

**ACCESS TO JUSTICE  
FOR DEAF PERSONS IN NUNAVUT:  
FOCUS ON SIGNED LANGUAGES  
rr2000-17e**

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The views expressed herein are solely those of the authors  
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## TABLE OF CONTENTS

Acknowledgments .....	4
Executive Summary .....	6
1.0 BACKGROUND.....	8
2.0 CURRENT RESEARCH PROJECT: SIGNING SYSTEMS IN NUNAVUT.....	10
3.0 METHODOLOGY .....	11
3.1 Telephone survey .....	11
3.2 Field visits .....	11
4.0 RESULTS.....	13
4.1 Telephone Survey.....	13
4.2 Interviews in the field.....	14
4.2.1 Iqaluit .....	14
4.2.2 Rankin Inlet .....	15
4.2.3 Pangnirtung .....	17
5.0 DISCUSSION .....	18
5.1 Sign language used by deaf persons in Nunavut.....	18
5.2 Linguistic theories .....	18
5.3 Historical and comparative perspective on education of Inuit deaf children..	19
5.4 Signed languages in Nunavut.....	20
6.0 CONCLUSION .....	22
7.0 RECOMMENDATIONS .....	23
Endnotes .....	24
References .....	26

## LIST OF APPENDICES

Appendix A:	Selected Vocabulary Items of Videotaped Interview In Iqaluit.....	31
Appendix B:	Selected Vocabulary Items Of Videotaped Interviews In Rankin Inlet.....	33
Appendix C:	Selected Vocabulary Items Of Videotaped Interview In Pangnirtung.....	35
Appendix D:	CBC Interviews .....	36

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## Executive Summary

In a recent court case (*R. v. Suwarak; 1999*) in Nunavut Territory, the issue of providing sign language interpretation consistent with sections 14 and 15(1) of the *Canadian Charter of Rights and Freedoms* (the *Charter*) was raised. In the south, sign language interpretation using *American Sign Language*, ASL (for the English speaking community) and *Langue des signes québécoise*, LSQ, (for the French speaking community) are routinely provided by the courts to deaf persons who require it.

The issue that was confronted in this case was centred on the fact that the deaf man before the court did not know ASL nor LSQ. Consequently, no professional sign language interpreter could be provided. In addition, the deaf person had limited ability to speak, read or write. However, the deaf man did appear to have knowledge of a signing system which he apparently used with facility to communicate with people in his immediate environment.

The current project was developed to determine how the *Charter* rights of a deaf person in this unique situation could be met. A further purpose was to obtain a preliminary estimate of the approximate number and characteristics of other persons who may be in a similar situation in Nunavut. An additional focus of the study was to provide a preliminary examination of the indigenous signing system which may be currently in use by deaf persons in Nunavut.

The methodology consisted of a telephone survey by a person who speaks Inuktitut and who has extensive experience in Nunavut. In addition, follow-up site visits were made by the principal contractor to three selected communities for the purpose of gaining information and background material on deafness and sign language, as well as for the purpose of recording actual sign language interactions on video-tape. The three communities chosen were Iqaluit, Pangnirtung and Rankin Inlet.

Based on the current study and on information from previous studies it is estimated that the prevalence of deafness (inner ear sensory-neural type) in Nunavut is 5.7/1000 of the population - which is five to six times greater than in the south (Stamos-Destounis, 1993) . Based on the most recent estimates for the overall population of Nunavut of 27,039, it is estimated that the number of deaf persons is 155. A very preliminary estimate of the number who use some form of sign language other than ASL/LSQ is approximately 30%, or 47 for Nunavut Territory. It should be noted that the Nunavut Council for People with Disabilities (NCPD) has recently completed a survey of all disabilities including deafness (report of the Nunavut Council for People with Disabilities, 1999).

In terms of the status of the signed language(s) used by deaf persons in Nunavut, there is a strong indication that an indigenous form of sign language does exist. Observation and video recordings of sign language conversations in the three communities involving five deaf and approximately ten hearing users indicate that a very complex sign language system is used extensively. The sign system is clearly not ASL nor LSQ. Variations of ASL and forms of

Manually Coded English (MCE) and fingerspelling of English were also noted. A preliminary analysis of various vocabulary items based on the linguistic corpus obtained suggests that expected dialectal variation exists between and within communities. However the underlying structure and visual-spatial-kinesthetic properties appear to be consistent with other signed languages and preliminary indications are that there is a high degree of mutual intelligibility among the various dialects noted.

In terms of narrative reports from family members, deaf people, and other interested stakeholders in the community, it seems clear that deaf people and the use of sign language are not stigmatized. Rather, a surprising number of hearing persons use the sign language. This appears to be in marked contrast to the situation that exists in the south where relatively few hearing people use sign language. It is hypothesized that signing is indigenous to the culture as a whole in the fashion that has been documented for many native peoples in North America and elsewhere.

From the point of view of the *Charter* issues which provided the stimulus for this study, it is apparent that the Nunavut deaf population uses a variety of signed languages - ranging from ASL, to Manually Coded English (MCE), fingerspelling of English and what appears to be an indigenous form of sign language.

The most pressing need now is to examine the feasibility of developing a court interpreter training program which addresses the linguistic situation of the deaf people of Nunavut. Preliminary indications suggest that the existing program at Arctic College could be expanded to include training in signed languages by drawing on the expertise of the relatively large number of hearing signers in Nunavut as well as the expertise of the deaf community itself.

## 1.0 BACKGROUND

Section 15(1) of the *Charter* (Equality before and under the law and equal protection and benefit of law) states:

*Every individual is equal before and under the law and has the right to equal protection and benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or **physical disability** (emphasis added).*

Section 14 (interpreter) states specifically:

*a party or witness in any proceedings who does not understand or speak the language in which the proceedings are being conducted or who is deaf has the right to the assistance of an **interpreter** (emphasis added).*

Sections 14 and 15(1) taken together guarantee the right of full access to the Canadian justice system for all deaf persons through the provision of appropriate sign language interpretation.

A recent decision of the Supreme Court (*Eldridge v. British Columbia, 1997*) adds further weight to the necessity of providing sign language interpretation to ensure full access to all public services. In *Eldridge* the Supreme court handed down a unanimous decision which mandates sign language interpretation as a free service under the *Canada Health Act* (Medicare). This decision has been interpreted to apply to all publicly funded services so that deaf Canadians can now expect increased access to a wide range of services (MacDougall, 1999). Taken together, access to health and to justice comprise important aspects of full citizenship for all deaf persons.

In most regions of Canada sign language interpretation using *American Sign Language*, ASL (for the English speaking community), and *Langue des signes québécoise*, LSQ (for the French speaking community), is routinely provided by the courts to deaf persons who require it. However the situation is more complex in the north. In a recent court case, *R. v. Suwarak; 1999*, in Baker Lake, Nunavut Territory (NT), the issue of providing sign language interpretation consistent with sections 14 and 15(1) of the *Charter* was raised. In this case, the deaf Inuk who appeared before the court did not know ASL nor LSQ. In addition, he had limited ability to speak, read or write. Consequently, no professional interpreter could be provided. However, the deaf man did appear to have knowledge of a signing system which he apparently used with facility to communicate with people in his community.

The issue of access to a trial in cases where a person has no recognized language but who is otherwise mentally competent, has already been confronted in Nova Scotia in *R. v. Roy* (MacDougall, 1994; MacDougall and Paterson, 1994). In that case, which also involved a deaf man who did not have a recognized language, no satisfactory resolution of the situation could be reached and the charges were stayed by the trial court judge. The *Criminal Code*

apparently makes no provision for a person who has no recognized language, but who is otherwise mentally competent.

The Nunavut case, i.e. *Suwarak*, while similar in many respects to the *Roy* case in terms of the sign language interpretation issues for the justice system, does involve an important difference due the cultural and linguistic setting. In *Roy*, there was limited linguistic and cultural support for whatever sign language system ( most likely “home sign”) Roy may have developed, but in the Nunavut case there exists the possibility that the sign language system used by Suwarak may be a more developed indigenous signing system supported by the cultural-linguistic environment. In fact, in the Nunavut case, the court did proceed using a friend of the accused who knew the signing system of the accused. While this apparently allowed the court to proceed in the limited context of a guilty plea, the overall situation, especially in terms of any future proceedings involving this or any other deaf person in Nunavut, remains unclear.

## 2.0 CURRENT RESEARCH PROJECT: SIGNING SYSTEMS IN NUNAVUT

The current project was undertaken to explore the issue of access to the justice system for deaf persons in Nunavut particularly in the context of the signing systems currently in use. The specific objectives of the project were as follows:

- to obtain a preliminary estimate of the number of deaf persons in Nunavut;
- to determine selected demographic characteristics of deaf persons who may use an indigenous form of sign language;
- to provide a preliminary examination of the indigenous signing system(s) that may be currently in use by deaf persons in Nunavut; and
- to examine the indigenous signing system in the context of access to the courts and the justice system.

## 3.0 METHODOLOGY

### 3.1 Telephone survey

A telephone survey was conducted to obtain preliminary estimates of the numbers of deaf persons in Nunavut. Existing networks were used to determine the number of deaf Inuit in the various communities. This involved the health and social service network, as well as other more informal community contacts. Most of the information was gathered by phone, email, and/or fax.

The telephone survey was conducted by Janet McGrath, an interpreter who speaks (and teaches) Inuktitut and who has extensive experience in Nunavut. She used her contacts in many communities to gather the information. Contacts covered a range of persons, some of whom worked in government agencies while others worked in business or the professions. In some communities the families of deaf persons were known in advance due to personal acquaintance. In these cases Janet McGrath initiated lengthier discussions concerning various aspects of deafness and sign language.

Much useful information was obtained using this technique. Twenty of the twenty-six communities were contacted directly. We sought to gather demographic information about deaf people, including approximate age, gender, educational history (southern Canada vs. northern Canada) and attendance at school for the deaf. We also wanted to obtain an estimate of the number of hearing persons who could communicate with the deaf persons using sign language.

### 3.2 Field visits

Based on the results of the telephone survey, my technical assistant and I conducted follow-up field visits to three selected communities for the purpose of gaining information and background material on deafness and sign language, as well as for the purpose of recording actual sign language interactions using video-tape. An exploration of whether the sign language being used is ASL or an indigenous form of sign language was also undertaken. The three communities chosen were Iqaluit, Pangnirtung and Rankin Inlet. The deaf people and their families and friends in all three communities were most cooperative and helpful.

Initially it was proposed that we elicit responses to a standard list of one hundred vocabulary items for common objects and actions in order to obtain a preliminary understanding of the linguistic status of the signing systems from the point of view of consistency in the communication system and any dialectal variations that may exist. We were quickly confronted with methodological difficulties in our attempt to “elicit” vocabulary items. It became clear that direct questioning was socially inappropriate. In addition, it became obvious that the questions we were trying to answer by looking only at vocabulary and dialect were misdirected. Our initial concern was with “home sign” vs. “more developed

sign”. In other words we were trying to determine if the signing systems were consistent “languages” or just rudimentary gesture systems that had developed in the absence of environmental linguistic input and which would consequently fall short of full linguistic status. This turned out to be a limited approach.

“Home sign” is conventionally associated with young deaf children who develop signs in the absence of adult or peer linguistic input (Morford, Singleton and Goldin-Meadow, 1995; Volterra & Erting, 1994; Volterra, Beronesi & Massoni, 1994). This occurs either because of a deliberate attempt to suppress language in an environment of social deprivation or as a result of an ideological adherence to the “oral” philosophy which forbids signing in front of deaf children. The theoretical issue in this area that is currently in debate is whether this “home sign” has all the characteristics of language or falls short of this status. The weight of linguistic evidence at the present time seems to favour the hypothesis that indeed this type of limited signing system is actually a language. It is worth noting that even those who deny “home sign” is a language believe that it does nevertheless provide the early linguistic basis for later language in development (Goldin-Meadow & Mylander, 1994).<sup>1</sup>

In view of the above considerations and our early experience with the deaf people and their friends, and based on the information we had already collected from the telephone survey, our methodology changed to that of obtaining a “a linguistic corpus” of naturalistic conversations in sign which would give an indication of the range and complexity of the sign languages being used. Apart from recording sign language conversations, informal, semi-structured interviews were conducted. Emphasis was put on talking to participants about their perspectives on deaf people and their sign language. Discussions included the solicitation of historical information related to deafness.

In addition, in all three communities contact was made with various professionals and other interested parties regarding the situation of deaf people in Nunavut. All of the people contacted expressed interest in the goals and objectives of this project.

## 4.0 RESULTS

### 4.1 Telephone Survey

Our telephone survey reached twenty of the twenty-six communities and positively identified deaf individuals (adults) in many of them including Iqaluit, Rankin Inlet, Coral Harbour, Pangnirtung, Arctic Bay, Cape Dorset, Clyde River and Baker Lake, Cambridge Bay and Taloyoak. One methodological difficulty encountered was that, in most cases, questions about age, hearing loss etc. were considered personal and there was reluctance to give this information “for the record”. Moreover, issues of confidentiality in some small communities preclude detailed reporting in some cases. For these reasons, only general information based on these interviews is presented here.

There was an indication that in each of these twenty communities there were a number of deaf persons. There was at least one deaf person who used sign language and across communities there were many who had not attended school in the south, or did so on a limited basis. In a number of cases deaf people and their families were eager to provide information and a good deal of narrative information and history was obtained in the telephone survey.

Six individuals who were positively identified as having an indigenous sign language were considered potential interview subjects. Apparently they did not have any knowledge of any other sign language such as ASL. Ten additional individuals who went south and knew some form of ASL or at least finger-spelling were identified from various communities.

In virtually all the cases where information was obtained by telephone there was a clear indication that an extensive network of extended family and friends were frequent users of the sign language. In Baker Lake, for example, one knowledgeable hearing signer estimated the number of hearing signers of the indigenous language to be about 75% of the total population. Furthermore, there was little or no evidence of “social stigma” associated with deafness in the communities we contacted and there was no apparent social exclusion because of deafness. In terms of the actual nature of sign language being used, the reports were mixed between some form of ASL or Manually Coded English for those who attended school in the south, to ASL with an indigenous language, to an indigenous language alone (especially for older deaf persons in the more remote communities).

The information from the telephone survey, along with statistical information from a previous study of sensory-neural deafness in the Baffin Region (Stamos-Destounis, 1993) produced an estimate of 5.7/1000 persons of the total population being deaf. The most recent estimate of the general population in Nunavut is 27,039 (Nunavut Bureau of Statistics, 2000). Thus the overall number of deaf persons is estimated at just over 150. A very preliminary estimate of the numbers of deaf persons who did not go south for education and who therefore most likely do not use ASL is 30% of the overall total, or approximately 50. This

number must be interpreted with caution since the linguistic situation of signing deaf people in Nunavut is extremely complex. Furthermore the methodology used in the study does lend itself to a definitive statement of numbers.<sup>2</sup>

The Nunavut Council for People with Disabilities (NCPD) has recently completed a survey of disabilities, including deafness, in all twenty-six communities (Nunavut Council for People with Disabilities, 1999). However their study grouped all persons with hearing loss with those who have speaking difficulties. No indication was given of the use of sign language among deaf people. The issue of the determination of the exact numbers of deaf persons who use sign language as their primary means of communication remains for a future study. One of the most promising aspects of the present situation is that there are now at least two agencies, the NCPD and the Nunavut Bureau of Statistics, that will be taking responsibility for establishing and tracking the numbers of persons with disability in Nunavut (Internet address is provided following References).

One further point of interest is that we identified three cases where deaf people had become involved with the justice system as victims and in all cases family members had to interpret in court for their deaf relatives.

Furthermore, a number of families spoke of the anguish of their deaf relatives having to “go south” as children and the difficulties that they had reintegrating in the north. Virtually all lamented the lack of educational and employment opportunities in their communities.

## **4.2 Interviews in the field**

As mentioned above, based on what we had already learned, our methodology for our videotaped interviews in the field changed to obtaining a “a linguistic corpus” of naturalistic conversations in sign which would give an indication of the range and complexity of the sign languages being used. In these field visits it became obvious that “home sign” per se was not an issue in the northern context. Family members overwhelmingly stated that they started using sign with their deaf children at the moment of identification of deafness (provided there were no other interventions).

Three of the six individuals who were positively identified as having an indigenous sign language, and who apparently did not have any knowledge of any other sign language such as ASL were followed up for personal visits and video taping; one in each of the communities of Iqaluit, Pangnirtang, and Rankin Inlet.

### **4.2.1 Iqaluit**

Suwarak, the deaf person whom we interviewed in Iqaluit was the man from Baker Lake who was the stimulus for the present project. To recap his situation, he entered a guilty plea to a charge and was moved from Baker Lake to Iqaluit where he was placed in the Baffin Correction Centre (BCC). There he was enrolled in a rehabilitation and educational program. A key element of his program was for his friend from Baker Lake, who knew sign language, to move to Iqaluit to act as his paid interpreter for the rehabilitation, educational and job placement programs. Instituting this program was very complex and involved the cooperation

of many agencies in both the public and private sectors. Arctic College also created a special literacy program for him as part of his overall rehabilitation program.

Direct evidence of his language abilities were captured on video-tape. By coincidence, the deaf man's brother was visiting Iqaluit during the time of my visit. When I was previously in Baker Lake for the original court evaluation it had been established that this particular brother was the most skilled user of the deaf man's signed language. Suwarak and his brother allowed us to tape the initial interaction between them. They had not seen each other in over two years and their motivation for communication was very high. The translation of the signed conversation was provided by his brother at a subsequent meeting to view the taped interaction. Selected vocabulary items are available in Appendix A.

The vocabulary items provide an indication of discussion on a wide range of topics revolving around a recounting of events that had happened in Baker Lake over the past year and also a description of events involving the deaf man's experiences in Iqaluit. I was also able to interact with the deaf man through the interpreter and by using some signs in his language that I had learned. The literacy program was discussed, future plans, the rehabilitation program, and our shared experiences on a hunting trip in Baker Lake which had taken place over two years ago. I found no impediment to communication. My overall impression was of communication with a deaf man from another country who had a foreign sign language.

#### **4.2.2 Rankin Inlet**

We were able to interact extensively with two families with deaf persons in Rankin Inlet.

##### **Rankin Inlet: First family**

The first family included a 58 year old deaf man who is married to a hearing woman, and they have three hearing children living with them in their home. His friend, an Inuktitut interpreter, acted as our source of information and as an interpreter. Selected vocabulary from this interview is attached as Appendix B (First Family).

The interpreter indicated that his family and the deaf man's family were long time friends and that he knew many people in the community, including other family members, who could communicate with the deaf man. He also knew of elders from a previous generation who were deaf and used sign language. He expressed the opinion that the sign language used in Nunavut is a "real" language that has its roots in Inuit history and culture. He reported that he observed many elders who were experiencing difficulties with hearing loss (presumably due to aging and middle ear disease) using an indigenous form of sign language. He also expressed the view that when hearing Inuit met other Inuit who used different spoken dialects they would immediately use sign to communicate. He said he had heard this situation discussed many times by the elders.

A wide range of topics was discussed with the deaf participant - from hunting and fishing, to the use of the snow machine, to family matters, to working in the community and other general topics. It was clear during the conversations that his wife was a very fluent signer and his children could sign with him as well. All indications were that the deaf man was able to carry on a normal family life and that his signing system was known by many, if not all, of the people with whom he regularly interacted. The degree of expertise of people remote from the family was not clear. What did seem clear was that there was little, if any, stigma attached to deafness or the use of sign language.

The deaf man had a deaf brother who had recently passed away. Information from the interpreter and from the deaf man indicated that the signing between the two brothers had been very fluent. The signing between the brothers was in fact the subject of a documentary video which was done in the 1970's by the Inuit Broadcasting Corporation (IBC).<sup>3</sup>

There can be no doubt that this man has a “real” language. He would have used it from the time of his infancy and all accounts are that his family encouraged and used the sign language as well. All the known conditions for language development were present (see Endnote 2, especially Goldin-Meadow and Mylander, 1994).

### **Rankin Inlet: Second family**

The second family participating in Rankin Inlet consisted of the mother and father (elders) who have a family of thirteen, including five grown deaf children. The father is a retired hunter and employee of the local power corporation. The story of the deaf children has been told by the mother as part of a radio interview for the CBC (see transcript in Appendix D).

Two of her deaf children went south to school and three stayed in the north. My interaction was with 3 brothers; two who had stayed in the north for school and one who had gone south. The oldest sister was away on holidays and the other deaf sister was not present during the taping. Selected vocabulary from this interview is attached as Appendix B (Second Family).

The three deaf brothers in the family all used fingerspelling (of English) extensively and they also used a dialect of ASL and some Manually Coded English (MCE). They also used an indigenous form of sign language to communicate with their parents (who only know Inuktitut), and, of special note, to the deaf man from the first family who accompanied us on our visit to this second family. The language situation in the second family is very complex with the existence of Inuktitut, English, ASL, fingerspelling, an indigenous sign language and possibly some combination of all of the above.

I had no difficulty communicating with the brothers. All of the hearing people in their family can sign and deafness and the use of sign does not seem to carry any stigma whatsoever. Various members of the family referred to elders in their family who were deaf and who used sign language that was not ASL. Their understanding is that sign language use has a long history in their culture; indeed they referred to their indigenous sign system as “*Inuk Sign Language*”. Direct questions about the nature of the sign language, how it was taught and

learned, and who uses it were treated as “academic” questions with little relevance to daily life. This would be similar to the response of anyone who was asked how they learned their language. Language acquisition is a natural unconscious process which is not ordinarily the subject of reflection. In their culture at least, sign language by acquisition for a deaf infant or person seems to occur naturally.

### 4.2.3 Pangnirtung

A fourth field visit and videotaping took place in Pangnirtung. Pangnirtung was accessible in the time frame of the project and the weather permitted travel to this destination. Even though the deaf person in Pangnirtung who was reputed to have “her own form of sign language” was away, it was agreed in consultation with the Nunavut Council for People with Disabilities (NCPD) that it would be important to talk to the family to get a history of the situation and perceptions of deafness, sign language, etc. from the family perspective.

An interview was taped with the deaf woman’s sister who was a skilled user of the sign language. The interview covers various topics including her sister’s medical and linguistic history, attitudes about deafness, development of the sign language and concerns about the issue of ASL and indigenous sign language as well as other related topics. The deaf woman works in a local craft shop with her sister and she has a hearing child, who is 6 years old, who uses sign language. A list of the words for which signs were demonstrated during this interview is attached as Appendix C.

It was clear from this interview as well that once the deafness was discovered the family started signing to the deaf infant. Evidently they were living on the land at a permanent settlement. It is known that if a family has encouraged the development of spontaneous sign in an infant, and if they provided an appropriate signing environment, then a signed language will most certainly develop (Goldin-Meadow and Mylander, 1994) . This is clearly what occurred in this situation and the language that the deaf woman now uses to function in her community is, according to her hearing sister, used by a significant number of hearing persons in Pangnirtung.

## 5.0 DISCUSSION

### 5.1 Sign language used by deaf persons in Nunavut

One of the main issues that this project was initially concerned with is the issue of the existence of an indigenous sign language in Nunavut. Does the signing system fulfil the basic characteristics of a language? Are the signs and the structure of the language *consistent* across communities? Does the signing system provide a basis for a coherent language system that can, in turn, provide access to the courts for the deaf people of Nunavut? These questions are key. It could be argued that it may be difficult to justify the cost involved in training sign language court interpreters if the signing system among deaf people in Nunavut was nothing more than a gesture system with little or no consistency between and within communities. However, if this were the case, then the situation in Nunavut would be quite remarkable because the inevitable conclusion would be that many of the deaf people of Nunavut are without language entirely.

In all three communities I studied I was told by all participants, deaf and hearing, that whether in camps in the earlier days, or in the settlements, signing was an inherent part of the linguistic space of deaf infants. This clearly means that the early babbling of the deaf infants would have naturally developed into whatever sign language was being used in the linguistic environment of the child. Questions such as: is this language rooted in the hearing Inuit culture or is it specific to deaf people; or what is the degree of consistency between different communities; or what is the exact nature of the dialectal variations between communities, are all legitimate questions for further linguistic study. Only a preliminary treatment of these issues will be given here. What cannot be disputed is that, at least in some communities, a sign language indigenous to the Inuit culture has developed, one that is referred to by at least some Inuit as Inuk Sign Language.

### 5.2 Linguistic theories

Philosophers, scientists and linguists have long sought to find a clear case of any person who, in spite of normal upbringing and intelligence, is without a language (Osborne, 1999; Lane, 1976). The majority of cases where absence of language has been demonstrated have been totally confounded with pathological social, psychological and physical deprivation (Curtiss, 1977). Many prominent linguists (Chomsky, 1975; Pinker, 1994) assert that language is not “learned” in the ordinary sense of the word, but emerges naturally as a basic biological characteristic of all human beings. In this context the search for a “pure” case of a person who is “without language”, but normal in every other way, is seen as a misguided question at best. An important emerging fact about language is that it is fundamentally rooted in the infant, not the environment (Chomsky, 1975; Petitto, 2000; Pinker, 1994). If the child is hearing, early babbling will spontaneously develop, if deaf, babbling will be in the manual mode (Petitto, 2000).

Unless active steps are taken to suppress the early utterances of infants (in sign or speech), the child will acquire the language of his or her environment as naturally as he or she would learn to walk. Of course the specific language environment of a child is important as the inherent biological endowment and the language space work in tandem to produce language in the full sense of the term. Exactly how this happens is a complex process that is still not fully understood (Crystal, 1987).

### **5.3 Historical and comparative perspective on education of Inuit deaf children**

The question of how languages - especially signed languages (Armstrong, 1999) develop in a variety of locations across different cultures in the context of the relative importance of biological and environmental factors, is a major preoccupation of linguists and other academics. The recent controversy over the factors involved in the apparent spontaneous development of a signed language in Nicaragua is a good example of the contentious nature of current issues in this field (Osborne, 1999).

The dynamics of social and linguistic change on deaf children in the context of the evolution of isolated deaf communities has been documented by Washabaugh (1980, 1981) in his study of two island communities in the Caribbean, Providence and Grand Cayman Island. Based on his studies he presents theories concerning the influence of “high” and “low” prestige languages on the linguistic situation within the deaf communities involved. High prestige languages are typically those of the colonizer while low prestige languages are indigenous languages. Some deaf children from these islands were sent away to schools to Great Britain and America, while others remained behind and developed an indigenous form of sign language. Both islands were heavily influenced by British and American sign languages. While there are differences between the Caribbean communities and the situation in Nunavut, nevertheless the theories developed and some of the fundamental linguistic processes may be applicable. Future research will undoubtedly benefit from a discussion of both situations.

The Canadian context of the history of removing children, in particular, deaf children from their communities to send them south for education has to be considered. Deaf children who went south to residential schools would have most often been in “oral” programs (Ling, 1984; MacDougall, 1991; Rodda and Grove, 1987) where sign language was forbidden. In some schools signing would have taken place informally and only in a few cases would ASL (or some form of signed English) have actually been taught to the deaf children. Inuit deaf children would have been returned to their communities on an ad hoc basis at various ages depending on current educational policy for their home communities. The details of one such story involving five deaf children is described in Appendix D. The contrast in linguistic experience between the children who went south and those who stayed home is informative. It is clear from the story and from my observations that children who went south have a more difficult time communicating with their families since the sign language they learned is not known to the communities in the north.

Another important consideration is that virtually every society in the world has its own form of sign language (Klima and Bellugi, 1979; Siple and Fischer, 1991). Furthermore, many

Aboriginal peoples in North and South America, Australia, and elsewhere are known to have developed signed languages (Farnell, 1995; Mallery, 1889; Sayce, 1880 ; Sebeok & Umiker-Sebeok, 1978; Tomkins, 1969). Most of these languages were developed by hearing people for use by hearing people and their utility for deaf members of the community appears to be incidental in most cases.

One interesting study based on an analysis of a number of Aboriginal peoples (using the Human Resources Relations Files at Yale University) found support for the hypothesis that nomadic hunting peoples often developed such signed languages (Divale & Zipin, 1977). Other studies have indicated that signed languages developed as *lingua franca* in cases where peoples with different mutually unintelligible spoken dialects needed to communicate (Farnell, 1995). Both of these conditions hold with the Inuit people in Nunavut. They are (or at least were) a nomadic hunting people and there continues to be frequent interactions between peoples from different communities using different dialects (Duffy, 1988).

#### 5.4 Signed languages in Nunavut

Based on the information in this project, there is a strong indication that an indigenous form of sign language does exist in Nunavut. Observations of sign language conversations in the three communities involving five deaf and approximately ten hearing users indicates that a very complex sign language system is used extensively. The sign system is clearly not ASL/LSQ although variations of ASL and forms of Manually Coded English fingerspelling of English were noted among deaf people who had gone south to school. A preliminary analysis of various vocabulary items based on the linguistic corpus obtained suggests that expected dialectal variation exists between and within communities. However the underlying structure and visual-spatial-kinesthetic properties appear to be consistent with other signed languages.

A more formal and much more extensive linguistic analysis of the dialectal variations observed and recorded in the video-tapes and transcripts is required. Such an endeavour is well beyond the scope of this specific project. I can tentatively conclude, based on participant observation study here, that an underlying similarity to the structure of the signed languages exists and that there is the expected dialectal variation (Klima and Bellugi, 1979) in many lexical items. The signs for animals, e.g., “caribou”, “polar bear”, “wolf”, “walrus” are all similar but with subtle differences among signers between communities. In some cases, as with the second family studied in Rankin Inlet, more than one sign is used for the same item, e.g., for the word ‘bear’.

An opportunity arose at the conclusion of this project for the sign language interpreter from Baker Lake to observe the video-taped conversations which had taken place in Rankin Inlet and Pangnirtung.<sup>4</sup> In this way the specific meaning for signs could be compared. I drew his attention specifically to vocabulary items which I had identified as representing lexical variation between communities. This included the signs for various animals as well as signs for “warm”, “hot”, “cold”, “deaf”, “hearing”, “before”, “after”, “happy”, “sad”, “sign language”, “white man’s sign language”, “fear”, “store”, “go”, “don’t know”, “who”, “where”, “no”, “yes”, “man”, “woman”, “small”, “large”, and “money”.

There was an excellent correspondence in the interpreter's understanding of the Pangnirtung and the Rankin Inlet signs. He determined that approximately one-third of the signs were similar across communities with very minor variations; for an additional one-third, the signs appeared somewhat similar but with marked variation; the remaining one-third of signs were quite different but were reported by the interpreter to be easily understandable. I had no independent way to determine if his understanding of the meaning of the different signs was correct, therefore, only the overall estimate of differences in dialect are reported. Again, information on lexical variation between specific signs would require further controlled study and analysis.

This preliminary analysis suggests that there is a good deal of transparency between the signed languages in different communities. This is noted more for "iconic" rather than "abstract" signs. A reasonable hypothesis is that there is but one Inuit sign language with local dialectal variations. This would be consistent with the reality that, until very recently, there would have been extensive contact between peoples from various regions. Even now, many settled communities in Nunavut are comprised of people originally from various geographical areas (Duffy, 1988).

Another important aspect of sign language is the signing space. This element has been studied extensively in ASL and other signed languages. The hands, arms and body are used in a proscribed way in virtually all signed languages. For example, Klima and Bellugi (1979) point out that physical constraints are different for ASL as compared with Chinese Sign Language (CSL). In addition, hand shapes are biologically constrained specific to a particular signed language. My observation was that both of these elements, signing space and shape constraints, fit within the accepted linguistic parameters although much more detailed analysis is necessary.

All of the signers studied had elaborate systems for time, counting, dates, days of the week, weeks, months and ways to refer to the past, present and the future. Some similarities were observed but there were differences as well. What is clear is that all the systems were different from that used in ASL except in cases where the deaf person had been exposed to ASL; in these cases some ASL terms were present.

In terms of narrative reports from hearing family members, deaf individuals, and other interested stakeholders in the community, it seems clear that deafness and sign language are not stigmatized. Rather, a surprising number of hearing persons use the sign language in contrast to the situation that exists in southern Canada. A well known case of the same phenomena, i.e., large numbers of hearing people using sign language, can be found in the study of hereditary deafness on Martha's Vineyard (Groce, 1985) as well as in Washabaugh (1980, 1981) in his studies of various Caribbean islands.

## 6.0 CONCLUSION

It is hypothesized that signing in Nunavut is indeed indigenous to the culture as a whole in the fashion that has been documented for many native peoples in North America and elsewhere (Farnell, 1995). Overall, it was evident that the signed languages served to meet all the needs of daily living. It was clear, as well, that the generation of new signs was undertaken naturally by both hearing and deaf persons in a way that resembles this function in all known signed languages (Klima and Bellugi, 1979; Padden and Humphries, 1989; Siple, 1978 ). For example, the deaf man from Baker Lake had acquired many “new” signs while in Iqaluit; some ASL based and some unique to Nunavut. The proclivity for generating “new” signs is an important indicator of the capacity of the signing system to adapt to new situations. This aspect is also very important in the context of future use of this signing system in the framework of the courts and the justice system generally.

It is important to reiterate that this is a preliminary analysis. The analysis of signed languages is a complex affair involving many factors, including subtle facial expressions and extensive knowledge of the cultural and linguistic context of discourse. Clearly, this initial examination of the language status of deaf people in Nunavut will not, by itself, settle long-debated questions about the origins of languages, the relation between gesture, sign and language, the nature-nurture debate and the status of signed versus spoken languages. An “outsider” is not in a position to determine the ontological status of any language or communication system which is in use by any cultural linguistic community. As the philosopher Quine stated, understanding a language involves understanding a “*Weltanschauung*” or a “world view”, or as Wittgenstein succinctly pointed out, “to imagine a language is to imagine a form of life” (both cited in Armstrong, 1999).

What is clear from this preliminary study is that whatever the status of signed languages used by the deaf people of Nunavut, these languages, or at the very least these complex communication systems, provide the basis for social intercourse in their daily life and therefore should be available in the courts and the justice system generally. If full access to *Charter* rights under sections 14 and 15(1) is to be guaranteed, then concrete steps will have to be taken to ensure that the unique communication needs of the deaf people of Nunavut are addressed. A number of recommendations are provided here to help meet this goal.

## 7.0 RECOMMENDATIONS

- Based on this research, there is a strong indication that an indigenous sign language exists in the Nunavut communities. These research findings suggest that the feasibility of developing an interpreter training program which takes into account the linguistic complexities of deaf sign language users in Nunavut could now be explored. Arctic College in Iqaluit currently has a court interpreter training program which could be further developed to draw on the existing expertise of hearing and deaf people who already know the appropriate signed languages.
- As part of this, I would also recommend the development of a sign language dictionary, specifically involving legal terminology, which could further aid in the access to justice for deaf persons in Nunavut.
- Going somewhat beyond the parameters of this project, further study of the sign language system in Nunavut in the context of justice, but also education, health, social service and employment, is needed. The development of public awareness programs on deafness generally and sign language in particular would be key in the Nunavut context. The development of adult deaf literacy programs as a platform for development of literacy and job skills should be actively explored.
- Further video documentation of the signed languages of Nunavut in partnership with the Nunavut Council for People with Disabilities and the Inuit Broadcasting Corporation could be undertaken as part of the effort to preserve Canadian Heritage languages.
- Further scientific studies including linguistic, psychological, social and anthropological aspects related to the recommendations offered here, should clearly include the active participation of the Nunavut deaf/disability community as partners. Moreover, all the above recommendations need to be taken in the context of the present day realities of Nunavut. It is for the people of Nunavut to decide the priorities and the course of action, and, where possible, employment opportunities should be created in the local context.

## Endnotes

<sup>1</sup> For issues specifically related to signed languages (ASL/LSQ) see Klima and Bellugi (1979); Lane and Grosjean (1980); Petitto (2000); Siple (1978); Siple and Fischer (1991); Wilbur (1987).

Issues related to early language acquisition, gestures and “home sign” can be found in Goldin-Meadow and Mylander (1994); Goldin-Meadow and Mylander (1983); Petitto (2000); Volterra, Beronesi and Massoni (1994); Volterra and Erting (1994).

General language references including a discussion of the prescriptive *vs.* the descriptive approach to linguistics can be found in Crystal (1987) and Crystal (1987a).

General background on signed language use among Aboriginal peoples can be found in Farnell (1995); Kendon (1989); Mallery (1889); Sayce (1880); Scott, (1898) and Tomkins (1969).

<sup>2</sup> As in all areas of deafness the question of prevalence is controversial. Various estimates are tied heavily to what is meant by the term “deaf”. In fact the term “d/Deaf” itself is in debate. A convention has arisen where deaf with a capital “D” refers to the culturally deaf signing population and deaf with a small “d” refers to those who have a serious hearing impairment but do not consider themselves as part of a deaf signing culture (Padden and Humphries, 1989). Whether this convention applies in the context of Nunavut is an open question due to the unique cultural context. Except where direct reference is being made to cultural Deafness, for the purposes of this report “deaf” is used throughout.

There is also an important distinction to be made between those who are pre-linguistically deaf as opposed to those who are deafened later in life. The hard-of-hearing constitute a distinct group who have unique needs which are quite different from the deaf. There is also the issue of the degree of deafness and whether the hearing loss is in one ear or both ears (unilateral *vs.* bilateral) (Moores, 1987; Ling, 1984). Most deaf people have some residual hearing which in some cases can be successfully amplified by a hearing aid or other assistive device (Ling, 1984) but in other cases, even with substantial residual hearing, a hearing aid can be of little or no value (MacDougall, 1991; Moores, 1987).

The question of what is meant by d/Deafness is very complex and great caution should be exercised in the interpretation of any blanket statements about the characteristics of all people with hearing loss. The degree of deafness, the age of onset, the cause, the presence of additional disabilities (estimated at 1/3), the environment in which a deaf person finds him or herself all have a profound effect on the impact of deafness on the individual (MacDougall, 1990, 1991; Moores, 1987 ). It can be safely said that much of the controversy and misunderstanding surrounding deafness stems from loose use of terminology and the strong tendency to inappropriately compare groups and individuals with different types of hearing loss.

In terms of numbers, a major demographic study has been done in the USA (Schein and Delk, 1974). The “McGill Study of Deaf Children in Canada” (MacDougall, 1990) established the prevalence of deafness in the 0-21 year range. The generally accepted number for prevalence of deafness which precludes use of speech and hearing without special intervention is 1/1000 (MacDougall, 1990; MacDougall, 1999). Information on sensory-neural hearing loss in northern Canada can be found in Destounis, MacDougall, Geisel, Pollitt, Waters, and Gledhill (1990), and in Stamos-Destounis (1993).

While the 1/1000 prevalence rate is generally accepted, the controversy arises when all those with hearing impairment are added, including the hard-of-hearing, and those with any sort of hearing loss associated with advancing age. These numbers have been estimated at 1/100 for those with a hearing loss serious enough to warrant some type of intervention, to 1/10 for the entire population of persons with any degree of hearing loss (MacDougall, 1999). This is an important factor to be considered in the northern context as middle ear disease (otitis media) has a high prevalence rate in the north generally (Stamos-Destounis, 1993). This type of ear disease (conductive) can cause significant hearing loss although it is generally not as severe as profound sensory-neural hearing loss. A further complication is that many persons can have both types of loss: sensory-neural and conductive (known as mixed loss). Clearly the medical aspects of hearing loss in the north are very complex and beyond the scope of the present discussion. For an up to date comprehensive discussion of the issues in a Nunavut context see Baxter (1999).

Time and space constraints prevent a more detailed discussion of the topic of deafness. For those wishing a more thorough treatment see Erting, Johnson & Smith (1994); Lane (1984; 1986; and 1992); Lane, Hoffmeister and Bahan (1996); Ling (1984); MacDougall (1991); Mindel and Vernon (1987); Moores (1987); Padden and Humphries (1989); Rodda and Grove (1987).

For a popular account of the main issues in deafness see *Seeing Voices* (Sacks, 1989).

<sup>3</sup> We have requested a copy of the video for examination but have not received it to date.

<sup>4</sup> Clearance to show videotaped interviews to a limited number of people was obtained by all individuals included in the video-tapes.

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## APPENDIX A SELECTED VOCABULARY ITEMS OF VIDEOTAPED INTERVIEW IN IQALUIT

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Total number of lexical items = 480

A friend of ours	Good
About the ASL what it means	Happy
About hunting, going up the hill	Harsh or bad
About our relatives	Having supper
About his course	He had heard
And	He
Arctic college	He had heard something back home
Aunt	He likes it
Avoid fighting	He likes writing here
Back to where I'm staying	He'll be happy
Back home	Hear a lot better
Baker lake	Hear more
Be happy	How are they doing
Been going to school	I wasn't sure
Both ears are being checked	I think
By plane	I was freezing on my face
Calling back home	I remember about my kids
Came to BCC from baker	I brought his clothing for him in a bag
Can	I hope
Can be operated	I'm doing a course here for a week
Cassette tapes	I'm talking about my house
Checked on hi ear	If he could go home
Cleaning up	If it's all right
Computer	If he's going or not
Danger	If he's going back home
Does	Iqaluit
Does some dishes early in the morning	It's good for him
Don't	It's up to him if he's going for an operation or not
D's expecting in about 4 months	Liked it
Eager to go back home	Looking after his stuff pretty well
Encouraging	Lots of friends
Four months	Lots of paper work
Get money	Mailing a letter
Gets up early in the morning	Materials
Gets the operation	Missing me
Go shopping	Movies at my father-in-laws
Going to arctic college with David for writing	My kids

Not making too much trouble  
Oldest is in school  
One street to another  
One of the guards Kim  
Our niece  
Our  
Pictures of the trip  
Provide  
Pushing the sled  
Rankin  
See  
Seven days  
She's calling  
Smokes too much  
So he can hear better  
Some inmates  
Some of his friends  
Some friends back home  
Sprain  
Stamp  
Staying here  
Talking about ASL - math  
Talking about the trip you guys had back  
home in Baker lake  
Talking  
They could provide us here in Iqaluit  
Three relatives of ours  
To avoid bad things  
Trying to write a letter about the trip that  
you  
Two or 3 weeks

Wants  
Wants to buy or charge  
We came here at 3 o'clock  
We  
We went by taxi  
We might come back here for a course  
We're talking about  
Went to the clinic  
What is going to happen  
What happened  
What time he eats  
What materials  
What I'm doing here  
What  
What does it mean  
What time his break is here at BCC  
What letters  
What's new  
What's going on back home  
When he comes back home  
Where does he sleep  
Where he goes  
Where's the arctic college  
Which one he wanted  
Who's working with him  
Work hard  
Working in the kitchen  
Working here as a janitor  
Working out  
Write a letter to me about what's going on



## APPENDIX B SELECTED VOCABULARY ITEMS OF VIDEOTAPED INTERVIEWS IN RANKIN INLET

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### Rankin Inlet: First Family

Total Number of Lexical Items = 94

Auger drill	Like
Baker lake	Lots of money
Bride	Man
Broken	Money
Caribou hunt	Move away
Caribou	No
Char	One
Chase	Over there
Children	Phone
Church	Pop
Coffee	Report
Cold	Running
Daddy	Saw
Do not	See
Don't know	She ate
Don't smoke	Signing
Eating raw caribou	Size
Fat	Small
Feast	Smoking
Finish	Snow machine
First time	Spring
Fish	Staring
Fishing	Summer
Five	Sun shining
Fix	Surprise
Food	Tea
Friend	Thirsty
Full	Three weeks to spring
Groom	Type of fish
Guide	Warm weather
Gun	Warm
Hot	Wedding
How	What
Hungry	Winter
Lake	Work
Language	Working

## Rankin Inlet: Second Family

Total Number of Lexical Items = 83

1997	No food
2000	North
Afraid	Nothing
ASL	Old sign language
Baker lake	One person
Bearing	Phone
Blizzard	School
Broken	School
Children	Seal hunting
Dark	Sleep
Don't know	Small child
Family	South
Famine	Starvation
Finger spelling	Storm
Goodbye	Strong
Hello	Sun setting
High on a hill	Survive
Him	Them
How	Thin
How are you	Thinking
How many years ago	Time passed
Hungry	Travel
Inuk sign language	Two years ago
Know	Weak
Late	When
Lost	Who
Me	Why
Moon out	Year
Mother	You



## APPENDIX C SELECTED VOCABULARY ITEMS OF VIDEOTAPED INTERVIEW IN PANGNIRTUNG

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Total Number of Lexical Items = 68

ASL	I had a call
Baby	I want
Caribou	Instructions
Child	Interpreting
Children	Language
Cold	Lip reading
Come to eat	Little girl
Daughter	Nothing
Deaf	Only me
Dreaming	Polar bear
Ear	Sad
Eat fish	Sash
Fish	Scarf
Go there	Seal
Go	Signing
Go to the Northern to get a pop	Telephone
Going with 3 people	Thinking
Happy	Walrus
Hat	Weaving
Hearing aid	Wolf
Hot	Writing
I am afraid	



## APPENDIX D CBC INTERVIEWS

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Broadcast: General  
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Interviewer: Lorne Kusugak  
#GR0035D (UGJUK MONICA - Elder from Rankin Inlet)

Lorne: Would you tell me how you feel about having deaf (mute) children in your family and how your family cope with this.

Monica Ugjuk: I had a child born to me who was older than my daughter but she had died and not too long after I had my second baby, her name is Louisa, well when she started crawling and started walking we started noticing that there was something wrong with her because when we called her by her name she would not respond to us that's when we found out that she was deaf. For a while there I would wonder how I was going to raise her well in her growing years, that's the first thing that went through my mind how I would raise her but before that I had heard there were deaf people out there that's why I was not too worried. In the fall when we were in Baker Lake we were told we can watch movie about deaf children after watching the movie. We were advised that we would have to send out our child for some testing. Back then I was afraid to talk back about how I felt. Anyway I just said yes about sending her out for medical. I started to think about this having my child go and I would feel sorry for her. When she turned 3 years they sent her out to Winnipeg. They let her stay down south for the whole year. We then moved to Rankin Inlet, that's when they finally sent her home. After she arrived home to us it was sad because she started missing the place where she was, we were living in tents back then. She would go home during the summer only and the rest of the year she would go back to Winnipeg. It was very hard for the both of us because she would have to leave home to go to school down south, we would both be crying before she left us this was the hardest part having to let her leave us. This went on for years. Back then we would not even write letters or phone to find out how she was. The only time that we would find out from each other was when she arrived home from Winnipeg, there were no communication between us or any means of writing to each other. She spend 3 or 4 years then on to Vancouver Jericho High School went to school there for about 10 years or more. Then our family moved on to another community to Whale-Cove. There was a Social worker that contacted me telling me that I have to go to his office but

then I was so upset I never went to see him. Because it was getting harder to let my daughter leave us anyway I would still let her go because I was so afraid of the white people back then. But even though it was very hard I would still let her leave now I appreciate myself for having to let her go because it paid off at the end. She now has a full time permanent job.

Lorne: Although it was hard to let your daughter go. Has it at the end help you and your daughter?

Monica: Yes very much. She can now support herself, maybe if she had not got the education, it would have been different. Maybe she would not have been able to find job.

Lorne: looking at this she is not the only one she has sisters and brothers who are also deaf (mute). One of them going to school in Rankin Inlet do you see any difference? For example, you have known your daughter when she was younger and now you have other deaf (mute) children, is there any difference between them?

Monica: I can tell you the difference you know my son Phillip. Lorne: Yes. Phillip was also sent to Winnipeg, he went to school in Winnipeg for 3 years but maybe because he was a boy like for my daughter she would cry not wanting to leave but she would still leave even though she didn't want to but with my son it was very hard once he made up his mind he would not go at all. Or it was myself that did not let him go because I loved him so much, I was the one that spoiled him.

I would fight with my son to bring him into the taxi and this taxi then would take Phillip to the airport then he would be fighting not to go on the plane. It was very painful to see him and having to try and fight him to go because we were told that he has to go south to school. But after that I have been doing a lot of thinking. It was hard enough to go through this with my older daughter, I can't remember if I had asked the social worker or the teacher, but I went and asked them why can't they send up a teacher who would be teaching the deaf children when it is so easy for you to bring up everything else. Then the reply I got was to bring up all the tools and everything else would be too much like the teaching materials. I would be crying deep inside my heart. So I told them if it is hard for you to let them know that it is also hard for us to let our children leave. Please work hard at getting in a teacher to teach my children in Rankin. I have told them that I was not happy to send out my children and I should be the one to raise them because I am the mother of them. Then they replied to me that they would look into getting a teacher up that would be teaching deaf children. Then not too long later they were working at sending up a teacher, a teacher who has ASL language and sign language. I have 5 children that are deaf (mute) 2 girls and 3 boys. I know that they would get better education if they were going to school in Winnipeg for the deaf but like I have been saying all along that it was very hard to see them leaving us. But for them to get education right here at home it is so much easier because I would understand them better and they would understand me better. Although I often wondered if it was my fault that they are not receiving the education they need. But here at home they have no difficulty communicating with friends and family.

Lorne: For them having education here in Rankin do you see any difference between Louisa who went to school down south.

Monica: Yes I do see the difference because when my daughter went south it was harder for her to have friends or family close to her because of communication problem. But with my other deaf children right here they would have friends with them even the speaking would be good friends with them. Their friends would know how to communicate with them.

Lorne: Even though they are deaf do they have good friends.

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