



Native American Language Policy in the United States

*Larisa Warhol, Ph.D.
Arizona State University, Tempe, AZ*

It is estimated that 175 Native American languages are spoken in the United States (Krauss, 1998). Native American languages have a unique position in the United States in policy and legislation of federal, state, and tribal governments. Because the federal government recognizes the sovereign (self-governing) status of Native American tribes, tribal communities are able to put forward policies to protect their languages (Wilkins & Lomawaima, 2001). This sovereign status is not shared by other language minority communities. The United States has created official federal language policy only for Native American languages through the Native American Languages Act 1990/1992. Official language policy is more prevalent in state governments, with 32 states declaring English as their official language. Yet some state governments have also recognized and created language policies to support Native American languages (McCoy, 2005). Tribes have also created their own tribal language policies to protect their languages (Zepeda, 1990). These recent trends contrast with historical policies toward Native American languages. Historically, the federal government employed schooling as the primary tool for cultural and linguistic eradication to assimilate Native American communities. These historic policies have had lingering effects on the current state of Native American languages. Therefore, despite policies that now protect and preserve Native American languages, 90% of Native American languages are moribund or endangered (Moseley, 2010). At the same time, almost all Native American communities are engaged in language maintenance and revitalization efforts (Hinton & Hale, 2001; McCarty & Zepeda, 2006; Reyhner & Lockhart, 2009). This brief examines federal, state, and tribal Native American language policies in the United States.

Federal Policy

The underpinnings of language policy related to Native American languages were established early in the history of the United States. Primarily coupled with education policies detailed in treaties, the U.S. government, as early as the 1770s, established the trust relationship¹ with Native American tribes that included the responsibility for educating children in English.

¹ Within the United States, the recognition of tribal sovereignty has led to the creation of federal policy and judicial decisions that have shaped the relationship between the tribes and the federal government. Because of treaties developed between tribes and the United States, the federal government assumed a trust responsibility or relationship for Native American communities, which includes protection and management of tribal resources. The relationship is a combination of legal duties, moral obligations, and understandings that have been developed throughout the entire history of tribal/federal government negotiations (Canby, 1998).

While Native communities freely entered into these treaties, they had little control over how the United State government carried out their promised responsibilities. Throughout the nineteenth and early twentieth centuries, federal language and education policy endorsed complete assimilation. The sole goal of education was to civilize the American Indian, thus creating a homogeneous American population with little linguistic or cultural difference. As early as 1819, the government had passed the Civilization Act, which provided funding for missionaries and others “for introducing among them (American Indians) the habits and arts of civilization” (Reyhner & Eder, 2004, p. 43), including a mandatory English language policy. This was especially prominent during the mandatory boarding school period from 1879 to 1934.

Government boarding schools were able to isolate Indian children from their families and communities and implement an extreme deculturation experience. Children were regularly rounded up and forced from their homes to attend these schools. Punishment for speaking their Native languages was common and frequent (Adams, 1995). Between 1879 and 1905, 25 off-reservation boarding schools were established and by 1930, 136 on- and off- reservation boarding schools existed serving 32,316 Native children (Reyhner & Eder, 2004). The Meriam Report (Meriam, Moulton, & Rowe, 1928) revealed the inadequate educational and linguistic circumstances of these schools, which led to a brief reconsideration of the boarding schools. Despite this brief respite, the federal government again embraced assimilation after World War II during a period of government conservatism. This included a renewed interest in the off-reservation boarding schools and assimilation-oriented policies, including a move to terminate the trust relationship and reservation system (Reyhner & Eder, 2004). Although the termination initiative was eventually revoked, this period provided little opportunity to promote Native American language and cultures, especially in schools.

The 1960s saw a change in political and social climate, when activism and civil liberties were embraced. The Elementary and Secondary Education Act (ESEA) was passed in 1965. Subsequent amendments to the act included Title VII, the Bilingual Education Act (1968), and Title IV, the Indian Education Act (1972). This legislation provided opportunities for schooling in the Native language and the ability to have local tribal control over schools for Native American students. Subsequent amendments of the Bilingual Education Act in the 1990s also allowed for tribal communities to establish maintenance bilingual programs instead of transitional ones. These early amendments to ESEA were further bolstered by the Indian Self-Determination and Education Assistance Act [ISDEA](1975). The government recognized the basic human rights of Native Americans and the unique needs of Native American students. An important element of these policies was acknowledgement of the right of Native peoples to direct their education while also allowing schooling through Native languages (Lomawaima & McCarty, 2006). Since the late 1960s, various types of tribally controlled bilingual education in Native languages and English have been available on many reservations.

Despite policies that supported bilingual education, Native American languages were soon under threat again from the renewed interest in promoting English as the only official language of the United States in the early 1980s (Moore, 2008; Wiley, 2004). Partly in response to this English-only movement and partly due to recognition of language shift to English occurring in many communities, Native American language educators and activists sought federal protection for their languages (Warhol, 2011). The Native American Languages Act (NALA) was passed by the United States Congress in 1990 to support the preservation of Native American languages. When NALA was passed, it reaffirmed federal recognition regarding the status of Native American languages in the United States and its position toward those languages and their speakers. The policy states, "The status of the cultures and languages of Native Americans is unique, and the United States has the responsibility to act together with Native Americans to ensure the survival of these unique cultures and languages" (Sec. 102). While the policy contains several recommendations for achieving this goal, there are no requirements or provisions to enforce them. Despite these limitations, NALA represents as the only official and explicit stance that the federal government has taken on language in the United States.

The federal government created a grant program related to NALA to support community-driven Native American language programs, through the amended Native American Programs Act (NAPA) of 1974, which included appropriations and provisions for community language programs, training programs, materials development, and language documentation. These grant programs are currently administered by the Administration for Native Americans (ANA). The most recent federal policy to support Native American languages has been the Esther Martinez Native American Languages Preservation Act of 2006, otherwise known as the Esther Martinez Act. This legislation created an additional grant program to be administered by the ANA specifically for Native language nest and immersion survival schools. The significance of these federal language policies is directly related to their grassroots origins; Native American language educators and activists were the ones drafting and calling for the passage of these policies to protect their languages and to require the United States government to support their local efforts. These federal policies stand in stark contrast to other federal language and education policies, such as No Child Left Behind, which has made it increasingly difficult for tribal communities to maintain their Native language education programs in public schools (Beaulieu, Sparks, & Alonzo, 2005).

State Policy

Shifts and trends in federal language policy have also been prevalent at the state level. Historically, state policy has followed the federal trend to assimilate Native Americans, and tribal communities continue to battle to have their cultural and linguistic rights recognized. The only state with a Native American language as a co-official language is Hawai'i, a policy established during the Hawaiian renaissance in the late 1970s (Kamana & Wilson, 1996). Hawaiian has also been well established as part of the public school and university system in Hawai'i since the 1980s (Kamana & Wilson, 2008).

While some states do recognize minority language rights, no other state has a language policy that recognizes a Native language as an official state language. However, some states have made adjustments with regards to Native American languages within their education policy. When NALA was passed in 1990, only three states (Hawaii, Minnesota, and Wisconsin) had established provisions relating to Native language curricula and teachers. By 2003, an additional thirteen states (Alaska, Arizona, Idaho, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Washington, and Wyoming) added provisions related to Native language curricula and teacher certification (McCoy, 2003). A few states have even added extensive provisions that mirror parts of NALA for protecting Native languages and encouraging their use.

More recently, some states have specifically allocated funds for immersion schools, language revitalization efforts, and teacher certification policies that contradict those established in No Child Left Behind. In 2009, Minnesota allocated \$1.9 million in appropriations to the [Minnesota Indian Affairs Council](#) to support Ojibwe and Dakota language preservation programs, including immersion schools. In September 2010, Michigan passed a [tribal language bill](#) that allows uncertified Native speakers to teach language classes and students to receive foreign language credit for those classes. In 2003, New Mexico passed an Indian Education Act, which included \$2.5 million in state funding for Native American education. This state policy has a strong language component, with language teacher certification parameters developed by tribal communities and supported by the state. These state policies in support of Native American languages also stand in contrast to the Official English language policies that have been passed in 32 states, including English-only education policies in California, Arizona, and Massachusetts (Wiley & Wright, 2004).

Tribal Policy

A trend that emerged in the early 1980s included several tribes establishing their own tribal language policies. One of the first tribal language policies was for the Northern Ute language, developed to maintain the Ute language in public schools that had bilingual education programs. These tribal language policies were also a response to the growing English-only movement that had emerged at the same time (Zepeda, 1990). The tribal language policies outlined the rights of Native Americans to maintain and promote their language as part of their sovereign status with the United States, and subsequent policies and court decisions supported these rights. By the late 1980s, other tribes that had also passed tribal language policies included Cheyenne, Navajo, Red Lake Band of Chippewa/Ojibwe, Arapaho, Pascua Yaqui, Southern Ute, and Tohono O'odham. While these policies have been passed by the tribal councils, they exist mainly as a policy declaration to promote linguistic diversity and to present a stance against English-only policies. They have yet to be tested in a court of law.

Conclusion

While historically Native American language policy in the United States has been a fight to maintain Native American languages, communities are now using recent federal, state, and local policies to protect their languages and bolster their language revitalization efforts. While typically underfunded, [appropriations allocated to NALA](#) have funded over 500 programs to date. Even in states with restrictive English-Only policies, public, Bureau of Indian Education, and tribally controlled schools are engaging in dual immersion programs to reverse language shift (McCardle & Demmert, 2006). The federal, state, and tribal language policies that specifically address and protect Native American languages are a tremendous shift from past policies that focused on eradicating them. As language shift continues to be an issue, maintaining official policies that support and protect Native American languages will continue to be an important issue for federal, state, and tribal governments.

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