



# MOTHER LANGUAGE

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## Right to Learn in Mother Tongue: A Special Concern for Indigenous People of Bangladesh

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**Abstract:** The “Right to Learn in Mother Tongue” is an essential component of educational and cultural rights, especially for indigenous groups. In Bangladesh, the formal education system is primarily conducted in the national language, Bangla. However, indigenous peoples frequently encounter substantial obstacles when attempting to receive education in their own languages. This study aims to explore the consequences of this problem in achieving education. In addition, this study examines the learning process through one’s native language, emphasizing a rights-based approach. The notion of Linguistic Human Rights (LHRs) has been explicitly articulated through both national and international legal systems. The study demonstrates that the universal recognition of Human Rights includes the right to receive education in one’s mother language, particularly for indigenous populations worldwide. This study employs a descriptive, thematic, and doctrinal legal research technique, utilizing an integrated literature review to focus on the right to education of indigenous people in Bangladesh, namely through the use of their mother tongue. This study is grounded in the philosophical approach of epistemological constructivism, which focuses on analyzing theoretical knowledge related to linguistic Human Rights.

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## Introduction

Recognizing linguistic rights as a fundamental human right is widely acknowledged in the contemporary global context. Language is a fundamental aspect of human existence and can be considered a valuable possession of an individual. Aziz (2022) states that Bangladesh, located in Southeast Asia, is home to indigenous populations in the northern and southeastern regions that speak a diverse range of local languages. However, none of their languages are incorporated into the primary educational programme for instruction or acquisition. Consequently, these individuals frequently lack the incentive to enrol their children in school. The country's language policy does not incorporate these indigenous languages into the main curriculum. Besides, Awal (2019a) states that an individual's identity is directly linked to the language or linguistic variation they use. The linguistic rights of minorities and indigenous people have been incorporated into international treaties, such as the UNCRC (1989), with regards to language and education. It is widely recognized that language plays a fundamental role in shaping cultural identity and enabling individuals to exert influence and control over their lives. It is imperative for the diverse indigenous language communities in Bangladesh to collaborate in order to preserve these languages. Murshed (2011) states that about 45 indigenous communities in the country constitute linguistic minorities. These groups speak more than 30 distinct languages and have an ethno-linguistic identity that differs from the majority of the Bangla-speaking population. Until recently, the country's educational programs have disregarded language concerns pertaining to the ethno-linguistic minority. According to Lyons (1981), language is the fundamental support system of a civilization. Language is

crucial in the construction of a society or nation. Each language possesses unique characteristics that differentiate it from other languages.

In addition, as stated by Cummins (2000), bilingualism in children leads to improved academic performance and provides linguistic advantages. When children are taught effectively in their native language, they tend to perform better in the majority of academic areas. Nevertheless, if pupils are prohibited from using their mother tongue, it might harm their conceptual and personal development. According to Pinnock (2009), there is conclusive evidence that adopting a language for teaching that is not dominant in children's daily lives has a detrimental impact on their education. Azizi (2011) states that in the 21st century, state authorities have thoroughly and earnestly examined the right to education in one's native language, in response to the genuine needs and requirements of the public. When children encounter additional obstacles in education, the use of unsuitable language for instruction can push them towards complete exclusion. In compliance with a wide range of languages spoken, especially those with large rural populations or significant divisions, it is logical to consider the language used in schools as a crucial factor in promoting high-quality learning outcomes and increasing access to education. Awal (2019b) narrates that according to the United Nations Department of Public Information, approximately 96 percent of the world's 6,700 languages are spoken by a mere 3 percent of the global population. Despite comprising fewer than 6% of the global population, indigenous peoples are fluent in over 4,000 languages worldwide. Indigenous languages worldwide serve as both a means of communication and a vital medium for conveying a vast and intricate system of transmitting and exchanging knowledge.

At the same time, Ullah and Reza (2023a) stated that the restoration of indigenous language rights is stipulated in Article

23(A) of Bangladesh constitution and also in the 2010 Education Policy. In accordance with the government's decision, the National Curriculum and Textbook Board releases primary school textbooks in five indigenous languages. However, these measures are insufficient to ensure the preservation of all indigenous languages. Rahman (2011) asserts that the National Education Policy 2010 advocates for an education policy that is centered on the native language of the indigenous minorities in the country. Sajib (2017a) narrates that the policy strongly suggests that the government should move quickly to recruit educators from diverse backgrounds and to work with indigenous communities to develop curriculum materials in their native languages. On top of that, the current state of some indigenous languages in Bangladesh as a result of both globalization and the widespread dominance of Bengali in the country, the use of indigenous languages is steadily dwindling. Because they are unable to attend school in the language they were born into, indigenous students are dropping out at alarming rates. Because of this, kids will not have the opportunity to enjoy their time in high school. However, education in any of their languages is not a priority. This makes it difficult for many families to afford the cost of education for their children. According to the language policy, these indigenous languages are not part of the national curriculum. There has been little success in implementing the government of Bangladesh's initial aim to provide education in the mother tongues of the five most prominent indigenous languages spoken in the nation.

### **Background of the Study**

Many indigenous peoples of Bangladesh have their own unique ways of life. The diverse locales and natural surroundings are protected and preserved by the ethnic communities in various parts of the country, particularly in hill tracts. The nation is

home to around fifty distinct indigenous groups, including the Chakma, Marma, Khasia, Garo, Tanchangya, Magh, Hajang, Munda, Kachhari, Oraon, Kuki, Tripura, Santali, Malpahad, Mikir, and Shadri etc. Ullah and Reza (2023b) narrates that by implementing new legislation and releasing textbooks in a handful of indigenous languages, the government of Bangladesh has made a conscious effort to safeguard indigenous languages and cultures. The government has a duty to ensure that all indigenous languages and language variants have a safe space to thrive. Thus, the government and media play a significant role when dealing with language extinction and rebirth. According to Rahman (2022), the state of Bangladesh is obligated to preserve and promote indigenous languages and cultures in the country's constitution and other national policy papers.

Similarly, according to Chowdhury (2014), ethnic minority communities in Bangladesh are dispersed around the nation. This includes districts in the northwest, like Dinajpur and Rajshahi, as well as districts in the central northern, like Tangail and Mymensingh, districts in the northeast, like Greater Sylhet, and districts in the south and southeast, like Greater Barisal, Chittagong, and Cox's Bazar. Around 1,586,141 people identified as members of an ethnic minority in the country (BBS, 2011). According to the official count, that amounts to 1.8% of the total population. Moreover, in order to promote peaceful cohabitation of Bangladesh's many languages, language-in-education planners should strike a balance between Bangla, the official language, English, and indigenous languages. Since Bangla is the *de jure* state language, it would appear that the entire country speaks only Bangla. Contrary to popular belief, English has not yet achieved formal recognition despite its widespread use in the country's educational system, news

outlets, and government. The government has not yet decided what the respective roles of Bangla and English would be. Most educational policies in the country have long ignored the languages of ethno-linguistic minorities. Similarly, Jacob (2016) states that the National Education Policy 2010 (MOE 2010) is the primary educational policy document of the GoB. It lays the groundwork for educational equity, openness to educational possibilities, and comprehension of education's function and significance in Bangladesh. The National Education Policy of 2010 laid the groundwork for future implementation of several of its policy suggestions, however these have not yet been put into action. Even though Article 28 of the Constitution forbids discrimination based on race, religion, and place of birth, no Bangladeshi law or constitutional provision explicitly acknowledges or safeguards the rights of indigenous people in Bangladesh. As a result, the Constitution is very important when considering the future of the country's languages. Government choices in Bangladesh primarily steer language planning initiatives, which are seen as implementations of language policy (Sahin, 2018). In this context, there seems to be a trend toward removing mother language teaching from public schools and replacing it with private ones. Some consider this method as a breach of human rights and aggravating educational inequality. According to Islam (2020), learning one's native language is a fundamental human right.

### **Objective of the study**

The objectives of the study are:

- To evaluate the legal frameworks and policies that support the right to education in indigenous languages, particularly in the context of international human rights conventions.

- To investigate the educational, cultural, and socioeconomic obstacles that indigenous communities encounter as a result of the absence of mother tongue education.
- To provide effective suggestions for using mother tongue in teaching learning of indigenous people

## **Methodology**

This study is grounded in the epistemological constructivist philosophical framework, which asserts that our knowledge is constructed through social conventions, individual perceptions, and collective experiences. This study aims to analyze the concept of Linguistic Human Rights (LHRs) according to the definition provided in the Social Research Glossary of 2022. This study primarily employs a doctrinal and pure legal research approach. It is a content analysis-based research study aimed at elucidating the deprivation of indigenous people in Bangladesh in their ability to learn through their mother tongue. Essentially, an integrative literature review has been conducted to fulfill the study's objectives, as described by Torraco (2005). The doctrinal legal research approach involves meticulously examining and comparing different texts to detect ambiguity, reveal inconsistencies between laws and principles, discover disparities, and apply legal analysis. The article centres around the utilization of a rights-based strategy to ensure indigenous people's right to education and learning, namely through the use of their native language (Salter and Mason, 2007). This study utilizes descriptive, explanatory, analytical, and critical approaches to assess and examine the laws and policies pertaining to the establishment of the right to learn in one's native language, as discussed by Chatterjee (2000) in their research. Moreover, the study employs a critical analysis methodology to assess and form comments regarding the legal system's shortcomings in enforcing existing laws.

## Literature Review

The right to freely express one's thoughts and ideas is guaranteed in article 19 of the 1948 Universal Declaration of Human Rights (UDHR) (Luca, 2017). Besides, the transmission of cultures, beliefs, and traditional knowledge through local languages particularly those of indigenous and minority populations is a key factor in ensuring sustainable futures, according to UNESCO (2017). There has been a severe shortage of both users and preservation efforts for ethnic languages in Bangladesh, leading to the extinction of numerous dialects. There is a growing danger to linguistic diversity due to the extinction of languages, warns the United Nations Educational, Scientific and Cultural Organization (UNESCO). Sajib (2017b) reports that 40% of the world's population is unable to receive an education since their native language is not taught in the classroom. In addition, according to Sakib (2022), most Bangalees are learning and using English alongside Bangla, and most tribal people are learning and using both English and Bangla alongside their mother tongue in various socio-economic domains. As a result, Bangladesh is becoming an unofficially multilingual country.

Kangas (2004) argues that an important objective of minority education is to facilitate the development of a fundamental level of bilingualism among pupils. Bilingual education, in all its manifestations, is a subject of intricate and sensitive analysis in the fields of academic research and public policy discussions. Wamalwa and Oluoch (2013) conducted study on the conservation and vulnerability of Kenyan languages. The factors contributing to the endangerment of languages include the degree of bilingualism in the language, the socio-economic status of the minority language, the prevalence of negative attitudes towards the minority language, and the inability to pass

down the minority language to future generations. McKay (2011) highlights the importance of language rules, such as “language categories” and “language maintenance,” in safeguarding indigenous languages in Australia. “Language awareness” and “language learning” refer to the process of acquiring a second language, whereas “language revival” refers to the maintenance of one’s native language and includes three subcategories: revitalization, renewal, and reclaiming. Debnath (2019) states that the local Santals, like indigenous communities worldwide, have the notion that education has the power to liberate them and future generations from poverty, marginalization, and isolation. Nevertheless, embracing this religion has the drawback of becoming disconnected from their tribal background and the potential risk of forfeiting their distinctive collective identity as Santals. Prinsloo (2009) states that most South African students who speak an African language as their first language only receive instruction in their mother tongue for the first three or four years of primary school. Stoop (2017) states that the constitution of South Africa ensures the protection and promotion of one of its eleven official languages. Section 9 of the South African Constitution ensures that the law grants all individuals equal protection and prohibits any kind of discrimination, including prejudice based on an individual’s language. According to Section 29(2) of the Constitution, in public schools, whenever feasible, each student is entitled to receive education in their preferred official language or languages.

Rumenapp (2014) defines Mother Tongue-Based Multilingual Education (MTB-MLE) as an instructional approach that utilizes the native language of the family as the main medium of teaching. The MTB-MLE movement has emerged as a response to the need for equitable educational options for indigenous language speakers. The Mother Tongue framework aims to enhance educational chances for all students

by prioritizing the initial emphasis on the first language before transitioning to other languages. Nishanthi (2020) states that many children in undeveloped countries do not acquire much knowledge in school due to the teachers' use of a language they do not understand. Consequently, individuals are less inclined to gain and develop new skills, encounter more adverse and alone situations, and exhibit a higher probability of repeating or discontinuing their education. In order to enhance educational standards, policymakers should incorporate mother-tongue learning into their language strategies. Disregarding the mother language throughout the early years might have detrimental impacts on children's learning and productivity. Benson (2005) states that when delivering a high-quality basic education, it is crucial to consider many factors, with the utilization of suitable language being of utmost significance. Ozfidan (2017) found that students who possess fluency in both their native language and the language of instruction in the classroom have enhanced proficiency in reading and writing the target language. According to Spolsky (1998), it is necessary to take into account the rights of both the speakers of a language and the language itself. In this context, it is feasible to distinguish between the entitlements of language speakers to utilize their language and their entitlements to conserve it by transmitting it to future generations.

More significantly, Quader (2014) asserts that Bangladesh's national fabric is strengthened by its cultural diversity, particularly due to the presence of indigenous groups. The preservation of indigenous languages in Bangladesh has encountered obstacles, resulting in a loss of vitality in these languages. In this instance, the government must guarantee the inclusion of indigenous individuals in specific educational and cultural activities by allowing them to utilize their native languages. Meanwhile, indigenous groups must be aware of and understand their linguistic rights. Preserving indigenous languages should be a

paramount concern for all parties involved, as it is a basic aspect of human rights. As per Bhuiyan (2016), it is opined by Jose Martinez Cobo, the Special Rapporteur of the UN Commission on Human Rights, indigenous communities, peoples, and nations are those that have a historical connection to societies that existed on their territories before invasion and colonization. These groups see themselves as separate from the dominant sectors of society that currently exist on those territories.

## **Results and Discussion**

The right of indigenous children to receive education in their mother tongue in accordance with international legal principles is recognized. Here is an analysis of the origins of international law that establishes the structure for the right of indigenous children to receive education in their native language. On September 13, 2007, the United Nations announced indigenous people's rights, including individual and communal rights, cultural rights and identity, and rights to education, health, employment, language, and other areas. Therefore, the internationally recognized Human Rights law has identified the approach of learning through one's mother as a fundamental right.

The Convention on the Rights of the Child (CRC) was established in 1989. The CRC, specifically Article 28, Article 29, and Article 30, is a significant treaty that guarantees the right of indigenous children to learn their native language. Article 28 ensures that State parties acknowledge a child's right to education, while Article 29 outlines the primary objectives of education. Additionally, Article 30 states that in states with ethnic, religious, or linguistic minorities or indigenous populations, a child from such a minority or indigenous group cannot be deprived of the right to embrace their own culture, practice their own religion, or use their own language, while being part of their community. The International Covenant on Civil and Political

Rights (ICCPR) of 1966 includes Article 27, which states that in countries where ethnic, religious, or linguistic minorities exist, individuals belonging to these minorities must not be deprived of their right to participate in and enjoy their own culture, practice their own religion, or use their own language, alongside other members of their group.

The UNESCO Convention against Discrimination in Education, established in 1960, emphasizes the importance of acknowledging the educational rights of national minorities. Article 5 (1.c) specifically highlights the recognition of their right to engage in educational activities, such as maintaining schools and, depending on the educational policies of each country, using or teaching their own language. General Comment No. 11 (2009) issued by the Committee on the Rights of the Child: The document outlines the rules aimed at promoting the rights of indigenous peoples, with a particular emphasis on the rights of indigenous children in the field of education. The Indigenous and Tribal Peoples Convention, 1989 (also referred to as ILO Convention No. 169): Article 28 (1) of ILO Convention No. 169 states that children who are part of the indigenous communities should, whenever possible, receive education in their native language or in the language commonly spoken by their group. If it is impossible to accomplish this, the authorities in charge will engage in discussions with these groups to implement measures that will help achieve this goal.

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) was adopted in 2007. The High Commissioner for Human Rights expressed satisfaction with the approval of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) by the General Assembly on September 13 2007. This achievement is considered a significant victory for fairness and human worth, after over twenty years

of discussions between governments and representatives of indigenous communities. The Declaration is a highly detailed document that outlines the rights of indigenous peoples under international law and policy. It establishes baseline requirements for recognizing, protecting, and promoting these rights. The international legal frameworks for human rights are crucial for promoting a rights-based approach to education and teaching in one's native language.

The basis for this right was established by examining the international legal sources that allow indigenous children to study their mother tongue in the classroom. Intending to address the specific situations in Bangladesh, the law of the country incorporates and details the use of these components. The National Education Policy of 2010 and the Law of 2010 (the "Small Ethnic Groups Cultural Institutes Act of 2010") in Bangladesh propose a policy of first-language education for the indigenous minorities in the country, even though most international treaties in this area have already been implemented. Indigenous children's right to learn their language at school has not been effectively realized for a variety of other reasons as well. The lack of a conducive learning environment and the issue of legislation's continuous revisions are two of these issues.

Whether one's mother tongue is a minority language or a dominant one, the idea of linguistic human rights (LHRs) suggests that everyone should be able to identify positively with their mother tongue and have that identification acknowledged and valued by others. It denotes the right to acquire the mother tongue, whether verbally or in writing, to receive at least a basic education in the mother tongue, and to use the mother tongue in many public settings. Limitations on these rights could be seen as a violation of basic LHRs. In addition, as shown by Kangas's (2012) research, it suggests that minority groups have the right

to create and run their own educational institutions, including schools, with the authority to decide on course content and the ability to teach in their native languages.

The constitution of the Republic of Bangladesh explicitly states that the state is responsible for safeguarding and promoting the distinct local culture and traditions of tribes, minority groups, ethnic sects, and communities (Act 23-A). Bangladesh's constitution guarantees indigenous peoples' right to maintain and utilize their original languages. Thus, it is imperative for children to directly encounter and engage with it, both cognitively and corporeally. Indigenous people have a multitude of problems in their efforts to safeguard their languages. Acquiring linguistic skills should offer native populations enhanced employment prospects. In the absence of job security, a few indigenous individuals may choose to acquire knowledge of their indigenous languages to preserve their cultural identity. However, the majority of individuals are unlikely to demonstrate interest in doing so. In Bangladesh, the limited utilization of indigenous languages in the workplace, especially in areas outside of the hill regions in the southern half of the nation, is a significant concern. In addition, the government initiated the production of books in five distinct languages, namely Chakma, Marma, Kokborok, Garo, and Sadri, covering the pre-primary to class three levels (Roy, 2021). Nevertheless, the curriculum is inadequately prepared, and the scarcity of available books has worsened the situation. There are currently no published books available in other indigenous languages.

The government should uphold and safeguard both fundamental rights and constitutional recognition concurrently. In this context, the government can examine many national constitutions, such as those of Finland, Australia, Peru, and other countries, to promote the development of indigenous languages.

According to Section 17 of the Finnish Constitution, individuals are granted the explicit right to utilize their native language and cultural heritage freely. Indigenous groups are granted the right to protect and promote their native language. Another exemplary instance can be observed in the Austrian Constitution, namely in Article 9 of the Austrian Constitutional Law, which ensures equal rights for all regional languages in the domains of public life, education, and administration as opined by Zmyvalova (2015). Significantly, Indigenous individuals must recognize that the loss of their language equates to the loss of their primary means of identifying their cultural heritage.

It is imperative to establish research cells dedicated to indigenous languages to ensure their preservation and advancement. The International Mother Language Institute (IMLI), affiliated with the University of Dhaka, can significantly assist in collaborating with indigenous communities. Introductory classes can be provided initially. Simultaneously, it is essential to construct public libraries in indigenous communities. These libraries will serve as knowledge centres for the community and promote indigenous people's social, cultural, and economic integration and solidarity. These community information centers are operated by the Directorate of Public Libraries, which is under the control of the Government of Bangladesh. Increasing the collection of language and literature materials in libraries is essential to improve indigenous communities' literary and linguistic resources. It is also essential to spread information among the members of indigenous groups.

Having said that the topic of ensuring the right to learn in their mother tongue for indigenous people in Bangladesh is a crucial one that involves human rights, cultural conservation, and educational fairness. Here are some bold points of significant findings of the research:

- a) Government actions and challenges: The Bangladeshi government has introduced projects called Mother Tongue-based Multilingual Education (MTB-MLE) in certain areas to meet the educational needs of indigenous children. However, these endeavors have been disjointed and often impeded by insufficient resources, a lack of political resolve, and inadequate community involvement. The available evidence indicates that the existing MTB-MLE programs are insufficient in meeting the needs of indigenous children, as only a small proportion of indigenous students are able to receive teaching in their native language.
- b) Constitutional Framework: The Constitution of Bangladesh recognizes Bengali as the official language, although it does not explicitly mention the incorporation of indigenous languages in education. Bangladesh has officially approved and accepted the UN Declaration on the Rights of Indigenous Peoples (UNDRIP), which emphasizes the significance of offering education in the languages spoken by indigenous communities. However, the current national policies have not fully incorporated these international norms into the existing domestic legislation. Research suggests that there is a divergence between the international duties related to human rights and the practical implementation of these rights within a country. There has been a lack of progress in creating precise procedures for teaching indigenous languages.
- c) The impact on cognitive and social development: Gaining knowledge in one's mother tongue enhances cognitive abilities, particularly during early childhood. Indigenous children can feel disconnected from their cultural history and

the mainstream education system when they are not given the opportunity to receive education in their native language. A study conducted in Bangladesh has shown that indigenous students who start their education in their mother tongue achieve better academic results compared to their peers who switch to Bengali or English in later years. This suggests that educational approaches that include bilingual or multilingual teaching are not only possible but also beneficial.

- d) The long-term consequences of language loss: Without assistance, many indigenous languages in Bangladesh, such as those spoken by the Khasi, Mro, and others, are in risk of becoming extinct in a few generations. Linguistic experts warn that the disappearance of indigenous languages would result in the disappearance of unique viewpoints on the world, oral customs, and ecological knowledge, all of which are essential for the continued existence of these communities and their surrounding environment.
- e) Cultural and Linguistic Marginalization: The dominance of Bengali as the main language in formal education creates linguistic hegemony, leading to a sense of marginalization and disconnection from their cultural identity among indigenous students. There is evidence suggesting that pupils from indigenous communities, such as the Chakma, Marma, and Santal, encounter difficulties with their personal identity when they are required to adapt to a curriculum that is focused on Bengali culture. Language barriers lead to higher dropout rates and reduced academic performance.
- f) Educational disparities: Indigenous kids face substantial inequities in schooling due to the limited availability of textbooks and instructional resources in their native

languages. Empirical research confirms that children who are educated in their mother tongue during the early years of schooling demonstrate higher academic achievement due to the positive impact on cognitive development and the fostering of self-assurance.

## Conclusion

The indigenous people in Bangladesh still face an unresolved difficulty in obtaining the right to learn in their mother tongue. Although there is an increasing acknowledgment of the necessity for education that is based on the mother tongue, the legal, political, and practical obstacles to its execution continue to exist. Extensive academic research continuously demonstrates that providing education in a child's native language promotes superior academic achievement, improves cognitive growth, and safeguards cultural heritage. Therefore, it is imperative to prioritize mother-tongue education for the indigenous groups in Bangladesh. Nevertheless, in the absence of more comprehensive government intervention, active participation from the community, and global assistance, the objective of providing fair and all-encompassing education for everyone remains far from being achieved. Moreover, the primary language used for education, particularly in the first 8 years, should be the one that is least likely to advance to a highly formal level. This is in accordance with the Basic Principles of Linguistic Human Rights (LHRs). This language serves as the mother tongue for all minority children. The majority of youngsters can be instructed using a minority language as the medium of instruction.

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