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International Scientific Conference**PRESERVATION OF INDIGENOUS LANGUAGES IN THE  
UNITED STATES. LEGISLATION AND CHALLENGES**Victoria Vladimirovna Dorzheeva (a)\*  
\*Corresponding author

(a) North-Eastern State University, 13 Portovaya St., Magadan, Russia, dorvic68@mail.ru

**Abstract**

Language extinction is a global problem today, which is why the UN proclaimed 2019 as the International Year of Indigenous Languages. Today, 6% of indigenous peoples speak over 4,000 languages. According to UNESCO's Atlas of the World's Languages in Danger, almost all endangered languages are indigenous. Language diversity is of utmost importance for humanity, as each language is the embodiment of a unique culture and wisdom of its people. Any language lost is a loss for all humanity. There is an urgent need for language documentation and searching for ways to preserve indigenous languages. Legislative initiatives to support language preservation might play a crucial role in problem resolution. Analyzing the international experience of preserving indigenous languages and testing the selected language policy strategies reveal the best practices to accumulate positive experience. The goal hereof is to investigate the legal regulation of indigenous language preservation in the US today. Analysis of legislation and its application brings up the question whether the indigenous language preservation efforts are effective. Notably, the US Acts are prone to conflicts and fail to make the preservation of indigenous language a less pressing issue. Such efforts are grant-funded from regional and federal budgets involving the organizations of indigenous peoples in teaching their languages. This cooperation between the state and the civil society to preserve endangered languages brings together language teaching and the objective reality; it encourages social ties strengthening and engaging the organizations of indigenous peoples in educational activities. Such practices might be useful for Russia today.

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## **1. Introduction**

The UN forecasts that over a half of the world's languages will be extinct by 2100. Most of such endangered languages are those spoken by indigenous peoples. Russian researchers note the linguistic collapse in the country; they point out that the today's national development paradigm has no place for a coherent and clear-cut language policy, whilst the few policy elements that are present are inconsistent (Kibrik, 2019). Experts state the policy is fragmented and has too many focus areas that affect it and the national strategy of Russia today. These focus areas bear traces of the practices that predate the collapse of the USSR and have ideological roots; and yet these areas are affected by today's political, ethnic, and nationalist climate (Khalidov, 2017). A set of factors has been determined that contribute to language loss; it includes both historical causes and today's social realities (Zamaraeva et al., 2018). Nowadays, researchers report conflicting trends: the indigenous youth prefer to speak Russian (Seredkina & Koptzeva, 2018). On the other hand, the indigenous youth also wants to go back to their cultural roots (Luzan, 2016). This in fact broadens substantially the spectrum of research, which therefore covers the issues of language transition from generation to generation within the family; language policy models; the practices and innovation of teaching native languages and cultures; Russian and international experience with regard to minority language preservation and development, and to bilingual education (Borgoyakova & Gusejnova, 2016, 2018). Language preservation is a pressing issue in the US, too. Today's American terminology contains two concepts: American Indian (AI) and Native American (NA). Alaskan natives (Aleuts and Eskimos) are classified as Indian. Endangered indigenous languages are indigenous languages on the verge of extinction. One factor of 'language health' is the ratio of native speakers to L2 speakers (Vowel, 2017). Most indigenous languages spoken by ethnic minorities are endangered.

The urgency of language preservation in today's Russia, the globality of this issue dictate the appropriate solutions, including the investigation of international preservation and revival practices. Of interest are the related regulatory frameworks, which are the legislative foundation of language policies.

## **2. Problem Statement**

Research into the international practices and experience of indigenous language preservation might be of use in the sense of helping avoid errors and practices proven ineffective; it also helps adequately assess the language policy strategies pursued by multiethnic states, and adopt the best practices while adapting them to the situation in Russia.

## **3. Research Questions**

This paper analyzes how today's US legislation regulates the preservation of indigenous languages; it is an attempt to assess such legislation and its effectiveness.

## **4. Purpose of the Study**

The goal hereof is to retrospectively analyze the development of the United States' education laws in the 20th and 21st centuries, to see what influenced such laws, to investigate the forms and methods of

indigenous language preservation, and to shed light onto the challenges of adopting and implementing such legislation. The purpose is to find the effective indigenous language preservation and protection practices in order to see whether they could be adopted in Russia.

## **5. Research Methods**

This research utilizes causal analysis to identify the causal relations and patterns in the history of national legislation. The paper analyzes the current US legislation that regulates education in general and the teaching of Native American languages in particular. Normative analysis therefore builds upon the identified law implementation issues. The paper analyzes the frameworks that regulate and enshrine the teaching of indigenous languages, define the institutional and organization format of such efforts, and set forth the public policies regarding the preservation of indigenous language; this analysis gives insight into the legal criteria of governmental activity and its cooperation with the civil society institutions of the US.

## **6. Findings**

From the 1870s through the 1970s, the US was forcibly assimilating its indigenous peoples, which resulted in the degradation of, and loss of competence in, native languages, as well as in the inadequate acquisition of the dominant language. Contemporary researchers consider this policy a linguistic genocide and a crime against humanity (Skutnabb-Kangas & Dunbar, 2010). It is as the result of this policy that 89% of the languages present in North America are moribund. Of 2 million Native Americans, only 18% speak the language of their tribe (Manatowa-Bailey, 2007). Policy makers now understand the importance of legislative protection of such languages. The Elementary and Secondary Education Act allocates federal funding to support bilingual education and specialized programs for Native Americans, Hawaiians, and Alaskans. The Act states that one of its purposes is to support efforts to meet the unique educational and cultural academic needs of American Indians and Alaskan Natives (The Elementary and Secondary Education Act, [ESEA], 1965). The Native American Programs Act (NAPA, 1974) defined the forms of protecting and boosting the indigenous languages of the US. The goal of this Act is to promote the economic and social independence of Native Americans. The U.S. Department of Health & Human Services has established the Administration for Native Americans, spearheaded by the Commissioner, and the Intra-Departmental Council on Native American Affairs. A state-funded grant program is in place to support various projects, be it the establishment of language communities to bring together older and younger Native Americans; teaching Native Americans to teach their mother tongues; creation and distribution of Native American language teaching aids; Native American participation in TV and radio broadcasts in their languages; etc. (NAPA, 1974).

The Native American Languages Act recognizes the unique states of Native American languages and cultures, and defines the following policy goal, "...to promote the rights and freedom of Native Americans to use, practice, and develop Native American languages; allow exceptions to teacher certification requirements for Federal programs, and programs funded in whole or in part by the Federal Government, for instruction in Native American languages when such teacher certification requirements hinder the employment of qualified teachers who teach in Native American languages..." (Native American

Languages Act [NALA], 1990). The No Child Left Behind Act of 2001 is the current version of the Elementary and Secondary Education Act (ESEA, 1965), which is expected to provide a better equality with regard to the access to high-quality education for all children regardless of their families' wealth, race or ethnicity, health impairments, or English language proficiency (The No Child Left Behind [NCLB], 2001).

In 2006, new amendments were made to NAPA (1974), named the Esther Martinez Native American Languages Preservation Act. The U.S. Department of Health and Human Services provides three-year grants to fund the creation of Native American language nests, survival schools, and restoration programs. These projects concern children aged 7 or younger, each of whom must receive at least 500 school hours per annum. At a language nest, its indigenous language must be the primary language of instruction. Teaching guidelines and aids have been and continue to be developed for survival schools and language nests; teachers must be trained appropriately, whilst the school administration staff must have at least three years of experience of managing such schools (Esther Martinez Native American Languages Preservation Act..., 2006). The Act calls for flexible teaching and education formats, which enables the Native American communities and institutions to independently develop language programs tailored to specific situations and real needs. Immersion in the language environment helps truly master the language, something that cannot be done by dictionaries and recordings alone (Klug, 2012). Esther Martinez Initiative (EMI) and Administration for Native Americans (ANA) provide a stable supply of funding for language development projects. In the fiscal year 2018, the US Congress allocated ~\$54 million to ANA, of which at least \$12 million went into language preservation projects, and \$4 million went to EMI-funded projects (Hovland, 2018). However, this is where a conflict of laws emerged. NCLB 2001 sets forth specific qualification requirements: the teacher must be highly qualified, have a Bachelor degree, pass the state examination on their subject, and obtain a state license. This contradicts the Native American Languages Act of 1990. Community elders are often the only native speakers left. Most of them do not have university degrees (and often no education certificates at all). However, these are the only 'real' native speakers that can speak fluently, understand the semantics and connotations. NCLB requires testing children in English. This complicates the process for immersion school students, where their native languages are used for instruction in primary education, whilst English teaching is well-paced to achieve native-like fluency only by the final graduation. This creates an academic gap between white and Native American children (Klug, 2012). Language must be used in everyday life, and traditional activities must be preserved for successful revival (Seredkina & Koptzeva, 2018). Public schools with a low percentage of Native American students conducted a poll in 2015, where 24% of fourth-graders and 18% of eighth-graders replied that their family members spoke to each other in their native language once a week or more (National Center for Education Statistics..., 2015). This is clearly not enough for children to achieve fluency.

## **7. Conclusion**

Thus, indigenous language preservation remains a pressing issue in the US. The Acts in place do not mitigate the issue and are prone to conflict. Although the US does not recognize international indigenous language preservation acts, it still has the corresponding public policies that declare the value and importance of Native American cultures and languages. Language preservation and development efforts in

the US are mainly funded by federal and regional grants. This system helps differentiate the funding and involve NA communities in the development of language programs. The authors hereof believe such practices of cooperation between the state and the civil society's institutions might be of interest in the context of preserving moribund languages in Russia. The dialogue and cooperation, the involvement of older native speakers in teaching might also help alleviate the generation gap. Besides, engaging the organizations of indigenous peoples in preparing the learning process will help bring closer teaching and the realities of modern life for more flexible education that better meets the communities' needs. Such engagement will also help these organizations realize their own involvement and responsibility as the agents of education and language preservation.

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