

**Language Rejuvenation and WA State Aboriginal Language Policy
Goldfields Aboriginal Language Centre Aboriginal Corporation
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Background

Western Australian's First Nations languages exist in a discordant political environment. They are the core identify for many thousands of Western Australians, but conversely are not recognized by the State Government through policy, legislation nor the State constitution. These languages are, in effect, invisible, ignored, and disregarded by the State's governing body. The stature of these languages, and by extension the stature of the people for whom they form core identify, is abrogated by the State Government.

This invalidating environment has led to a strong, grass roots, language centre movement across the state, resulting in the establishment of an Aboriginal language centre in each region. These centres are incorporated bodies. The public corporation system can be viewed as a fourth tier of government, existing at a grass root level under the Federal, State and local government tiers. This system empowers the development of grass roots corporate bodies to establish and undertake essential activities to meet needs not provided by the formal government tiers.

In Australia in the 1980s, a strong movement of devolvement of responsibility by Federal and State governments, in order to permit increased private responsibility in the public-private mix, led to the establishment of a large number of grass roots incorporated associations, as community-led solutions filled the needs void. As of 2023, there are close to 20,000 registered incorporated associations in WA.¹ Whilst there are many advantages to a grass roots incorporated body evolving to meet specific community need, one of the disadvantages is that this allows Governments to further abrogate responsibility.

First Nation's languages, and the responsibility towards them, falls outside the division of powers between the Federal, state and territory governments. The Federal Government holds power for migrant languages and therefore provides the full range of services and supports for these languages and speakers, where as it does not hold responsibility for First Nations' languages. This residual power rests with the states and territories. However, the WA's State government has long argued that the State's power is for justice, consumer affairs, health, education, forestry, public transport, main roads, and First Nations' languages falls outside this scope.

The result of this argie-bargie between Federal and state Governments had left WA's First Nations' languages and speech communities without executive

¹ Inc: A Guide for Incorporated Associations in Western Australia (2023)

recognition nor State recognised authority for their own languages. In 2009, the Commonwealth Minister for the Arts and the Minister for Indigenous Affairs announced the development of a *National Indigenous Languages Policy* with a *National Approach* to be guided by recommendations from the *National Indigenous Survey Report (NILS)*.

The language documentation, use and support work undertaken by WA's language centres is reliant on a single source of Commonwealth funding, identified under the *National Policy*. The void is being further filled by native title prescribed body corporates who commit to language undertakings, some of whom apply for Commonwealth funds and some of whom use corporate funds.

The History of Commonwealth Language Support

A ground breaking *National Policy on Languages* document was developed by the Hawke government in 1987. This policy, whilst only lasting for four years, had significant and continued impact with regards to Aboriginal languages in Australia. This policy raised expectation and raised hopes that a uniform national policy would continue to be a basic standard or right.

Commonwealth funding for Aboriginal languages stemmed from that policy and are repositioned today under the *National Indigenous Language Policy*. Many of the language centres and programs in Western Australia were developed during a time of support for the preservation and use of Aboriginal languages in the 1980s and 90s.

The *National Indigenous Language Policy* hasn't met the promise of the 1980s basic standards and rights call.

NSW was the only State with an Aboriginal languages policy up until 2017. NSW subsequently enacted the *NSW Aboriginal Languages Act 2017* in October 2017, which is the first legislation in Australia to acknowledge the significance of First Nations' languages. The Act commenced in March 2020 and is effectively resourced by the NSW State Government. This Act has provided a precedence for other States and Territories across Australia.

Queensland's government developed *Many Voices: Queensland Aboriginal and Torres Strait Islander Languages Policy* in Sept 2020.

Conversely, the enactment of the NSW Act has ratified the Federal position that responsibility for First Nations languages is held by each state. Federal law always has priority over state law and the fact the NSW Act was legislated and enacted, has ratified state responsibility.

WA Language Policy History

Western Australia does not have a State Aboriginal languages policy let alone legislation.

WA has a *Languages Services Policy* which

'...supports State Government agencies in developing effective communication between staff and clients to improve service delivery to all Western Australians'.²

The Department of the Attorney General and a number of other departments also include policy statements in their language policies that relate to Aboriginal people and languages.

In WA, the Education Department supports the running of LOTE programs based on Aboriginal languages as a subject with 50 or so schools running an Aboriginal language programs.

The WA Curriculum Council developed the WA's Aboriginal Languages Year 11-12 course which enabled students to gain a score towards their TEE. This was a tremendous boost to languages and a very forward thinking and progressive move. However, the author understand that as of 2023, only three secondary schools are running the course.

Despite the recognition of Aboriginal languages by the State, the State Government does not provide any other funds, or support in any other way, the work on preservation or use of WA's Aboriginal languages. In a state with around 85 Aboriginal languages, not one program or dollar goes towards the language's preservation. Ad hoc support through Lotterywest has been on offer to the language centres and programs.

In 2007, the then Department of Indigenous Affairs engaged Graham McKay to prepare a briefing paper and draft *State Aboriginal Languages Policy*. The policy was developed and put out to consultation resulting in a broad range of people invited to Perth to provide feedback. A second draft was developed. By 2009, this document was shelved and not released. I continued to agitate for its release with the then Department of Indigenous Affairs (DIA) and eventually worked with the then Senior Policy Officer who was determined to get the policy released. Again, we failed to make this happen.

In preparation for its release, the policy was sent to the educational, health and judicial sectors in order for it's enactment to be costed. The cost of enacting the policy was considered too high. The policy was shelved.

The State of WA's Language Policy

Graham McKay³ identified the serious issue of an invisible policy which favours Standard Australian English across all government agencies in Western Australia. Aboriginal language work in this state operates in a deficit environment where no state policy or programs directly support the

² WA :Languages Services Policy 2020

³ Policy and Indigenous Languages in Australia, Graham McKay 2011

preservation and use of Aboriginal languages, and therefore does not support the work of the language centres and language programs. Language centres remain unsupported by the State.

A State Aboriginal Languages Policy is long over due. A policy is needed because it provides:

1. Recognition of the languages as a valid means for communication by many people, self identity and the carrier of cultural knowledge.
2. To celebrate the use of these languages.
3. To provide a vehicle for reconciliation with past policy and practice.
4. For the languages to receive due attention and be adequately resourced.
5. To provide Aboriginal people with critical interpreting and translating services.
6. To provide a better quality of education for children entering school speaking an Aboriginal mother tongue.
7. For reasons as identified by the *United Nations Declaration on the Rights of Indigenous Peoples* and the *Universal Declaration of Linguistic Rights*.

The responsibility to support and resource Western Australian First Nations language speakers and people with heritage connections to a language, is still managed by grass roots corporations without State support.

WA Language Needs

In an environment without a State policy or legislative direction, First Nations Languages remain extremely vulnerable to loss, appropriation, misrepresentation, with no checks and balances or support for language extinction to occur.

The Goldfields Aboriginal Language Centre Aboriginal Corporation (GALCAC) has developed a policy appropriate to the Goldfields region, in lieu of a State policy. The GALCAC policy acknowledges different needs for languages, according to their language endangerment status.

GALCAC Language Policy

Statement

All peoples have the right to speak the language of their heritage connections. In particular, First Nations peoples have the right to speak, use, enjoy, learn and teach their heritage languages. Linguistic rights are both individual and

collective. This policy is with regards to the First Nations' languages of the Goldfields region of Western Australia.

GALCAC aligns this policy with the '*Universal Declaration of Linguistic Rights*' 1998 and the '*United Nations Rights of Indigenous Peoples*'.

Policy

The Goldfields region is home to many First Nations, their languages, and dialects. Some languages are alive with large speech communities, some are spoken only by elderly speech community members, and some are sleeping languages. Some languages are under revival. Aboriginal English and contact languages, such as Cundelee Wangka, are included in this policy.

Each individual has the right to speak the language of their choosing, to self identify their language, and collective rights as part of a speech community.

Goldfields First Nations languages are highly endangered as they belong to peoples who are considered non-sovereign. Therefore the languages, the domains they are used in, the opportunity for intergenerational language transfer, the opportunity to enjoy and use the languages in intellectual pursuit, are limited, constrained and often threatened. This happens by appropriation, reduction in language domains, communication mechanisms, English-only policies, the educational school English-only instructional policy, and lack of prestige.

GALCAC references UNESCO's 2003 paper, '*Language Vitality and Endangerment*' for the 6 degree scale for language revitalization and endangerment, with some modification, as a means to classify each language.

- 1. safe:** all generations use the language as a first language. Large speech community 500+
- 2. unsafe:** some children use the language in all settings, all children use the language in some settings, medium speech community 300+
- 3. endangered:** few children speak the language; predominantly spoken by the parental generation and older, small speech community 20+
- 4. severely endangered:** spoken by older generations; not used by the parental generation and younger, very small speech community 10+
- 5. critically endangered:** few speakers remain and are mainly from the great grandparental generation, most people speak words or formulaic phrases, 2+ people.
- 6. extinct:** no living speakers. People identify with heritage connection.

Related Policy and Legislation

1. *National Indigenous Languages Policy 2009*
2. *Western Australian Languages Services Policy 2020*
3. *Commonwealth Copyright Act (1968)* with limited capability to protect languages.
4. *First Nations Cultural and Intellectual Property in the Arts* as a support mechanism for languages.
5. *Indigenous Arts Code*, as a member, and adheres to the code in this policy.

Policy Objectives

1. Provide resources and opportunities for speakers to use, enjoy, celebrate, immerse in, and increase language, language use and prestige.
2. Provide resources and opportunities for people and communities with heritage language connection to reconnect with, learn, enjoy and engage with their heritage language.
3. Provide resources and opportunities for languages to be recorded, written, archived, produced in books, comics, film, TV, radio and social media for educational, use and prestige purposes.
4. Provide opportunity for the speech communities to revive, revitalize, and rejuvenate sleeping languages using scientifically identified phonemic, morphological, semantic, syntactic and discourse strategies. Create 'traditional' (dictionaries from verified original speech sources) and 'contemporary' (dictionaries which include rejuvenated language items) versions of dictionaries, as directed by the speech community.
5. Provide the wider community with information about language revival, revitalization, and rejuvenation strategies, in order to garner support for communities with sleeping languages for their reawakening.
6. Undertake political lobbying for a WA State Aboriginal Languages Policy, in order to enshrine protection for WA's languages, being aware that State policy is subject to political change.
7. Undertake political lobbying for enshrinement of WA First Nations' languages in the State constitution, to ensure long-term support regardless of political change.

Conclusion

In the current environment where there is

1. recognition for a First Nations' Voice to Parliament,

2. The *NSW Aboriginal Languages Act 2017*,
3. *Many Voices: Queensland Aboriginal and Torres Strait Islander Languages Policy*,
3. The *National Indigenous Language Policy*,
4. The International Decade of Indigenous Language 2022-32
5. The Closing the Gap targets,

the Western Australian State Government still chooses to disavow WA's First Nations' languages through lack of a policy or legislation, or any movement towards them.

In 2013, this author released a paper which stated,

'It is critical for these services (language centres) to again take up the banner and present a unified voice for the release of the State Aboriginal Languages Policy.'

Hanson 2013

The voices of First Nations' peoples in WA, are the Nation's language centres and language programs across the state. We need these voices to be heard.

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