ensure the effective development of these community-based language programs Indigenous women must be hired to 1st create the programs tailored to each community and language and 2nd, to lead the delivery of these programs in their communities. This will contribute to the social and economic empowerment of women. These programs may include language nests where young children are cared for by Indigenous women and elders who speak their respective languages. They may also include toolkits to be distributed to Indigenous women and elders that respond to the longstanding, practical barriers Indigenous communities face in integrating language teaching in their day-to-day lives.

We will not fix the mistakes of the past by continuing to silence Indigenous women. We must listen to Indigenous women and recognize the fundamental contributions they make to the protection, promotion and revitalization of Indigenous languages.