



People, Land, Language

Foundations for inherent rights governance

A report on the Rekindling the Fire Gathering

June 2023, Algonquin Territory

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People, Land, Language: foundations for inherent rights governance

Table of Contents

Introduction	3
The reasons behind the gathering.....	4
Rebuilding self-government: people, language, land.....	7
The people	8
Revitalizing Indigenous laws through language	9
Finding law in language.....	10
Building constitutions: “who we are and what matters to us”	12
The importance of engaging the people: sharing knowledge and experiences through language and land connections.....	15
Courage, discipline, and perseverance	17
Developing future leaders	20
Conclusion: Taking back responsibility; creating new common memories	25

Introduction

First Nations Elders, leaders, and administrators gathered with practitioners, academics, and other experienced individuals for *Rekindling the Fire* at Carleton University in Algonquin territory June 11-12, 2023. Organized by the Rebuilding First Nations Governance (RFNG) project in partnership with the Centre for First Nations Governance (CFNG), the gathering was an opportunity for partner First Nations to share and learn from each other about how they are working to overcome the Indian Act and transition to self-government under their own inherent rights.

“The work that we are doing is for our children, grand-children and those who are not born yet. And it is for many of our people who struggle; the work that we do is also for them. To build a better life for them and at the end of the two days, we are going to rise as a better and stronger people.”

RFNG is a 6-year Indigenous-led research project funded by the Social Sciences and Humanities Research Council (SSHRC). Its founding partners are CFNG and Carleton University and includes partner First Nations communities across Canada, academic researchers, and governance practitioners. Its objective is to support and learn from First Nations as they transition to governing under the inherent right; with the goal of leaving behind a roadmap for others to follow in the future. *Rekindling the Fire* was the first opportunity for all partners to come together in person since the project launched during the Covid pandemic in early 2020.

The first day of the gathering was largely reserved for the Elders – all of whom have been community activists all their lives. They shared their experiences and knowledge on how First Nations should continue working towards full self-determination and to see their inherent rights recognised. Towards the end of the day, Upper Nicola and Listuguj First Nation members presented the work they were doing to enhance self-governance while getting ready to exit the Indian Act. On the second day, participants worked together to summarize the challenges and opportunities around engaging people, building governance structures, re-establishing Indigenous laws and jurisdiction, getting back their land, and regaining the ability to speak their own language. During the panel discussions and the many breakout sessions, participants discussed issues related to the capacity that each First Nation needs to develop to be fully self-determining.

This report was built on notes taken by our student volunteers and research team members; a word analysis of transcripts; reviewing video recordings; and additional written literature reviews. Thank you to all our partners who agreed to have their words and images captured and shared so that others might learn from their experiences.

The reasons behind the gathering

‘Right now, as we talk, the babies who are born today are the 8th generation under the Indian Act oppression and suppression, and we need to free ourselves from that.’

CFNG’s mission, intertwined with the research objectives of the RFNG project, were synthesised in the above statement by Satsan (CFNG Director) during the opening of *Rekindling the Fire*.

Elder and Knowledge Keeper Darrell Boissoneau (Ketegaunseebee, Garden River First Nation) opened the gathering with a ceremony to pay respect to and thank the Creator. He reflected on the work currently being done on self-government and how far people have come since he met Satsan over 50 years ago during one of the gatherings of the Indian Ecumenical Conference¹ (1973).



The Gathering opened with ceremony.

¹ The Indian Ecumenical Conference founded in 1969 was a series of annual conferences bringing together Christian and Indigenous spiritual leaders and knowledge keepers from across North America. It is widely credited with helping to shape and inform the Indigenous activism that led to greater recognition of Indigenous rights.

He highlighted how, seven generations ago, the ancestors knew that people would be here today and reminded all that we share the same responsibility to our descendants. “The work that we are doing is for our children, grandchildren and those who are not born yet. And it is for many of our people who struggle; the work that we do is also for them. To build a better life for them and at the end of the two days, we are going to rise as a better and stronger people.”

As Satsan remarked after Darrell’s opening prayer, the process of freeing ourselves from the Indian Act is not easy, as it requires community engagement and education to build the consensus necessary for change. Such a change cannot happen without people being fully aware of the meaning of inherent rights, Aboriginal title, and Treaty rights, as well as how the Indian Act has and continues to disrupt the lives of First Nations individuals and communities. “We needed to become teachers and educators about what inherent rights means in the Treaty context and the Aboriginal rights context.” Satsan



Leteesh Archachan

pointed out. This is a fundamental step to building consensus, as people are the rightsholders, and change needs to come from them, no matter how much time is needed. Without consensus from the people, nothing can happen.

Once the consensus for change is reached, RFNG – working alongside CFNG – provides research and other practical support to partner communities to help them in their journey, while learning from their collective experience to rebuild their Nations. RFNG also plays a role in connecting First Nations to work together, and to share information and best practices. As Satsan explained: “This project is to help you implement your rights according to your visions and priorities, your creation stories and your oral history - from your people’s point of view.”

After a 150-year hiatus it is now time to put back in place laws and policies while bringing back ceremonies, spiritual practices, and language. As Satsan explained, after millennia of successful self-government, Indigenous governments and practices were outlawed for a long time, while colonised practices, education systems, and beliefs were imposed on Indigenous peoples. And when official apologies came after more than a century and a half of oppression, colonial institutions just left, abandoning the people, and leaving them within the ruins of the building they built, the school system they imposed, and the unequal colonial governance structures they created. Satsan concluded, “Getting back creation stories and oral histories will empower the next generations, making them strong and confident so that they can have the courage to create a new life for themselves. We need

to be responsible for ourselves; no one else is going to do it for us; we have to do it. We need to get rid of the Indian Act colonized mind and embrace the free inherent rights mind so that we can talk about what we need to do without being angry.”

Rebuilding self-government: people, language, land

Throughout the 2-day event, some key concepts were repeated in the different breakout sessions, panel discussions and individual presentations. By coding several of the conversations that took place during the breakout sessions, specific words appeared to be the most used ones to explain concepts of belonging, identity, and safety. Among them, it is worth highlighting the words engaging, community, knowledge, land, language, and people, with the last three being the most often repeated.



Figure 1 - A word cloud generated by coding a two-session conversation.

People, language, and land are key building blocks for transitioning to self-government. The word people, for example, was used 453 times by the 12 communities participating in breakout sessions. On several occasions, the importance of *being* on the land was expressed, using site-specific land knowledge to do things properly to be connected to and active on the land to find a new balance. For many Nations, being on the land and finding a balance are interwoven. For Upper Nicola Nation, balance can be found by following *captik^{wl}*, a collection of teachings about Syilx Okanagan laws, customs, values, governance structures and principles that, together, define and inform *Syilx Okanagan* rights and responsibilities to the land and the culture. Land, language, and people are interdependent, meaning that their full achievement depends on each other, with language and land often seen as the link between past and future. As discussed in the following sections, getting the land back while revitalizing the language is key for people to free themselves from the colonial structures the Indian Act has imposed on them.

The people

“Culture is in our language, and laws are in our language, and we are people from the land and part of the land – not citizens.”

According to Upper Nicola, there is always a reference to the people in the Syilx language. As members explained, *‘Kwu Sqilx’* means ‘We are the people’, while *Kwu Sukwnaqinx* ‘We are the Okanagan people’, and *Kwu Syilx* means ‘We speak Syilx’ (the Okanagan language). When addressing the question ‘*Who are we?*’, Upper Nicola members stated that “We are not Indigenous, we are not Aboriginal, we are not citizens. We are people from the land (*Kwusqaio*), and we are the people at the top of the water (*Kwusqail*).”



Figure 2 – A multidimensional chart explaining the meaning of different people-related words in the Syilx language.

The identity and culture of a people is embedded in their language. The importance of language was repeated during the breakout sessions, the panel discussions, the community roundtables and by the youth presenting their findings in the context of the Inherent Rights Youth Initiative (IRYI). Reclaiming language can be seen as fundamental as reclaiming the land to rebuilding First Nations governance. As Satsan said throughout the event, “Everything we are looking for is in our languages.”

Revitalizing Indigenous laws through language

The colonial system of the Indian Act administration created poverty, disengagement, and dependency. As underlined by Naomi Metallic, Listuguj Nation member and Associate Professor of Law - Chancellor's Chair in Aboriginal Law and Policy at Dalhousie University, the imposed Canadian legal system does not create order for Indigenous peoples. Thus, it cannot be expected that the average First Nation citizen will accept the legitimacy of the Canadian legal system which was imposed upon them. There is a need to seek another legitimate and effective source of order, which can be found in Indigenous laws.

To make sound and effective Indigenous laws, it is necessary to have language speakers and knowledge keepers involved so that the laws that are created are representative of the internal values of a community. Indigenous spirituality explains and defines Indigenous values, from which the guiding principles to draft Indigenous constitutions (nationhood roadmap) can be derived. Such guiding principles can be used as the framework from which to create the Nation's structures (institutions) that will support governance systems (leadership structure, administration) that meet First Nations' own needs.

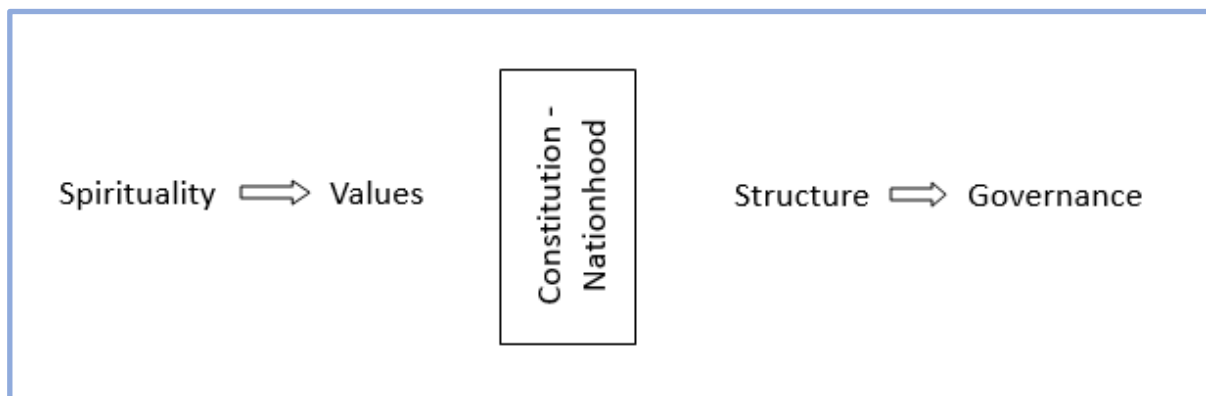


Figure 3 - Chart by Chanze Gamble

Echoing Otis, according to which “all legal orders are generally being composed of values, principles, rules, actors and processes relating to the regulation of a group and the resolution of conflicts within that group or between groups.”², Metallic explained that Indigenous peoples across Canada always had legal orders, like any other society. Having laws is about regulating people living together; establishing rules is important for a functioning society.

² Ghislain Otis et al., *Contributions à l'étude des systèmes juridiques autochtones et coutumiers* (Québec (QC): Presses de l'Université Laval, 2018) at 9-10.

Finding law in language

In *Becoming a Language Warrior*³, Naomi Metallic argues that “Aboriginal peoples have the right to enact their own laws, including their languages, cultures and religions.” (Metallic, 2016). For her, revitalizing the language goes hand in hand with revitalizing the legal order. Even when there are few fluent speakers, Metallic says, it is possible to find words that define complex traditional legal systems. “In these words, exist our laws that define who we are. In our language – in our culture – are our laws. These laws have ensured we continue to exist today.” According to Metallic, Indigenous languages are action-oriented, as there are more verbs than nouns, reflecting a culture that is action-based: “We are more about doing; our world is constantly in flux.”

The grammar of an Indigenous language reveals worldviews, and a word can be a bundle of ideas, as expressed in the Listuguj Lobster Law (2019) and the Nipissing First Nation Fishing Laws (2004), developed to address concerns over fisheries and to assert jurisdiction. Principles found in keywords in the language were used to develop and guide the implementation and interpretation of the laws. In both cases, community members were consulted and voted on the laws, which addressed, among other things, sustainable harvest limits, reporting, seasons, protected spawning, and net

Sources of Indigenous Law

- Knowledge holders (elders, families, etc.)
- Stories, published and oral
- Ceremonies, rituals, and protocols
- Songs, dance, practices, and customs (harvesting, quillwork, etc)
- Land, nature, place names
- Language, dictionaries
- Hieroglyphics, totems
- Historical and anthropological accounts recorded by outsiders
- Witness testimony and court cases
- Dreams, poems, memories, and direct experiences
- Interviews



Presentation slide courtesy of Naomi Metallic

³ "Becoming a Language Warrior" in Marie Battiste, ed, *Living Treaties – Narrating Mi'kmaq Treaty Relations* Sydney: Cape Breton University Press, 2016

identification/ownership. The guiding four principles of the Listuguj Lobster Law are: Ango'tmuq (taking care of something in a careful manner), Apajignmuen (sharing and giving back), Gepmite'tmnej (respect), and Welte'tmeg (we agree in thought).

In her article '*Five Linguistic Methods for Revitalizing Indigenous Laws*', Metallic says there are at least five linguistic methods that can be used to recover Indigenous laws:

- the 'Meta-principle' method, which consists of using a word in an Indigenous language that conveys an overarching, normative principle of the Indigenous group.
- the 'Grammar as revealing worldview' method, according to which the structure of a language can tell us many things about how a society sees the world and relationships within it.
- the 'Word-part' method, based on the fact that many North American Indigenous languages, like Mìgmaq, are polysynthetic. This means that words are made up of multiple-meaning word parts called morphemes.⁴
- the 'Word-clusters' method, which seeks to analyze a group or cluster of related words for patterns, similarities and/or differences to reveal features or characteristics of a concept or of an Indigenous worldview or values.
- the 'Place names' method, according to which, Indigenous groups have different approaches to naming the geography around them and that their naming practices can reveal much about their worldview.⁵

Moreover, Metallic argues that people do not have to be fluent speakers to engage with these methods. By using published resources such as dictionaries and lexicons, reference and teaching texts, atlases, and more, it is possible for non-fluent speakers to engage in law revitalization through language.⁶

Access to Indigenous laws can also emerge from storytelling, providing an important source of inspiration for a self-governing future grounded in past traditions. Stories are teachings that offer a holistic view of peoples' lived experiences; they are loaded with moral laws that can be interpreted by everyone and applied to solve issues in different contexts. In opposition to the Western approach to the legal system, according to which law comes from the top, and only governments and courts can deal with it, in the Indigenous worldview, law is about how people live together and how they

⁴ In such cases, words are constructed from smaller units called word formatives (e.g., word parts), which are either nominal or verbal. They function in the same way as Lego blocks. They have different meanings and are assembled into words according to specific rules. The basic formative of a word is called its root. All other types of word formatives must attach to the root.

⁵ Metallic, Naomi, *Five Linguistic Methods for Revitalizing Indigenous Laws* (August 20, 2021). *McGill Law Journal*, Forthcoming, Available at SSRN: <https://ssrn.com/abstract=4099156>

⁶ *Ibidem*.

interact with each other in everyday life. Sharing stories is even more valuable when people can communicate in their own language. Several community members highlighted the need to have more people speaking the language, stressing the fact that it is important to “re-educate and reinform ourselves about how it was and how we can get there again.”

Building constitutions: “who we are and what matters to us”

Drawing on language and stories while engaging people should be part of the constitution-building and law-making processes, where it is important to use plain language people can understand and relate to. People need to feel that they are speaking through their constitution; they need to recognize their voices in the document; they need to see themselves in their laws. The people should define what they want in their constitution and laws, and then lawyers should be used to make that happen - not vice versa.

This approach was highlighted by Collette Sunday (Upper Nicola Nation Senior Administrative Officer) when explaining the work of the Wellness team at the Okanagan Nation Alliance. When they started to put together a declaration in English, they asked the language speakers if they could translate



"You don't start by asking us to translate. You ask us for the traditional knowledge. So, let's start over." Collette Sunday, Upper Nicola

the content into Syilx. The language speakers replied: “You don’t start by asking us to translate. You ask us for the traditional knowledge. So, let’s start over.” This episode teaches an important lesson: it is necessary to take the Indigenous teachings into account and be inclusive of everyone from the beginning, with no shortcuts. Moreover, it is important to consider that specific nuances cannot be captured in English. Where possible, documents should be written in the Indigenous language first before translation into English or French.

Stephen Cornell, Faculty Chair and Emeritus Professor at the Native Nations Institute, Arizona, USA, stressed how stories are rich and able to teach about Indigenous law. In his talk, he addressed five key questions related to the creation of constitutions: What is a constitution? Is a constitution an Indigenous tradition? Does it need to be written down? What needs to be in it? How do you make it happen?

He explained that a constitution must be seen as an opportunity to say, “This is who we are, this is our territory, this is what matters to us, and this is how we are going to take care of such things.” A constitution is a contract among people on how they want to do things, how to make laws and decisions, interact with other Nations, and how to make sure to have a multigenerational future of prosperity, identity, and action. He said that First Nations in Canada already have a constitution of sorts which is not theirs (the Indian Act), underlining that First Nations had their own constitutions before colonization, and that they could get them back. In many cases, these constitutions were not written down, as they were in people’s heads and hearts.

*“Who are we as a people?
Who are we as a Nation?
And what do we value?”*

Miriam Jorgensen, Director of the Native Nations Institute, Arizona, USA explained that there is no need to write them down, as unwritten constitutions work, too. However, she suggested that written constitutions can be seen as “a sword and a shield.” Writing them down makes it easier to clarify duties and responsibilities to people within the Nation, as well as to outsiders; however, each Nation can decide whether it wants its constitution to be on paper.

In written constitutions, the preamble is one of the most important things, as people’s core values and political vision are expressed in it. People can really engage when writing the preamble of a constitution by providing answers to key questions, such as “Who are we as a people? Who are we as a Nation? And what do we value?” Answering these questions is very important, as a Nation needs to see these answers reflected in their constitution. The language that must be used should not be legalese but people’s language, as the Nation must see itself in its law and constitution. Rights make things possible, but they do not make things happen; a constitution does.

“You already have laws; they are in your stories...you just need to pull them out and make them work as they used to work in the past”, Cornell concluded” This resonated with what many Elders stressed throughout the two-day event: “Culture is in our language, and laws are in our language.” To learn the culture and make law, Elders say that it is important to “Stop asking questions, just watch and learn.”



“When we think in our own language, we start to change our thinking” Dwayne Nashkawa, Nipissing First Nation (centre) – with Stephen Cornell (right) and Darcy Gray (left)

Dwayne Nashkawa, Strategic Advisor at Nipissing First Nation, said that having people sharing stories and discussing concepts in Indigenous languages is extremely important when developing laws and implementing them properly. As he said, “When we think in our own language, we start to change our thinking.”

Dwayne mentioned the work done at Nipissing with the First Nations Land Management Act and the Land Code, acknowledging that these instruments may not be perfect, but they get the Nation a step closer, starting to leave the Indian Act (at least, some sections of it). In addition, he mentioned the major land claim started in 2008/2009 and the fact that in the last few decades, the Nation moved from managing poverty to managing wealth. In this sense, he mentioned the work initiated in the context of the First Nations Financial Management Act and the need for the Nation to build capacity to build stronger Indigenous economies.

Echoing Dwayne, Darcy Gray, former Chief of Listuguj First Nation, and RFNG National Community Research Director, explained that the job is challenging, as “You are trying to get rid of your own job, as you want to get rid of the Indian Act and still you are an Indian Act elected Chief and there is an Indian Act Council”. He pointed out that there are steps and processes that can move you out of it, such as the Land Code, even if it is not complete or perfect. Darcy stressed that the status quo is not working, and it needs to change. To make the change happen, it is important to find ways to hear from the people, even within the context of the Indian Act. As he said, “For a long time, we lost the ability to engage and talk in our own ways and understand the inherent rights, and us implementing them is so empowering.”

The importance of engaging the people: sharing knowledge and experiences through language and land connections

Real, deep, and meaningful community engagement is fundamental in the process of working towards reclaiming and rebuilding self-government based on inherent rights. How to include knowledge holders, language speakers, spiritual helpers, and others in discussions about systems of governance, while creating an open and welcoming environment to engage the people was discussed frequently throughout the different panels and breakout sessions. As participants pointed out, developing and implementing an engagement strategy can be useful for successful engagement. Getting people interested, educated, and involved in discussions and the work of transitioning out of the Indian Act is part of the engagement process, and it can be performed in many ways, i.e.,

- Through leadership,
- Through a feast, dialogue among people – people need to get together,
- Through one-to-one conversations (and talks within families),
- During cultural camps and youth camps on the land, where it is possible to explain what needs to be done, why and how. Cultural camps are also an excellent setting for spreading the word throughout the community about the work that is being done,
- Through language classes,
- Through departmental meetings.

From different conversations, it emerged that engaging is challenging and that to meaningfully engage with members, it is important to be on the land, performing what many people defined as a “land-based engagement.” Real and long-lasting engagement starts on the land. True engagement allows people to keep things going positively during the transition while addressing concerns or points of resistance. Moreover, engaging involves education and learning, and ultimately, the right process of engaging is about creating a safe environment for people to take part. Andy Rickard, former

Chief of Garden River First Nation said that the current community governing system does not allow for a real engagement of the people. The Indian Act imposed system of an elected Chief and Council, divides families, and does not mirror the traditional way of leadership. If anything, this system has created disengagement.

To embark on the journey to overcome the Indian Act, Chief Daniel Manuel (Upper Nicola) said that to engage and be engaged, “you need to train your mind to be in shape.” It is important that people are disciplined and responsible; they speak their language and are on the land. Otherwise, they won’t feel at home, even if they are home. According to him, there are two main barriers that must be overcome to leave the Indian Act: getting the language back while rediscovering Indigenous discipline (being grounded, waking up early in the morning, getting the work done, having your prayers, etc.).



Being disciplined and responsible while listening carefully to people’s needs and perspectives is instrumental in making a shift in the community. To do so, many agreed that it is important to be completely involved in the culture, with site-specific land-based knowledge being critical to this. Some of the participants also mentioned that being disciplined comes with finding a balance, which is extremely useful during the transition to self-government. The balance can only be found in a safe environment. Sometimes, people might not engage if they do not feel safe. But what is a safe environment, and how can it be achieved? A safe environment can be created by bringing everyone together. When everyone laughs and feels safe to participate, that is when safety is achieved. Some pointed out that language is designed to create safety: when people speak their native language, they

are not angry; they do not have hard feelings. Language offers people a safe space to express themselves.

A safe place is also necessary to overcome intergenerational trauma and cultural genocide. Moreover, it is fundamental to work well together while sharing experiences and learning from each other. In this sense, it was highlighted that it is important to take care of the people through language courses (for example). Upper Nicola's Chief even proposed to offer free housing or a stipend to people who want to learn the language and become fluent speakers so that they would be knowledge keepers and teachers. Several people seem to be attracted by this idea, which can be seen as a practical option to change the status quo.



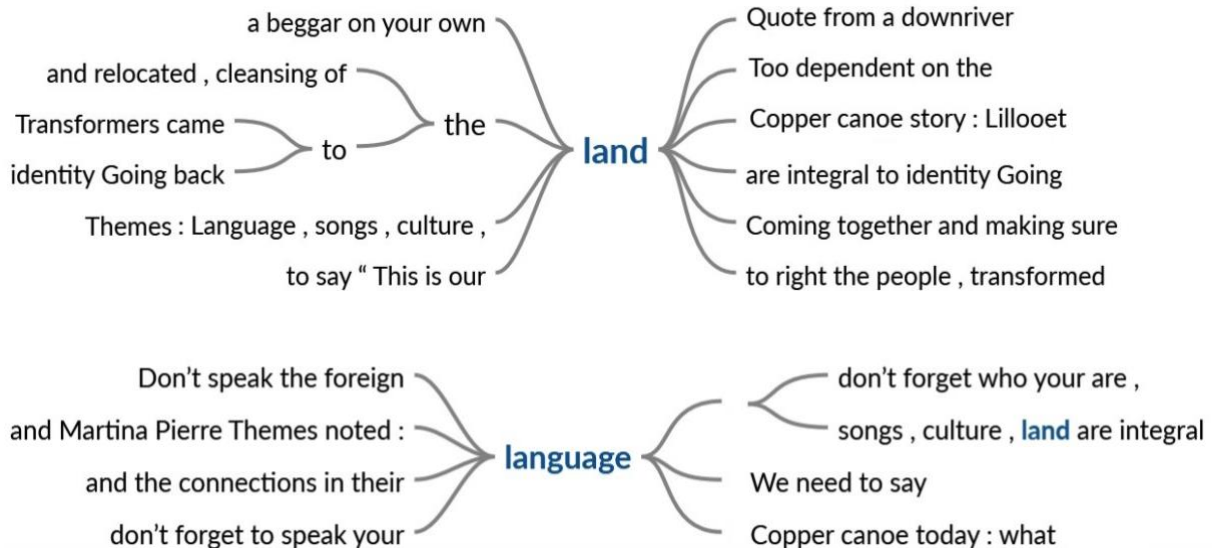
Courage, discipline, and perseverance

The Elders' Circle was one of the most intense and informative sessions of the two days. Elders from seven different Nations across Canada – all of whom have been community activists since their youth - came together to reflect on past, present, and future challenges while acknowledging what has been done and what must be done better in the context of ensuring a real and full transition to self-government. The main themes touched by the Elders were related to language, songs, culture, and land as integral elements that define the Indigenous identity, and the necessity to go back to the land while coming together and ensuring that no one is left behind.

Elders Hálaw7 Lloyd Williams and Saŵt Martina Pierre (Lil'wat Nation) felt that Indigenous people had become beggars on their own land, too dependent on the system; they have become wards of the state. As Lloyd said, “We all need to stand up and be responsible for our own territories; it's time to take it back. It's time to fight back, don't speak a foreign language, don't forget who you are,

“speak your language. We need to say, ‘This is our land.’ At one time, we were not divided; we were one Nation, and then the government made Indian reserves, and now we bicker with each other.”

As shown in the research query diagrams, the words land and language were among the most used by Martina and Lloyd, who referred to them to discuss several different concepts throughout the Elders’ circle panel.



Lil'wat Elder Sawt Martina Pierre addresses the Gathering, with Elder Hálaw7 Lloyd Williams (left).

Martina defined herself as a survivor of residential schools. As she said, “I hated who I was. I hated to go home because I did not know who my family was. I hated to see the social problems. I got my rosary home to pray that things could be better.” In describing her lifetime journey, she explained that a few years ago, a group of people from Lil’wat came together with the goal of making a change. People realized that they did not want to be wards of the state, and that it is necessary to get out of the Indian Act system. Martina mentioned that there had been transformers in their history who came and transformed us, and she mentioned the Copper Canoe story, making a comparison between past and present challenges. Whereas in the past, people cleared the river that was previously unnavigable, the journey today is to overcome residential schools and the Indian Act to clear the way for the youth and the next generations. As Martina stated: “Through the story, we are more knowledgeable about our ancestors’ journey. We will get in our Cooper Canoe and start the transformation.”



The time with Elders was one of the most powerful aspects of the Gathering. From left to right: Darrell Boissoneau, Cindy Tom, Shelley Leech, Mildred MacKenzie, Melissa Willie, Lloyd Williams, Martina Pierre. On-screen, Ethel Starblanket.

Starting the transformation to be self-governing Nations was mentioned by all the Elders during the Elders’ circle. Cindy Tom, an Elder from Upper Nicola, said that it is possible to use story systems as a foundation for Nations’ constitutions. She talked about the Four Food Chiefs stories, underlining how they all sat together and talked, deriving that no one’s voice is greater than any other one. They trusted each other. As the story teaches: “I will do the best that I can because you have put your faith

and trust in me.” It is necessary to revive and utilise this principle in today’s discussion, asking for help from the Elders and wiser ones. Cindy added that to overcome the Indian Act, it is important to be aware of the outcomes it has generated while building paths to get back to the pre-colonial governing system.

Recognizing the trauma produced by colonization and why things occurred the way they did was the main message of Shelley Leech and Mildred Mackenzie, from P’egp’iglhá. They stressed that once there is awareness, it is possible to start building the people’s trust back while challenging the Indian Act as a system of governance. In their case, they had families appoint a head who would go and sit on the traditional governing council. "It is important to get to the point where we are the ones running things in the territory, not the government giving the permits – [it] needs to be us as Indigenous peoples.”

As highlighted by Ethel Starblanket from Starblanket First Nation, learning how to create an education and awareness system that teaches people and families about how to live a good life comes from cultural and spiritual teachings. Understanding these teachings is important to understanding governance.

Developing future leaders

We have to train our leaders not only to be Inherent Rights leaders, but also to be organizers and facilitators to take this initiative to the next step.” – Satsan



Graphic courtesy of CFNG, IRYI

The Inherent Rights Youth Initiative (IRYI) was established in 2020 by CFNG and its partners – including RFNG - with the idea of bringing together Indigenous youth from coast to coast to talk about Indigenous rights. Educating about the Indian Act while supporting the youth to come together to learn about inherent rights has been part of the important work over the last three years. Darian Agecoutay (Cowessess First Nation) explained that the work started by organizing virtual gatherings and workshops to discuss the Five Pillars of Effective Governance: the people, the land, jurisdiction & laws, the governing systems, and the resources.⁷



"The ideas we have can actually happen". Lexlixatkwa7 Nelson

CFNG created the pillars with the help over several years of First Nations citizens, leaders, Elders, and academics over several years. These pillars are the five essential aspects of First Nations Governance, analysed through stories narrated by leaders and Elders from different communities. As pointed out, issues related to encompassing the Indian Act while learning about pre-contact governance were addressed during the gatherings. As Darian highlighted, the youth learned that inherent rights are not something “given” to Indigenous peoples through Treaties or other agreements. Inherent rights are intrinsic to the very fact of being Indigenous and cannot be alienated.

As future leaders, Indigenous youth must learn how to govern their communities and protect their rights. The main objective of the storytelling sessions was to prepare them to build upon the legacy of First Nation self-government to regain what had been lost due to colonialism. Each of the five storytelling sessions connected youth with Elders to explore one of The Five Pillars, how it played a role in their lives, and how it will play a role in First Nations’ futures.

Rekindling the Fire brought the youth together in person for the first time since the beginning of their work. Drawing on what they learned during the virtual gatherings, they shared their thoughts and hopes for the future, what they want it to look like and what to do to achieve self-governance while reconnecting youth to the land and revitalizing their language. As Serena Smith (Haida Nation) explained, “I’ve enjoyed this initiative because it has got me on the path where I am now, where I want to fight for Indigenous rights, our inherent rights. It has connected me with people across Canada who have the same vision as me, and I want to keep this vision going.” Her words were echoed by

⁷ The Inherent Rights Youth Initiative Final Report is available at: <https://carleton.ca/rfng/iryi-storytelling-initiative/>

Lexliatkwā7 Nelson (Lil'wat Nation) who underlined how incredible it was to get together and see that “the ideas that we have can actually happen.” She said that for a long time, she wanted to reach out to people and see if anybody was interested in doing something together, perhaps sharing stories and connecting elders with other people, creating new networks. The IRYI has provided this opportunity, among others.

Darian said that many people feel locked in the system, stuck in the Indian Act or the Treaty system. For him, being able to learn about inherent rights while spending time with other youth, Elders and medicine people helped him to understand and envision what we can be as Indigenous peoples while overcoming being a Treaty Indian or an Indian Act Indian. “Being able to be part of this initiative made me better understand my place, in my own land, further than what the Treaties are, further than what has been put on paper by the Indian Act. It opened my eyes to different things on inherent rights, and this is the vision we should have as Indigenous people.”

“If we are to push the Indian Act away, first we need to build capacity with our self-governance system.”

Engaging youth in meaningful conversations to shape a vision for the future was also addressed. Lexliatkwā7 said that to engage more youth, it would be important to bring this initiative into schools and start disseminating what has been learned in the context of the Five Pillars of storytelling sessions and make it available online. Darian noted that there are many active Youth Councils in Treaty 6 in Saskatchewan. In his view, it is important to connect with them because, “they are the ones who will carry us as we get older.” He added, “Don’t be barricaded behind our Indian Act thoughts or Treaty thoughts; just step out from these boundaries and understand that there is something greater that we can achieve.”

Ashley Bach (Mishkeegogamang First Nation) said “These conversations are happening within our youth council, but we also try to bring them broader. We do a big gathering every year towards the end of March and we bring youth together, and we see that education is happening there and youth are being empowered to find their voices.”

Serena says it is important to keep going with these initiatives. After the Inherent Rights initiative was organized in the first year and the storytelling initiative in the second year, the next step would be to have a self-governance one-on-one initiative and involve more youth. Such a desire to expand the talks on self-governance goes hand-in-hand with overcoming the Indian Act. In this regard, different positions were expressed by the youth. For example, Daphne McRae (Upper Nicola Nation) explained that: “Communities are tossed between getting rid of the Indian Act for good or using some parts of it against the government. I feel in the middle of this position, as there are pros and cons on

each side, and more conversations are needed, especially between youth and elders, so that we can get a clear picture of where we want to go.” She explained that Upper Nicola is ready and willing to push the Indian Act away, “but it is important to understand what will work and how. It is necessary to learn more about it before being able to make decisions on what we want to see in our Nations.”

This position was echoed by Serena. “We have been so dependent on the Indian Act that I do not want us to rely on it anymore, and I want to see our Nation moving away from it. To do so, we need to help each other connect Nation-to-Nation and understand how each system could be built up; that would be the way to go.”



Some of the IRYI participants. From left - Satsan, Darian Agecutay, Ashley Bach, Lexlixatkwa7 Nelson, Serena Smith, Daphne McRae and Amsey Maracle, IRYI Coordinator

Not everyone is ready to move away from the Indian Act, however. Lexlixatkwa7 Nelson explained that communities are at different stages in the process of getting away from the colonial system imposed on them. She said: “I don’t think we are quite ready to get rid of the Indian Act yet. I think that our Nation needs to do a lot of rebuilding and really feel strong in our laws. And we need to see the recognition of our land, our territory, and our identity. Only after that, we will be able to leave the Indian Act.”

Darian also felt that his community is not ready to move away from the Indian Act, “because we are not still in touch with our laws, our traditions, cultures and even with our languages. To try to

abolish the Indian Act without having these things as back up, we are going to be lost, and we are not going to be able to be self-sufficient; we won't have a clear vision of who we want to be as our independent entity. ”

He explained that it will be possible to talk about all these things in the future, once people have re-learned what they have lost. To do that, they need to start revitalizing their language. Language is perceived as the pillar of everything; it is like the centre pole, and without it, things cannot be connected. So, before starting to think about moving away from the Indian Act, people need to think about themselves and answer the question, "Who are we? How can we provide for ourselves in a way that can get rid of all these acts that try to put names on us?"

A final thought was reserved for the future and for what youth would hope to see realized in the years to come. Answering the question, what are your hopes for the future?", Darian replied: "I want to see more people speaking the language so that when we get to a gathering like this, we are able to communicate in our language. Bring back the language, and everything will follow." Serena wants "to see our people empowered to know who they are". Daphne agreed. "It is difficult to use words such as Nation, Reserve, community, band. Who are we? We need to figure out who we are. We are the people; we are the land. So, we need to get that message across while empowering the people." Lexlixatkwa7 said, "I'd like to see our people tackling our inner family relations. We need to encourage creating safe spaces for people to talk and share where we want to be in the future." And Ashley concluded, "I'd like to see people who have been displaced, for whatsoever reason, being able to come home."

Conclusion: Taking back responsibility; creating new common memories

Awareness and memories are important elements in creating a new path. Many people stressed that they have been just surviving for so long, and that a shift is now needed. People were raised with the idea of being “Indians on Reserve” in a colonial context. That time is over, and to make a shift, there is a need to create new memories, to build new common memories. As Satsan highlighted, when the Wet’suwet’en gathered before coming to the Supreme Court of Canada for the Delgamuukw case, an Elder said, “We’re doing this to create a new memory in the minds of our children. We have gathered to tell stories to the children in the longhouse so they can learn who they are, their responsibilities, and how to conduct themselves on the land so they learn to grow up to be good people. Nowadays, stories are about the pain and suffering of the Indigenous people; there is a need to get back to creation stories and oral histories so that children and youth can be strong and confident in their identity as a people, so they have the courage and energy to work hard to create a new life for themselves.”

The work that needs to be done to exit the Indian Act is also about understanding that people have responsibility. There is no framework, no structure on how to do it. There is a need to leave the comfort zone, be responsible and do it. “The more we talk, the less is done”, Chief Daniel Manuel said towards the end of the gathering. Indigenous governments need a new mindset and understanding of the people, and people need to work to collectively create new memories, to make a difference in communities, reclaim their past and build something new.



"Ultimately, self-government must benefit those most in need".
- Gilbert Whiteduck

Gilbert Whiteduck, former Chief of Kitigan Zibi Anishinabeg, reminded everyone that ultimately, self-government must benefit those most in need. It cannot be the elite; it must be all the people who move forward. They need their time to create a legacy of change, relevant changes within two or three generations to bring people back to the sacred laws (that can be found in ceremonies and connections to the land) and natural laws (stories within the language), to guide the transition out of the Indian Act. According to Gilbert, “Governance starts with each one of us and what we carry inside us. It is

not big structures and policies and all of that; it is a connection we have with Mother Earth, to the land and the water. We are like the eagle – We have the claws, but it is up to us to capture what is ours.”

“There is no question that we’ve got sovereignty over our homelands and over our people” Satsan told the gathering. “We won that recognition in law; we changed the constitution. We got recognition of our pre-existing sovereignty, which has survived confederation, and it is now recognised and protected under Section 35 of the Constitution. But as our people always remind us, it does not come from there; we have always had it. What this shows us is that it is now up to us to do it. It is our responsibility to take our jurisdiction and breathe life into it again; put back in place our own laws and enforce them – that is what [self-government] means.”

