



RFNG

Rebuilding
First Nations
Governance

Feeding Our Fire Gathering

Report of the 2nd National RFNG Gathering

held in Victoria, BC on the traditional territories of the Lək̓ʷəŋən Peoples

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Executive Summary: Overview of the Feeding our Fire Gathering

‘We like to come to events, although sometimes we do not really know how to address the audience. To end up here is just wonderful, and we love listening to young people, their hopes and dreams. We all share things here. We are reclaiming who we are, truly. We want to be in charge for our children, grandchildren.’ (Doug and Kathy LaFortune)

In May 2025, the Rebuilding First Nations Governance (RFNG) research project, in collaboration with the Centre for First Nations Governance (CFNG), hosted a second national gathering, Feeding Our Fire. The RFNG is an Indigenous-led research project funded by the Social Sciences and Humanities Research Council (SSHRC). Now in its sixth year, RFNG is documenting the efforts made by partner First Nations to develop strategies, policy tools and capacity to get out from under the Indian Act and transition to their own systems and structures with their inherent right to self-government. RFNG hopes to contribute to the national dialogue on the implementation of Indigenous jurisdiction and Section 35 of the *Constitution Act, 1982*.

The Feeding Our Fire gathering took place in Victoria, BC upon the traditional territories of the Ləkʷəŋən Peoples, and was a powerful event for the RFNG research project. After five years of building meaningful trust and relationships with our partner communities, the gathering was an intimate opportunity to deepen people’s connections, understanding of the challenges, and exciting visions for our inherent rights to self-governance. Organized over four days, the gathering encouraged dialogue between partner First Nations who are developing policy and expertise to transition out of the Indian Act, into their inherent rights.

RFNG TIMELINE



A key focus of the 2025 Feeding Our Fire Gathering included reflecting on the lessons of the past to plan for the future, educating on the intergenerational impacts of the Indian Act and the importance of realizing the full recognition of our inherent rights to foster self-determination. The Feeding Our Fire Gathering was an important part of a multi-generational work: by bringing together diverse perspectives of youth, Elders, community leaders and scholars, the Gathering helped build relationships based on shared values that go beyond individual projects, organizations and initiatives. We came together as part of a social and political movement grounded in empowering First Nation governance with our unique languages and legal traditions.

As emphasized by the CFNG President and RFNG Project Co-Director, Satsan (Herb George), along many other speakers during the four-day gathering, implementing Inherent Rights-based self-governance is difficult work. The fight for recognition of our inherent rights to self-government began long before they were affirmed in Section 35 of the Constitution Act, 1982, and will continue long into the future. By investing in First Nations who are building effective governance systems, the CFNG and RFNG Research Project are exemplifying how following Indigenous leadership leads to better outcomes in terms of providing services,

building capacity and infrastructure, and protecting lands and waters while achieving a more effective, just and Indigenous-led governing systems.

Several sessions of the gathering focused on imagining, planning and preparing for the future, by utilizing a variety of approaches, including a guided meditation, participatory futurism exercise, immersive activities and scholarly presentations. These methodologies were utilized to educate a diverse audience about how inherent rights relate to social, environmental, economic and political issues faced by First Nations, as well as settler Canadians. Participants were invited to imagine a future in which Indigenous




laws, traditions, languages and knowledges are respected by all, and where sovereign First Nations make decisions about their territories, customs, and governing systems. By listening to stories from different communities, it was possible to get a real sense of the

progress these nations have been making towards self-governance. These sessions also exemplified the movement building function of our work: by combining reflection with hope, humility with creativity, and community experience with technical expertise. The CFNG and RFNG Project are directly supporting First Nations build a legacy we are proud to be passing from the current generation to the next.



A key moment of the gathering was the gift exchange during the closing feast. Following a performance from a group of local Indigenous artists, the gift exchange was random, with gifts exchanged from one community representative to the next. The whole process was highly symbolic of the reciprocity required to do this work in meaningful collaboration. Both gift givers and receivers spoke directly to how the gift came to be, how it represented their community, and honoured the commitments made to walking this journey, together. Through an informal ceremonial practice, we witnessed bonds develop between First Nations, beyond what was possible to explain with panel discussions and debates during



the gathering. The spirit of the gift exchange perfectly embodied the essence of the work CGNF and RFNG are doing, which is about connecting Nations while fostering best practices and Nation to Nation collaboration. Relationships between Nations are stronger than ever, as shown by the gift exchange.

It is important to note however that the colonial systems imposed by the assimilative Indian Act have warped these previously established Nation to Nation relationships, reinforcing the people to fight against one another to get elected to leadership positions to govern their respective Nation. Leaving behind the Indian Act while fully asserting the inherent right to self-governance means to rediscover our relationships, stop fighting for control and start working together to protect the land and utilize the resources it offers according to our respective Indigenous worldviews, based on our ancestors' teachings. The goal is to build a better future for the next seven generations and co-create a legacy we are proud of offering to the next generation.

A First Glance at the Feeding Our Fire Gathering: Community-based Research as a Key Element of the RFNG Research Project

The RFNG, as a community-led research project, is based on the communities' identification of priorities and needs. This means that First Nation partners determine the direction and pace of the research, what knowledge will be shared and under what circumstances. This may happen either in direct sharing of experiences and insights with other First Nations, Nation-to-Nation-to-Nation learning, or through research reports that document their journey, prepared jointly with the RFNG research team.

The first day of the gathering was focused around listening to partner First Nations, their experiences, best practices and the policies they are implementing to leave behind the Indian Act. Hearing their updates on their current work, the progress they have made in the last two years, and the difficulties they have encountered in moving their work forward was



instrumental to reflect on the meaning of community-based research, the opportunities it offers and the challenges it so often hides. As explained by Dr. Frances Abele (RFNG Project Co-Director) and Catherine MacQuarrie (Project Manager), community-based research (CBR) is the way in which both RFNG and CFNG engage and work with partner First Nations, as demonstrated by the research agreements signed between RFNG and the five community partners that have been active with the project. Intended to be a living document, where communities' strategy, vision and ways of doing must clearly be established, the agreements ensure that research is done the way First Nations conceive it and according to their values, ethics, and protocols.

To date, research agreements have been signed with Upper Nicola Nation, Lil'wat Nation, Lake Babine Nation, Dzawada'enuxw First Nation and P'egp'ig'lha Council. The Listuguj Nation from Québec is also an active research partner who are in the process of finalizing a research agreement with the project. The RFNG Project has initiated documenting the journeys of partner communities that are leaving behind the political structures imposed by the Indian Act, and in the last few years, relevant research work has been done with partner First Nations on language and lawmaking, Section 35, constitution building, citizen engagement, and consultation and accommodation. This work is the basis of three articles submitted for publication to the Canadian Public Administration Journal, forthcoming in Fall 2025.

Implementing Bill C-92: Strengthening Indigenous Jurisdiction and Community Resilience in Child Welfare. Ducharme, Oakes, Soer

Revitalizing Indigenous Languages, Fostering Self-Government, Overcoming the Indian Act: A Case Study of Lil'wat Nation. Ducharme, Amatulli, Sawt Martina Pierre, et al.

Locked up and looking for a way out: First Nations policy control as a path out of the Indian Act. MacQuarrie

Research with, by and for Indigenous Peoples must be conducted in a manner that respects community protocols and codes of conduct, meaning that the priorities of community citizens regarding sharing their knowledge must be respected. Moreover, carrying out community-based research requires the free, prior, and informed consent (FPIC) from First Nations in every step of the research process, noting that consent can be retracted at any time. In addition, First Nations must maintain ownership and full rights over the data collected, especially how they plan to utilize any information conducted on their behalf. Research conducted with, by, for and relating to First Nation partners is subject to their oversight, control, storage preferences, and protection, as established within the OCAP® (Ownership, Control, Access, Possession) principles, as outlined by the First Nations Information and Governance Centre (FNIGC). Finally, community members are advised in advance about how their knowledge is utilized, interpreted, disseminated, and/or applied.

On the second day of the gathering, Dr. Frances Abele, Chris Robertson, and Satsan provided an update on the Section 35 special research project and reflected on the meaning of abandoning the Indian Act and building an inherent rights governance system. Following suit, Jonathan Lapalme introduced a 'Questioning the Unknown' exercise, which was an engaging opportunity to hold space for those in attendance to ask their questions about Section 35 to further inform the research project moving forward. The day continued with presentations related to the importance of data sovereignty by the First Nations Information Governance Centre (FNIGC), a talk given by Dr. Terry Poucette about the legacy of the Indian Act on traditional clan-based governance, and a presentation by lawyer Albert Peeling on Bill C-92, *An Act respecting First Nations, Inuit and Metis Children, Youth and Families*, and how Indigenous nations in Canada can assert their jurisdiction to care for children and families.

The third day was once again dedicated to partner communities, providing an opportunity for those in attendance to have discussions with the research team on how to best share stories of their inherent rights journeys. Jonathan Lapalme, Amsey Maracle and Shenoa Poirier then launched Nation to Nation to Nation, a collective film project and organizing tool focused on the future of Indigenous governance, and brought participants through a participatory futurism workshop, 2050: Envisioning the Best Possible Futures for Our People, providing space for everyone to travel into the future and reflect on all the hopes and dreams of everything we've achieved over the years.

The fourth and final day of the Gathering was dedicated to honouring Satsan (Herb George) with panel discussions on nation re-building, public policy and the law. Our aim for this day was to share stories of how Satsan's lifetime work and achievements have changed the dialogue within the country and beyond, regarding inherent rights and self-governance for First Nations. We wrapped up the gathering in the spirit of 'Passing the Torch', where we witnessed the youth involved in the Inherent Rights Youth Initiative (IRYI) reflect on their work and proclaim their very own constitution.

From the Indian Act to Inherent Rights: Challenges & Opportunities

The research carried out by RFNG goes hand in hand with the work done by CFNG through educational workshops that help empower First Nations leadership, administration and citizens to learn about their inherent right to self-government. That is one of the reasons why the CFNG was created, as its founder Satsan (Herb George), explained in his opening remarks: 'We won the recognition, now we've got to do something about it', referring to the advancement made in the legal system through the struggle for recognition of Aboriginal rights and title through the Canadian Court system over the last several decades, including his legal counsel in *Delgamuukw-Gurdayal* (1997). As he

'We won the recognition, now we've got to do something about it'

**Satsan
(Herb George)**

explained, Indigenous title and rights come from Indigenous law; although for too long Indigenous people were told that they couldn't have had laws, because they were not sufficiently civilized members of this society. Reflecting on the first years of the Centre in the early 2000s, Satsan mentioned the research done by Stephen Cornell and Miriam Jorgensen, directors of the Native Nations Institute at the University of Arizona. 'The Concept of Governance and its Implications for First Nations' highlighted that Native American Nations that culturally matched their traditional forms of governance were much more successful than those who used the Bureau of Indian Affairs model. We continue to discover ways to embody and implement this deeply rooted understanding in all the work we do with, by and for our partner communities.

The work done by CFNG and RFNG research project is meant to advance the position of those Nations who are ready to move out from the Indian Act (Section 91.24) and into their inherent rights, as per Section 35 of the Canadian Constitution. As such, fully recognizing the inherent rights of Indigenous peoples in Canada will finally complete the Canadian Confederation, by developing real Nation to Nation to Nation relations, the way it should have always been done. Satsan explained that engaging Indigenous peoples to support the issue of rebuilding their governance is key to driving reconciliation, while holding the government accountable for their infringements. In this sense, two main challenges need to be addressed:

- Engaging the people to have a necessary and meaningful dialogue on these issues. That is why the work done by CFNG and RFNG is instrumental to building capacity and expertise, while simultaneously developing policy and best-practices to get out of the Indian Act.

- Lawmaking, because people have been disconnected from their own way of making law for so long that they forgot how their society was organized, in socio-legal and political terms.

Traditional laws and socio-legal practices can be recovered by engaging Elders, Knowledge Keepers and the people who are still able to express themselves in their own languages. Everything we need is already within our languages and by utilizing meta-words to define specific words, it will be possible to define and understand protocols for inherent rights governance based on traditional principles, protocols and knowledges.

When Nations are moving out from under the assimilative policy of the Indian Act, Satsan notes that there are two important questions that need to be addressed: ‘How do we transition into Section 35? And once there, how do we declare ourselves?’. It is important to also define procedures in the law to drive negotiations between our pre-existing sovereignty and the assumed sovereignty of the Crown. As there isn’t one good policy that follows the laws and procedures under the Constitution, it is necessary for us, the right holders, to create them. This is why our work is so important: We are responsible for creating an action network that inspires each nation to learn from one another and work together towards the implementation of our inherent rights. This is a fundamental step, because once governments and laws are in place, it will be necessary to place each nation’s constitution in relationship with Canada’s and the international community. Towards the end of his opening remarks, Satsan reminded us that the current generation is the eighth generation born under the Indian Act. As he concluded, ‘We need to train our people to be Inherent Rights leaders once again. We need to invest our time and energy for the work we want to do. It is going to take a long time, and it is tough work.’ We are reminded from our fearless leader that we can adopt an inherent rights mindset, recognizing that we are sovereign beings, worthy of a balanced life that honours all our relations: past, present and future.



After Satsan left us with these deep truths, Elder Sawt Martina Pierre from Lil'wat Nation was invited to share her reflections. A mother of seven children and a wife for 64 years, Elder Martina has seen a lot of changes throughout her life. She grew up without running water or

electricity, and with her family they lived off the land, as people used to do. She explained that she did not have the notion of being poor or different, until she went to residential school. There, she said: 'I learned how poor I was as an Indian, how dirty I was and that I should be ashamed of myself.' The experiences within the residential school left an adverse impact on Elder Martina; noting the way she perceived herself, her family, and her community. Like many Indigenous children who attended residential schools across Canada, she was forced to learn English and punished for speaking her own language, dancing or singing her songs. As she remarked: 'When I graduated from St. Mary's Residential School, I hated who I was. I hated having to go home to my poor house. I thought if I prayed hard enough for my people, I would save them (from the alcohol). It was very lonely.' We are incredibly grateful for the strength and resiliency Elder Sawt Martina Pierre shared with us, grounding us in deep reflection, and responsibility of ensuring that the next generations have different, more healthy memories to someday reflect upon.

Since she was a teenager, Martina wanted to be a teacher, although many people tried to confine her to do a ‘traditional’ woman’s job. As Lil’wat took over education in 1976, Martina has since been a teacher, instructor and life coach. She did not know what she was going to teach, but she knew that she wanted to change what she learned through the harmful

‘The Creator placed us; the Queen displaced us. We need to express who we are in our own way.’

***Sawt Elder Martina Pierre,
Lil’wat Nation***

residential school system. As she said, there was a necessity to transform the curricula, because education was based and structured the way the colonizers wanted, not in the truth of the people. Elder Martina said, ‘Students did not know what to write on


their own. When students said they don’t know what to write, she told them to write what is of interest to them. Some students would draw pictures or add music to their poems. In this way, students began to understand that they can think, they can be creative and what they offer

doesn’t have to be taken from a book.’ A lot of children and teenagers do not know who they are and are distracted by a lot of things. ‘Why are we here?’, many people ask. To which she affirms, ‘We are here because the Creator placed us on our lands with all the gifts. “The Queen displaced us; the Creator placed us. We need to express who we are in our own way’, Elder Martina reminds us.

Reliving memories, Elder Martina recalls when she was a young woman in Lil’wat, and every household raised pigs, chickens, fruit trees, gardens, cows, and many other things. They were content with what they had, even though on a reserve, content with the Indian agent, happy with the Queen. ‘My grandmother, and many grandmothers of that time, respected

‘The grandmas in her time, they respected the Indian agent and the priest. They couldn’t even talk about the issues of being sexually assault; didn’t want to hear it.’

***Sawt Elders Martina Pierre,
Lil’wat Nation***



the Indian Agent and the Priest, and would not hear us speak out against them. They truly believed that a better life was to learn the other ways, the English language, the Catholic religion; so, they wanted us to learn the ways of the visitors.'

What is taught and learned, and the perception of oneself, goes hand in hand with how people relate to their land. As Elder Martina said: 'We are the guardians of our traditional territories, not because we are thinking for the land, but because we are doing it for all of humanity, and the rest of our relations'. Safeguarding the land is something she conceives as necessary for all humanities and for Indigenous Peoples health and wellbeing. When it comes to the relationship she has with the land and the ecosystem, she explained: 'I have my favourite tree. That's my relationship with the land.' Rediscovering our language and our relationship with the land is instrumental to 'finding out who we are and how we are', although it is very difficult to gather the strength and convince the people that we can transition out of the Indian Act into newly adapted traditional governing systems.

Addressing the governance issue in the final part of her talk, Elder Martina pointed out how worried people at Lil'wat were in 2014 following the approval of the Land Code by Chief and Council. She said that decisions like that must be made through consensus, not by following the Canadian model. Everyone must agree, and decisions must be made in a way that respects everyone's view. As Elder Martina said: 'If you want to get into my canoe, you have to agree with certain things... lest you upset the boat.' To explain what consensus meant

from a Lil'wat perspective, Martina showed the bear paw, representing the Consciousness of being Lil'wat.



Consciousness was lost for a long time and this made people doubt their culture, legal systems, values and social organization. As Elder Martina pointed out, her mother knew what her brothers were experiencing in the residential school, the abuses and mistreatments they went through. However, she did not have the consciousness to fight what was happening, as she did not have any support. Many of her brothers who were abused became addicted to alcohol and struggled in life. These are the effects that the 'care'



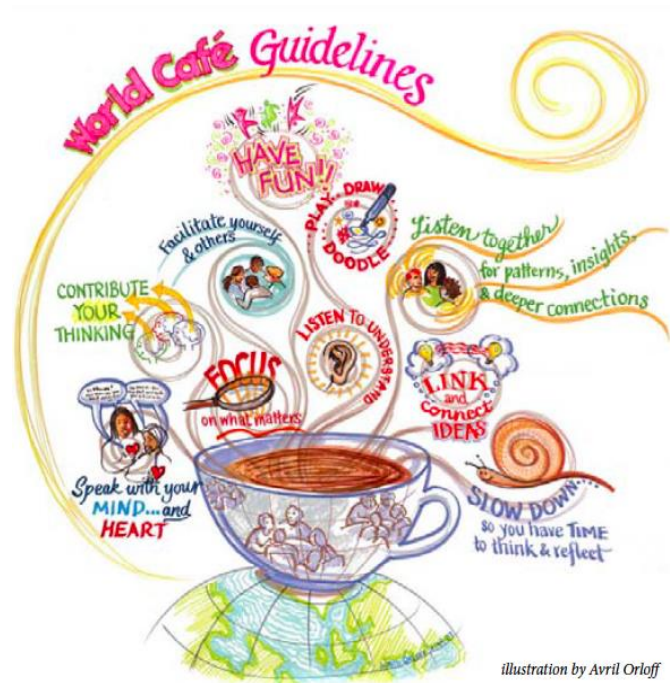
provided within the residential school system had on them, along with many other families and communities across Canada. What residential school meant for many Indigenous children and their families is exceptionally narrated in the pluri-awarded movie 'Sugarcane', co-produced by one of Martina's nephews. An Indigenous production, the movie gives voice to residential school survivors while disclosing the truth of the children who were murdered in these schools and buried in walls or unmarked graves. Elder Martina concluded her profound talk by stating: 'We had everything before colonization. We knew a lot of medicine;

we knew how to live off the land. We have many powerful ways to become balanced again; physically, emotionally, spiritually. We need to revive that!'. That is what this work is all about, the revitalization of our ways, our purpose, and our inherent rights to govern ourselves based on our spiritual contracts with Spirit, the Land, and all our relations.

The World Café Exercise: Community Interactions

After a morning of introductions and a lunch break that allowed people to get familiar with each other, the first day of our gathering continued with an interactive exercise to give people the opportunity to connect and learn more about each other. Structured in the form of World Café, it was divided into three 15-minute rounds, where people were asked to discuss three different questions before the final plenary where people could share their thoughts and reflections.

For the first question, people were asked to introduce themselves, where they come from and how they got involved in the work of rebuilding First Nations governance. Joseph Copeland, a teacher from P'egp'ig'lha, took the opportunity to share his experience. He started by saying that as a teacher, he realized that kids were not experiencing the change they needed. He then explained that some of the things he learned by doing First Nation governance work made him feel sad, while others made him feel very angry. He continued by saying that it is slow and difficult to work




with the government, as he recalled his experience with the Ministry of Fisheries, and reflecting on his belief that they make it difficult on purpose. In his answer, he stressed the importance of working together with other nations while rebuilding better relationships, as everyone seems to want similar things.

The youth were also very eager to share their experiences. Lyndin Belleau from Garden River First Nation (GRFN) in Northern Ontario shared his passion for community involvement and how it is important for him to foster a new idea of governance in his community. Shenoa Poirier, CFNG Inherent Rights Youth Initiative (IRYI) Coordinator, said that working in such a space is reinvigorating and spirit-healing, although it is tough work and can feel lonely at times. As such, we recognize the importance of supporting one another, and to ensuring that we are all on the same journey towards rebuilding our governance systems in a way that works for us.

The second question in the World Café exercise asked people to describe what inspires them in the work they are doing. Chief Wilf Adam from Lake Babine Nation provided a powerful explanation, sharing that he has been involved with his nation's politics since 1977, recalling when there were only six employees working for the nation. After the Chief at the time fired two employees, he was asked to step in and has since then worked as Band Manager, Deputy Chief, Chief, and eventually joined the BC Treaty Commission. Once he was negotiating a logging agreement, back when Lake Babine did not get any substantial income from these operations. He recalled telling the Premier, 'I'm sick and tired of administering poverty', as he was looking at the chart that showed that 1.5% of the economy was 'controlled' by the nation. Chief Adams was proud to share that it is now at 55%, although his dream would be to make it 100%. Through the years, Lake Babine Nation has partnered with salmon cannery initiatives to take more control of

**'I'm sick and tired of
administering poverty'**

Chief Wilf Adam, Lake Babine



their economy, offering jobs and instilling confidence in their citizens' roles and responsibilities.

Carol McCauley, from Upper Nicola First Nation, explained that the Upper Nicola Indian Act Chief and Council system was inspired by Satsan to undertake inherent rights work. She was personally inspired by CFNG's Inherent Right to Self-Government workshop, learning that Indigenous people still have their own laws and ways of doing things. Using an inherent rights lens to understand opportunities for change inspires her to do this work, and she wants people to stop working as bands defined by the Indian Act and start working as nations to once again achieve full jurisdiction and authority. Several other people echoed what Carol shared, and someone noted that 'a dynamic Chief who I worked with established a citizenship code, jurisdiction over hunting and fishing, and board of education. Experiencing all these advancements in terms of self-governance inspired her to continue working on these themes. Throughout these conversations we are constantly reminded just how much this work is rooted in integrity and interdependence.

Scotty Holmes from Upper Nicola explained that he was inspired to be at the Gathering because of the residential school experience and in honour of the survivors. As he explained, 'It is important to find ways to be who we are and not what other people think we should be'. He argued that if people want to make a change, it's up to them to do it. In his view, the focus of Chief and Council at Upper Nicola must be to define new governance structures while actively challenging the old ways of doing things, while existing leadership norms remain reluctant to change. It is necessary to involve people from all over the place and find out what works, while considering success stories and best practices.

The third and final question of the exercise asked, 'What are you learning on this journey?'. Mason Ducharme, Co-Executive Director of the CFNG and citizen of the Lil'wat Nation, explained that inherent rights work takes a lot of time and patience, and while it is important

to get things done by meaningfully engaging the people, it's important to note that this transformative work of moving beyond Indian Act administration can paralyze a whole governing structure of a Nation. Scotty Holmes from Upper Nicola echoed what Mason said about the importance of overcoming the Indian Act, as he believes that First Nations are now being called to fix what was left behind or misapprehended by the colonially imposed Indian Act system. Holmes explained that while he wants to do whatever it takes to leave the Indian Act behind, he is also aware that self-interest and impatience to get things done can compromise doing things the right way. It is then important to learn about governance on the highest level; while trying to engage with everyone, recognizing that sometimes people are left behind because of their own choices and decisions to not engage. Matt Manuel, from Upper Nicola, complemented what Holmes explained, by adding that it is important to understand where Upper Nicola citizens are as a people while trying to get out from the Indian Act concept, which is so ingrained in the people's mindset. He questioned what the current leadership is doing in this sense, acknowledging that Chief and Council have a lot to offer in the context of a collaborative system, but are often bound by the restrictive policies mandated within the Indian Act.

'I'm a seed from the elders' - What kind of actions are we going to take? What are our gifts? How can we put them into actions?'

Member of the Lil'wat Nation

What emerged from this community engagement exercise is that people want to go back to their original ways of governing, as explained by Chris Robertson, Strategic Advisor to CFNG's President. To ensure that traditional forms of governance can be recovered, it is of extremely important that we engage as many people as possible, especially our youth, by creating and fostering Youth Councils and providing the necessary resources to engage all youth in the community. Intergenerational engagement is key, as people coming from

different lived experiences can offer a variety of perspectives that can be used to inform governance structures. In this sense, several participants remarked that First Nations have similar goals; although they may follow different paths, they are looking for the same destination: inherent rights to self-governance. Language

is key to moving towards rebuilding Indigenous Governance structures that work, and by learning the languages of our Nations, it is possible to recover traditional laws and legal systems, as these are ingrained in our languages. We must not forget our original instructions, nor can we feel responsible for the enormous losses our people have and continue to experience. We can and will utilize our resiliency to reclaim what has always been ours: our languages, our protocols, our laws and our systems of being of good mind, body and spirit, while in good relation to ourselves, our families, our Nations and all our relations. Darian Agecoutay, longstanding member of the Inherent Rights Youth Initiative (IRYI) and proud Nehiyawak/Cree man from Treaty 4 Territory in Saskatchewan concluded this session by providing his reflections. Agecoutay powerfully shared, “When language is gone, self-government is gone”, grounding us in the importance of teaching our traditional languages to new generations while we continue to rediscover our own governing structures that work.

‘We’ve been taking care of this land for thousands of years; you’ve been around for a few hundred’

Cindy Tom-Lindeg, Upper Nicola



Community Updates

Following the Community Engagement Exercise, First Nations partners were invited to provide updates on the work they have been doing in terms of advancing governance in their home territories.

1. Lil'wat Nation Community Session, led by Elder Sawt Martina Pierre

Lil'wat Nation shared with the group that in every action and policy decision they make, Skel7áqsten is the leader in all Lil'wat stories. Storytelling is a powerful way to engage the people while simultaneously instilling teachings, protocols and responsibilities, just as Skel7áqsten does when they offer a deeper understanding of what it means to be stewards of the land, how to hunt, berry pick and fish. When taking from the land, it is always important to follow protocol and give something back. Three main figures protect the land in Lil'wat tradition:

- Stewards, who must ensure that resources are not over-harvested, thus ensuring sustainability for others and future generations.
- Warriors, who must look after the land and territory, and protect it from outsiders.
- Healers, who can envision what is coming.

Elder Sawt also explained that during the time when residential schools interrupted the transmission of intergenerational knowledge, some anthropologists went to the Lil'wat community and interviewed the people. These studies are an important source of knowledge and can be used to rediscover pieces of identity that have been lost through assimilative policies and administrations. Residential schools were detrimental to the survival of the culture and of Lil'wat as people, generating trauma, and social, political and

'When I left residential school, I was lost in my own home'

economic issues. In particular, the fallout of the residential school system can still be experienced now, given that these lived experiences:


- Left people without proper training on how to live a good life. The strictest law for Lil'wat is to create good living. If you haven't completed the training, you can't move on in life and you're not eligible to marry. This is what is missing for younger generations, in terms of discipline and self-awareness.
- Some people said that they learned other skills in residential school, at the expense of other, very important traditional and cultural skills.

Notwithstanding residential school, the Lil'wat people have always been independent, even when they were forced to live on reserve lands. Thus, they worked together as a community to take care of farms and cattle, build infrastructure such as fences and bridges, and make a good life with what was available.

At this point, Elder Lloyd Williams started reflecting on the path Lil'wat is following to achieve self-governance. As he explained, he was one of the first members of his community to attend public school and was also selected to become a civil servant. Elder Williams faced many barriers, especially when it came to voicing his truth. For example, when he was asked what he thought about welfare, he shared it was 'no good' which resulted in an undue termination of employment.

'Assimilation...I didn't know what that meant when I first heard it'

Williams said that his grandfather taught him not to take handouts from the Band Office, but to make it on his own, and that it was not good to talk about residential schools, as it would 'weaken you'. For a long time, Elder Lloyd did not talk about his residential school experience. As he said, some children would hide in caves in Whistler to avoid being forced to attend residential school. Due to his lived experiences and witnessing how the education system fails to support his people, Williams shared that he is reluctant to accept the western



education system as a good way to learn for Indigenous peoples, as it ‘takes away our native-ness’. The Indian Act has been an enforceable tool that the Canadian government has utilized to take away sovereignty from the Indigenous Peoples of these territories. As Lloyd shared, ‘The Indian Act imposes a system, under duress and protest, to elect and govern in certain ways, which is conditional to receiving social assistance and access to other funding’. Many decisions affecting Lil’wat nowadays are taken under the constraints of the Indian Act, but the Canadian and provincial Governments keep convincing the people that this is the way for people to govern themselves. However, we now understand that ‘the jurisdiction is Inherent, we have always had it. We are just not using it’ as our Elder so eloquently stated. Concluding his reflection, Elder Lloyd reminded us that when their generation was young, they did not have access to much, but they were healthy. He recounted how his own grandmother recalled the time when the first settlers arrived on their territory, sick and dying in the dead of winter conditions. He said it was a mistake to help the second group of settlers who arrived, reflecting on the choices and decisions we have previously made.

2. Putting in Place Upper Nicola Jurisdiction Over Traditional Lands

Upper Nicola has been one of the most active Nations working with the RFNG Research Project. The Nation's work to rebuild its traditional governance structure is strongly anchored in a community-based approach, guided by the K^wu stəmtima? Declaration (Upper Nicola Syilx Declaration) and the teachings of the four Food Chiefs to explain laws and responsibility.

Figure SEQ Figure * ARABIC 2 - The Four Chiefs



- *Spitlem (Bitter Root): Relationship-oriented and inclusive, aware of all the connections, takes others into consideration.* It describes relationships and the inter-connectedness among tmixw including but not limited to the people, animals, plants, the land, the air and water. This provides the “context” in which individuals, families, and communities endeavor to live in harmony with each other and with their relatives.
- *Siya? (Saskatoon Berry): Innovative and creative-oriented, thinks outside the box/nothing is impossible, we can do it.* It represents all the things that grow above

the ground. This Chief embodies the spirit of creative energy, vision, and innovation. The perspective here can be associated with the enthusiasm and creativity that is often found in youth.

- *Ntyxtix (King Salmon): Action-oriented, finds ways through barriers, efficient, just do it.* It is the Chief of all creatures in the water, and he exemplifies action. The perspective here is one of determining the objective or aim, getting prepared and then acting. This Chief is often considered to be associated with a male perspective.
- *Skemxist (Black Bear): Tradition-oriented, Knowledge Keeper/teacher, ties everything into culture.* It represents traditions and cultural practices. The concept of reflection and contemplation on “what is,” informed by an understanding of the past and how that is connected to the future. It is this understanding that then shapes development of protocols.

Upper Nicola representatives stressed the fact that the unity within the nation has been broken, and families divided, due to the lack of independence since the imposition of the Indian Act. Everyone agrees that to protect the people, it is necessary to change our governing structures. In Syilx tradition, there are different expressions used to pass on governance systems, laws, and practices of occupation. Instructions, directives, and protocols are displayed in ceremonies, rituals, and deeply embedded within the language (Nsyilxcen), including interpretive methods of adjusting ethos that make up the rule of law. To move away from the assimilative Indian Act, an implementation framework has been outlined with the objective of defining the strategies and mechanisms that Upper Nicola could use to realize their programs, implement their laws and, ultimately, leave the Indian Act in the past. Among these, there should be:

- A multi-stakeholder partnership mechanism (The Action Plan),
- Governance and coordination frameworks,
- A resource mobilization strategy, and
- A communications strategy.



3. Lake Babine Nation, led by Marilyn Joseph-Williams

Lake Babine Nation, the third largest Indian Act Band in British Columbia, is situated 142 miles west of Prince George, with a total registered membership of approximately 2,525 (as of January 2025). The Nation has 27 reserve lands, three communities which are inhabited year-round and two that are inhabited over the summer months. Until 1957, there were two separate Bands, the Old Fort Band and the Fort Babine Band, both situated on Babine Lake. On June 12, 1957, the Department of Indian Affairs amalgamated the two Bands to form what is now known as the Lake Babine Nation.

As explained by Marilyn Joseph-Williams, Lake Babine Nation's governance structure is composed of a Governance Director, a Governance Coordinator, a Governance Researcher and Knowledge Keepers. Nevertheless, it is difficult to move ahead, as there is a need to educate members regarding governance, specifically what it is, and how to get away from the Indian Act and its administration. The shared vision is that their governance systems are rooted in their inherent rights, supported by what has been established within Section 35 of the Canadian Constitution and the United Nations Declaration on the Rights of Indigenous



Peoples (UNDRIP), adopted by Canadian law through Bill C-15 in 2021. Marilyn encourages the continuation of their work by 'participating in the evolving systems of cooperative federalism that reflects Section 35 rights and reconciles pre-existing Aboriginal sovereignty with the assumed sovereignty of the Crown.'

The governance system that Lake Babine implements must be developed by and for the citizens, and it must be based on Lake Babine Nation laws and customs. Understanding that Section 35 rights belong to their rights holders, the people must implement their own established governing systems in a way that empowers the Lake Babine Nation and its communities to meet their 21st century political, social and economic needs and aspirations. A milestone was reached in 2019, when an advisory team was established, with a working group consisting of three parties, Lake Babine Nation, British Columbia and Canada. Their collaborative objective was to develop a governance model that includes core elements of Lake Babine Nation governance jurisdiction. The work to

build a new governing system started during the COVID pandemic, with meetings held virtually. Once the pandemic was over, it was possible to work in-person again and to meet with Lake Babine Nation citizens. People stressed the fact that they do not like the quorum system because the risk is that a decision made by one community can be applied to others who did not vote for it. During their governance work, it became clear that many community members did not quite understand what governance was, so it was necessary to provide that fundamental education. As a result of this process, five recommendations were provided to advance the governance work.

It was recommended to:

- ***Establish councils to include Elders, youth, and women's councils.***
- ***Establish a grand council or national council model with meaningful representation of five communities, urban citizens, and Hereditary Chiefs.***
- ***The advisory council is to provide advice to the Lake Babine Nation governing body.***
- ***Traditional knowledge weaving.***
- ***Dissolve the existing Indian Act governance system once a new governance model is ratified.***

In relation to dissolving the Indian Act, three options were discussed as to what should replace it, including returning to traditional models of governance, modifying the Indian Act system, and creating something new entirely. Whereas the end goal is to terminate the current model of Indian Act governance, there is also awareness that administering the whole governing body in a self-sufficient way is going to be a challenge. Resources must be allocated to support a new governance structure and to assert their own jurisdiction. The

Lake Babine Nation is actively engaged in conversations regarding leadership selection, whereas the Council currently consists of:

- a. One Chief;
- b. Two Councillors to represent the Community of Tachet;
- c. Two Councillors to represent the Community of Wit'at (Fort Babine);
- d. One Councilor to represent the Community of Nedo'ats (Old Fort); and
- e. Four Councillors to represent the Community of Woyenne.

The discussion is whether people should be elected, selected, or if there should be a blend between selection and election once a new governance system is approved. Elders who are Hereditary Chiefs often say 'you have to listen to us', but we are reminded that it is important to listen to all. For instance, often only the same 10-15 members show up for community engagement discussions, thus creating an engagement issue within the community. It is necessary to increase participation and to find ways to involve the people and raise awareness and build a new system that reflects the needs of the people. To raise engagement, Lake Babine has started to offer financial support to those who dedicate their time to this collaborative work. Using registration details from previous engagements, like phone numbers and e-mails, is also a helpful tool to establish lasting connections and keep the people engaged.

'Elders who are Hereditary Chiefs often say, "you have to listen to us", but it is important to listen to all.'

Participation in governance discussions has increased since the CFNG has delivered workshops on inherent rights and self-governance with the aim of increasing understanding of effective governance. For some of these workshops, there were 340 people attending. By discussing issues related to the Five Pillars of Effective Self-Governance, the Indian Act,

Aboriginal case law, consultation and accommodation and the implementation of an inherent rights strategy; it was evident that people are interested in being part of the change. One issue that emerged was related to the necessity to include the Hereditary Chiefs into the work and how to bring them together. Lake Babine is exploring the possibility of having a Governance Forum, where Hereditary Chiefs can work with elected leadership. In addition, Lake Babine Nation is considering hiring a Knowledge Keeper who is fluent in the language to ensure Elders' opinions are included.

In relation to engagement and participation, an important step made by Lake Babine was to work with people living off-reserve and in urban settings. By organizing community events, workshops and dinners, people living off-reserve have started to be included in governance-related work. All this work on reclaiming our inherent rights and establishing our own governing systems is instrumental to educate members, while also raising awareness on who Lake Babine is as a Nation. As Marilyn highlighted, 'Have you gone through the process to ask who we are? We call ourselves nadut'en (we all live aside, together): frog clan, beaver, caribou, bear clans.'

4. P'egp'ig'lha Council, led by Joseph Copeland and Nora Greenway

The P'egp'ig'lha Council was created in 2002, after the St'át'imc Nation decided to take steps to move away from the Indian Act administration in 1999. As a result, the role of the P'egp'ig'lha Elders' Council was formalized, and family representatives were selected. Although the community is no longer governed exclusively by the Indian Act; P'egp'ig'lha still has an elected Chief and Council because of the services provided by Indigenous Services Canada (ISC). The P'egp'ig'lha Council has done relevant work to leave behind the Indian Act and on July 14, 2007, the Sxeks ta Ntákmensa I P'egp'ig'lha (P'egp'ig'lha Constitution) was adopted. Comprised of 11 articles dealing with lands and people, language and ways of life, traditional governance systems, spiritual practices and beliefs; the Constitution reiterates

that ‘the traditional ways, values and laws of our ancestors are held in the St’át’imc language and are written on the land. Our Elders have passed them down in our stories to the children and grandchildren since the beginning.’¹ P’egp’ig’lha recognize the 1911 Declaration of the Lillooet Tribe as their oldest written law on Mother Earth, taking it as a reference to guide the work to have St’át’imc Title and Rights fully recognized, as P’egp’ig’lha asserts themselves as a St’át’imc Sovereign Nation.

According to the Constitution, there are four different Councils, each one with a different mandate:

- **P’egp’ig’lha Council:** Meet every month, or more if policy development is in progress. It is family-based, with each family having a representative and an alternate. Decision-making is based on a consensus model. It is responsible for asserting and protecting the past, present and future of St’át’imc title and rights. The P’egp’ig’lha Council finalizes governance documents on constitution, laws and policy.
- **P’egp’ig’lha Elders Council:** Responsible for stewarding language, history and cultural traditions, in addition to developing and maintaining a traditional and restorative justice system, providing guidance to young people, and developing leadership.
- **T’it’q’et Council:** formed by a community committee and a joint council. The former is responsible for community administration, programs and services. The latter meets three times per year, and it brings all councils together to share information. It oversees all programs and services as well as land, housing, roads, and infrastructure development on reserve lands.
- **P’egp’ig’lha Youth Council:** Creating a youth council has proven difficult, due to issues in relation to youth engagement for both on and off-reserve members. The Youth Council was created to engage youth and build the leaders of the next generations.

¹ Available at: http://www.titqet.org/wp-content/uploads/2017/09/pegpiglha-governance-presentation.FINAL2_.pdf (last accessed on June 18, 2025).

Internal P'egp'ig'lha Relationship Chart

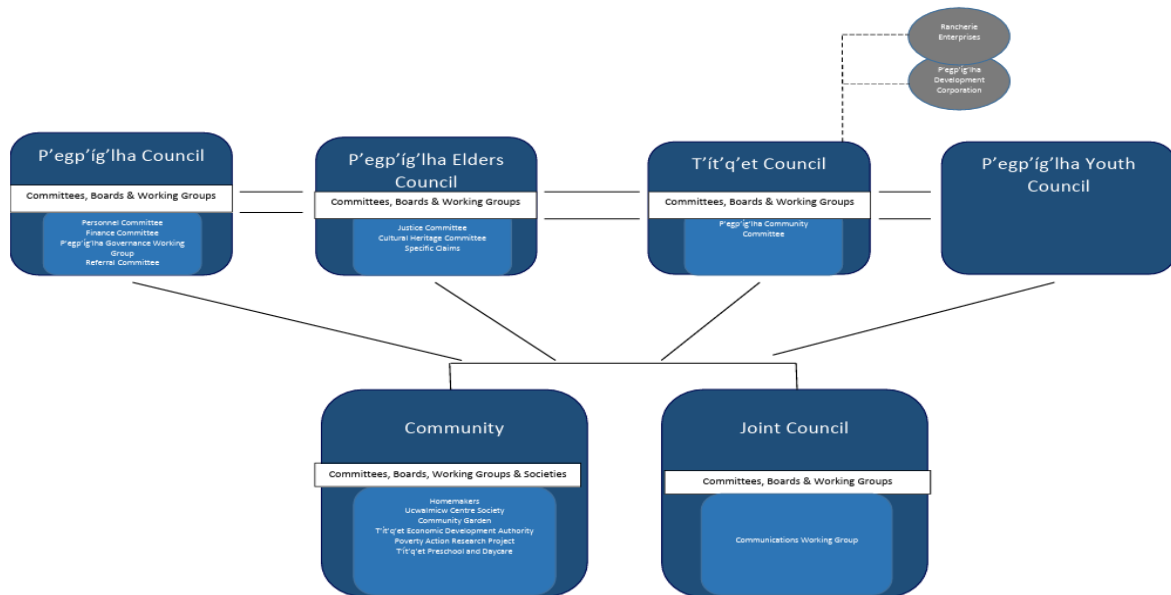


Figure 3 downloaded from http://www.titqet.org/wp-content/uploads/2017/09/pegpigha-governance-presentation.FINAL2_.pdf

As explained by Joseph Copeland, the family-based council involves ten families, which must alternate to ensure that everyone is represented. One issue is related to the overlapping responsibilities between councils, as working to define who is supposed to do what is challenging. The priority of the four councils is to work on language, culture and the land, as currently there are no fluent language speakers. Preserving and revitalizing the language is instrumental to helping with cultural resurgence and governance rebuilding. In this sense, youth are very interested in learning the language, and it is important to rely on neighbouring Nations to share the knowledge and help revitalize it. The Council was created in 2004, although it has been active since 2007. The process to leave behind the Indian Act has proven to be difficult, with many frustrating moments, but also meaningful achievements. Working with provincial and federal governments has been very frustrating because ministers keep changing, and there is a need to start from scratch every time

someone new steps into these roles. Another complex issue is related to teaching non-Indigenous people, as there is so much work to be done to educate the public. In general, learning about the Indian Act, the limitations of being wards of the Crown, and the meaning of achieving self-governance has been important to progressing forward.

Special Projects Updates – Challenges and Opportunities to Advance Self-Governance



A clear issue that emerged from the gathering was the challenge of implementing policies developed by First Nations to move beyond the constraints of the Indian Act. During the discussion on the special projects currently underway with CFNG (Language and Lawmaking, Citizen Engagement, and Consultation & Accommodation) many members expressed their skepticism about the implementation process. The vast majority of those in attendance agreed that it would be useful to run community interviews to learn about best practices. Another issue that emerged was regarding the duty to consult and accommodate, which has been established through Canadian case-law, determining it is the duty of the crown, not of Indigenous peoples or industry. As such, the question remains why First Nations should design their own consultation and accommodation policy if it is a Crown's obligation. There are several reasons to assert jurisdiction and to establish clear guidelines on how a Nation expects to be consulted in its own territory and having a clear and comprehensive policy is also important to make sure that, as some community members remarked, 'the law is

understood by the colonizers, using their language to express what we want'. This is important especially because, in most cases, the fiduciary duty to consult and accommodate is passed from the Government to project proponents.

The transition to inherent rights governance cannot happen without revitalizing Indigenous languages. Only with strong language retention and understanding can it be possible to rediscover our laws and law-making processes that foster the decolonization of governance structures. Language is central to Indigenous worldviews, identity, health and laws. Historically, pre-contact legal systems were orally transmitted. Colonization delegitimized and erased these systems by eroding the language through genocidal and assimilative policies and structures, as understood through the Indian Act and Indian Residential School systems. Without the language, it is difficult to transmit traditional stories, laws and knowledge. As an example, Słatsin Nation had a bylaw accidentally approved by the Federal Government. The by-law is written in English and Secwepemc, and it includes meta-language principles. Inserting key words into the law can advance revitalization; it is important to highlight that language revitalization is not just cultural, but also legal, political and personal.

Citizen engagement is fundamental to implementing policies and strategies that allow First Nations to leave the Indian Act behind while revitalizing Indigenous legal systems and languages. As emerged in the CFNG special project on citizen engagement, the same ten people keep showing up to community meetings. Thus, it is necessary to develop innovative tools to fully engage citizenship, which is fundamental to advancing self-determination and what is established in the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDRIP Act). UNDRIP passed by the Canadian Federal Government in 2021, otherwise known as Bill C-15, affirms that Indigenous peoples have the legal right to be meaningfully included in decision-making processes. Whereas traditional models of participation provide

council and community meetings attendance based on consensus building; new models such as online voting and townhalls can be used to foster engagement. In this sense, hybrid models with some components of digital governance could help increase community engagement and participation. Nevertheless, barriers to digital governance are posed by the socio-economic, cultural and generational divide in communities, with youth that can engage more easily with digital tools and older generations that are apprehensive to learn and access new technology.

Section 35 Special Projects Update & Questioning the Unknown Exercise

The Questioning the Unknown exercise is a key part of RFNG's special project on Section 35, which seeks to address two central questions: How can First Nations transition from Section 91(24) to Section 35 of the 1982 Constitution Act; and, how can First Nations declare themselves under Section 35 once there? Through a methodology that combines community engagement with expert input, this special project aims to advance and share knowledge about the key role of Section 35 in affirming and advancing inherent rights governance.

The conversation between Dr. Frances Abele, Satsan (Herb George), and Chris Robertson contributed to better understanding specific features of Section 35 and issues related to transitional governance through a "100% question only period", a space where people could ask their questions about transitional governance practices, challenges, and opportunities intertwined with the implementation of Section 35. People identified barriers and roadblocks to moving towards inherent rights-based self-government, including difficulties with community engagement, fear of the unknown, the need for resources, and tensions within communities around Indian Act administration. The concerns and issues that were identified will inform the Section 35 special project's work with leading legal scholars, such

as but not limited to: Naomi Metallic, John Burrows, Brian Slattery and Kent McNeil. Together we aim to answer the two central research questions and produce materials that are relevant to First Nations developing strategies to move on under an inherent rights governance system.

‘True leadership isn’t about speaking and knowing the most, it’s about listening’

Chris Robertson

Our Data, Our Stories, Our Futures - First Nations Information Governance Centre (Erin Corston & Harmony Johnson)

Moving to a self-determined governance system is not possible if First Nations do not own, control, or have access to their data. The presentation delivered by the First Nations Information Governance Centre (FNIGC) pointed out the important role of data sovereignty within governance, and how First Nations can take control of their data from colonial governments and institutions. Data is strongly linked to many key aspects of governance, including democratic processes, providing services, and organizing land management. Organized, accessible data enables planning and evidence-based decision-making; and without it, governments cannot understand where they are, what they are doing, and how to get where they want to go.

As a non-profit entity, FNIGC works with First Nations to develop flexible systems that address needs for information technology, physical equipment and technical expertise. FNIGC aims to provide First Nations with the tools and education they need to assert data sovereignty in areas such as healthcare, resource management and citizenship. They are also seeking to identify and address gaps in First Nations data governance, through the

development of new policies, repatriating and cleaning existing datasets, ensuring internal expertise and building infrastructure capacity. The ways in which data is collected, organized, stored and analyzed are not neutral. Laws and rules that ostensibly advance self-determination are not meaningful when colonial governments have control over First Nations' data. Crucially, this may result in the de-legitimization and/or theft of Indigenous knowledge. When data is collected and controlled by colonial governments and other institutions such as universities, not only are there legal and practical barriers to it being accessed by the communities and people providing said data but also a lack of control with how the information is used. A significant part of the work carried out by the FNIGC is to help First Nations and external researchers understand the principles of Ownership, Control, Access and Possession (OCAP), and how to implement these into fair data-sharing and research agreements. The presentation delivered by FNIGC helped those at the gathering to better understand how First Nations can protect their data and utilize it to advance their inherent right to self-government.

Family Matters: The Indian Act's Legacy on Traditional Clan-Based Governance - Presentation by Dr. Terry Lynn Fox Poucette

The journey towards the full achievement of inherent rights governance while leaving behind the Indian Act held a central space in the Gathering. The presentation by Dr. Terry Lynn Fox Poucette discussed the legacy of the Indian Act on traditional clan-based governance and served to ground the conversations regarding how the Indian Act disrupted and fundamentally altered indigenous governance.

Dr. Poucette's presentation sought to first set the context and bring to the forefront '*what was lost but not forgotten*'. She reminded the audience of the independence and self-governance of First Nations, who all had (and still have) their own distinct cultures, languages and systems of law and government, and the importance of extended family as



the basic political unit. She used the two examples of the Gitksan and Wet'suwet'en to highlight the matrilineal kin and house system to which Hereditary Chiefs were held accountable to. Further elaborating on this context, she highlighted that diversity existed among Nations, with

some governance systems being firmly structured and others lightly structured, balancing between hierarchical organizations and egalitarian systems. The guiding principle behind traditional governance emphasized the collective over the individual under direct democracy and consensus through all clans and members involved in decision-making. This ensured a continuous dynamic of checks and balances, with the accountability of the leaders on two fronts: to the Creator and to their people. Legal traditions were unwritten, and protocols were shared, known and followed by all citizens. Natural and customary laws included consequences for breaking them, including banishment in some cases. While Hereditary Chiefs are found in both firmly and lightly structured governance systems, it is more common in lightly structured systems for leaders to be chosen based on knowledge, expertise and skills. All in all, concentration of power was avoided through consensus and separation of leadership, as well as a deep commitment to both upholding equal accountability to the Creator and to the people.

While there is great diversity between and across Nations on what clan-based governance looks like, there are some common features. The first of such features is kin-based

leadership selection, where leaders are relatives determined by birthright or appointed by other clan members. Councils were made up of clan leaders who consult with their clan and act as their voice. Decisions required consensus, establishing equality between clans where 'nothing passes until everyone agrees'. The reporting of clan leaders back to the clan is often done in public or ceremonial settings, as such, consent is deeply rooted in accountability to the people. As clans are usually named from the natural world and have an oral history passed down through songs, dances, regalia, ceremonial items and oral traditions, they also have many roles and responsibilities. In some tribes, each clan have their own territory and had authority over it. They are responsible for this territory and take care of it. In other tribes, clans are endowed with specific leadership responsibilities from internal affairs to external leadership. Some of these responsibilities and roles include possession and oversight of family territory, external and internal leadership, lands and resources, health and medicines, education and teachings, social work, spiritual and ceremonial responsibilities, security, as well as dispute resolution and mediation.

This is how Dr. Poucette grounded the conversation on governance: by reminding everyone what was lost but not forgotten. Early First Nations and settlers' relations shaped the world that was to come, however these early relations were grounded in respect as the newcomers needed the First Nations to survive. At that time, settlers respected First Nation sovereignty over the land and resources. Dr. Poucette mentioned three major events during those early days of contact and settling. The first was the fur trade throughout the 16th to 19th centuries, where First Nations participation was crucial for the fur-based economy of North America. The second major event were the wars as Europeans fought for possession of 'vast and resource-rich North American lands'. The Seven Years War, the American War of Independence, and the War of 1812 are some examples of Europeans fighting against each other that shaped the early First Nations and settlers' relations. First Nations fought and

were allies to either the British or the French to protect Canada from the Americans. During those days, they were considered partners, and their respective sovereignty was understood. The third major event was the Royal Proclamation of 1763 where King George III recognized First Nations as self-governing nations with 'possessions, rights, and privileges, as well as having title to their territories', understanding that only the Crown could attain Indian lands through treaties. However, while the principles of the Royal Proclamation were to some degree honoured when First Nations signed treaties with the Crown, what was not known or agreed to was that 'Canada had already passed a number of pieces of legislation that would later be amalgamated and become what is now known as the Indian Act, ignoring the treaties and dismantling traditional governance systems.' Once the War of 1812 ended, the British government no longer needed the military assistance from First Nations and from then on, government policies changed from protection, friendship and allyship to dislocation on reserves to free up lands for settlement and assimilation.

The ways in which the Indian Act have impacted and impeded on traditional governance are too numerous to list exhaustively. Instead, Dr. Poucette focused on four concrete impacts:

- Direct democracy was replaced with representative democracy where, instead of continuous and direct accountability of leaders to their people, elections became the only way for people to hold their leaders accountable. This shift further pushed the assimilation agenda along as the federal government concluded that direct democracy 'blocked assimilation'. It 'removed participation of the people in the political process'.
- Consensus was replaced with majority rule where a small group of people make decisions for the whole nation.

- Disruption of the checks and balance system of traditional governance which prevented the concentration of power. Instead, all decisions taken now pass through the Band Council, where the executive and the legislative are now fused with 'no official opposition'.
- Accountability is now exclusively upward from the Band Council to the Minister of the Indian Affairs, instead of to the people and the Creator. This, according to Dr. Fox Poucette, is 'one of the biggest defects of the Indian Act'.

Impact of Indian Act on Traditional Governance

Direct Democracy	➔	Representative Democracy
Consensus	➔	Majority Rule
Separation of power	➔	Concentration of power
Inclusive accountability	➔	Upward ministerial accountability

The Indian Act was purposefully put in place to facilitate assimilation, a way to move First Nations away from 'their traditional principles of collectivism' towards individualism. The predominant mode of thinking shifted from 'What's in it for my Nation?' to 'What's in it for me or my family?'. Now, many of our people think primarily about what's best for themselves instead of the Nation and use the Indian Act Band Council voting system accordingly. Here, Dr. Poucette recounts some testimonies given to her by respondents during her doctoral fieldwork. One Elder recounts: 'Back in the old days, people put in a leader that could think. But today, it's not that way. Today, people choose who will help them. Unfortunately, this is how they elect leaders'. This is not an uncommon perspective or experience, and can lead to various negative outcomes, such as but not limited to: lateral violence, trauma, and coercion.

While the Indian Act failed to destroy traditional clan-based governance entirely, the voting system is now weaponized by clans that choose to use their voting power to elect their relatives to assure access to jobs and houses, among other benefits. This, however, can result in the same leaders holding positions of power for a very long time. Quoting an Elder, Dr. Poucette recounts: 'Once the election is done, whoever wins, it is back to what it was. It's just different families helping themselves out. That is how it has become. There is no governance'. Through these mechanisms, we can begin to understand how large clans can thereby stand in the way of positive change. The Indian Act pushed for the abandonment of collective ownership of land towards 'individual ownership' of reserve lands. While areas of reserve lands remain collectively owned, the percentage of plots of reserve lands that have shifted towards 'individual ownership' and informal holdings of these lands by the same clan and families can lead to internal conflict and gaining access to these lands by the collective. Additionally, large clans can vote against important measures such as self-government in referendums.

There are many factors that influence clans, including poverty, scarce resources, dependency, lack of education, and the lack of work opportunities on the reserve. Many of these realities are direct results of the Indian Act, which obstructs economic development by making it difficult for Nations to generate their own sources of revenue and through chronic underfunding, which then causes members to become dependent on the Band Council for resources. The lack of education also permeates into the executive where many 'elected relatives have the education and/or experience, many more are not qualified for leadership'. Also, education is vital in the dealings of large multi-million projects with several actors, from the federal government to large private corporations in several sectors. According to Dr. Poucette, over-reliance on consultants and low capacity continue to contribute to ineffective governance.

Evidently, the Indian Act not only had a direct impact on the governance system, but it also had a direct impact on the leaders themselves. From supporting the Nation's wellbeing, leadership is now driven by re-election through the support of the extended family, enabled by favouritism, mismanagement of resources, and preferential treatment. 'A Chief said that the Indian Act had made the moral fiduciary responsibility of First Nations go off track. As a result, current thinking is "I'm a Chief. What can I get for me, my family and those that supported me?". As a key finding on leadership behavior and conclusion of her impactful doctoral research, Dr. Poucette found that 'participants thought that fear is caused by some leaders to resist political change.

What influences leaders?



Loss of power, privilege, status

Uneducated, lack of training

No opportunities outside of council

Struggle to make ends meet

The fear of political change revolved around insecurity and the loss of power, privilege, and status.' Here, low levels of education can explain the fear of loss of power, where alternative sources of income may not be accessible otherwise.

Bill C-92: An Overview by Albert C. Peeling

In the context of building a real and lasting self-governance system, First Nations can now rely on the content of Bill C-92: An Act Respecting First Nations, Inuit, and Métis Children, Youth and Families (SC. 2019, C. 24), which came into force on January 1st, 2020. As explained by Albert C. Peeling, Barrister and Solicitor, Bill C-92 is a response to the 2016 verdict of the Canadian Human Rights Tribunal in which it was established that Canada 'discriminated against Indigenous children and families by inadequately under funding services to them and failing to consider the unique circumstances of Indigenous children'.



Barrister Peeling organized his presentation in six parts: purpose and principles, the rules for the provision of child and family services to Indigenous communities, the placement of Indigenous children, jurisdiction and law making, a Rights Holding Body, authorization of an

Indigenous governing council, and the parts of Bill C-92 which are effective now.

The purpose of the Act is to address the 'overrepresentation of Indigenous children in care and the breakup of families, communities and Nations'. This Act has major importance as it signified the recognition of Indigenous jurisdiction by the Crown outside of the Indian Act. The key purpose and principles are to affirm the inherent right to self-government and to contribute to the implementation of UNDRIP, as Bill C-15 commits to. Furthermore, it established that the best interests of the child also lie in cultural continuity in addition to physical, emotional, psychological safety, security and well-being, while recognizing Canada's obligation towards substantive equality for all First Nations children (Section 10(2); Sections 11 to 15.1).

The rules of provision of Child and Family Services to Indigenous communities thereby considers both the child's needs and the child's culture, with a priority on preventative care, 'supporting the family, and prenatal care to prevent apprehension of the child at birth'. Importantly, the 'child cannot be apprehended based on his or her socio-economic conditions' and in the case of apprehension, it needs to be demonstrated that 'reasonable efforts to maintain the family unit' have been made. Sections 16 and 17 detail the conditions

for the placement of Indigenous children, including a list of priorities and the need to place the child with or near other children of the same parent, as well as the customs and traditions of the Nation or community on defining what a family is. Additionally, attachment and emotional ties to family members must be promoted for the best interest of the child.

As established by Section 18.1, “The inherent right of self-government recognized and affirmed by Section 35 of the *Constitution Act, 1982* includes jurisdiction in relation to child and family services, including legislative authority in relation to those services and authority to administer and enforce laws made under that legislative authority”. The Indigenous Governing Body: a council, government or other entity that is authorized to act on behalf of an Indigenous group or community of people, holds lawmaking authority as defined by Section 20 (1). It is worth noting that Bill C-92 does mention that Band Councils may be the governing body; however, it doesn’t have to be. According to the *Tsilhqot’in Nation v. British Columbia*, [2007] B.C.J. court case, a rights holding body is defined as the ‘historic community of people sharing language, customs, traditions, historical experience, territory and resources at the time of first contact and at sovereignty assertion’. Importantly, under this definition and court case decision, the band level organization is without any meaning in the resolution of Aboriginal title and rights. Other court cases, *R. v Powley* [2003] 2 SCR 207, defines a rights holding body as a ‘mutual recognition between members that are connected to a historic community whose practices ground the rights being claimed and where there is past and ongoing participation in a shared culture’. Several other cases, including internationally, have defined what a rights holding body is, from mutual recognition and biological descent (*Mabo v Queensland* (1992) 175 CLR) to communal right (*Delgamuukw v British Columbia*, [1997] 3 SCR 1010; *Tsilhqot’in v. British Columbia*, [2014] 2 SCR 257). Importantly, the Act does not define how an Indigenous Governing Council would be authorized. Therefore, communities ‘must develop their own constitution to

exercise powers under the Act' which would include: the creation of a body to enact laws, and the composition of said body, and law-making procedures.

An important note that Peeling emphasized is that 'Indigenous rights are inherent rights in that they do not depend on treaty or executive order of legislative enactment. Indigenous Peoples existed as political bodies before the Government of Canada existed. They do not need to use the Societies Act or other legislation in order to exercise rights recognized under Bill C-92'. The parts of the legislation which are effective now include the preamble and interpretive provision as detailed above - sections one (1) to seven (7) - and the purposes and principles also detailed above - sections eight (8) and nine (9). Therefore, the affirmation of the right to self-government, and setting out national principles for the provision of child and family services, are among others that are effective now. Additionally, the national principles: the best interests of the child, the importance of cultural continuity, and substantive equality, are thereby effective now as well. Substantive equality includes the accommodation of special needs, the facilitation of the exercise of the rights under the Act and addressing of the jurisdictional gap which resulted in diminished services to Indigenous Peoples. Peeling notes that this jurisdictional gap stems from disputes between the federal and provincial governments regarding who is responsible for the provision of services to Indigenous peoples.

Section 10 regarding the best interests of the child, as defined above, is effective now too. To reiterate, the factors determining these best interests include:

- The child's cultural, linguistic, religious and spiritual upbringing and heritage;
- The child's needs, given the child's age and stage of development, such as the child's need for stability;
- The nature and strength of the child's relationships with his or her parents, care providers and family members;

- The importance to the child of preserving the child's cultural identity and connections to the language and territory of the Indigenous group, community or people to which the child belongs;
- The child's views and preferences, given due weight to the child's age and maturity;
- Any plans for the child's care, including care in accordance with customs or traditions of the Indigenous group, community or people to which the child's belongs;
- Any family violence and its impact on the child; and,
- Any relevant civil or criminal proceeding, order, condition, or measure.

Peeling then continued outlining what is established in Section 11, which provisions must consider the child's needs as well as their culture, family origins and substantive equality as defined above. To secure the best interests of the child, unless it is inconsistent, Section 12 sets out that service providers must give notice of the measure to a parent or care provider and to the Indigenous Governing Body that 'acts on behalf of the Indigenous group, community or people to which the child belongs'. Until the Indigenous governing body is authorized, the best practice according to Peeling would be 'for the Band Councils to inform all relevant bodies that they require notice of any significant measure with respect to children who are Band members'.

Section 13, relating to party status, is also effective, meaning that an Indigenous child's parents and care provider 'have the right to make representations and be a party to any civil proceedings in relation to the provision of child and family services for the child'. Similarly, the 'Indigenous Governing Body, if authorized, of the group to which the child belongs has the right to make representation in the civil proceedings'. Section 14 however does specify that the priority must be given to preventative and prenatal care if it is consistent with the best interests of the child, and no apprehension can be made based on socio-economic

conditions alone (Section 15). Additionally, reasonable efforts by the service provider must be made and demonstrated to avoid apprehension (Section 15.1).

As detailed above, under Section 16, if the child is to be placed, this placement must occur in an order of priority:

1. With one of the child's parents;
2. With another adult member of the child's family;
3. With an adult who belongs to the same Indigenous group, community or people as the child;
4. With an adult who belongs to an Indigenous group, community or people other than the one to which the child belongs; or,
5. With any other adult.

The priorities detailed above also come into play, mainly that the child is to be placed with or near children of the same parents or family and that placements must consider customs and traditions (including customary adoption). In the case that the child is not placed with a parent or other adult family members, 'the child's attachment and emotional ties to his or her parents and other adult family members are to be promoted' (Section 17). Finally, Section 18 pertains to the recognition of jurisdiction. Importantly, this recognition applies whether or not an Indigenous Governing Body has been authorized, and this jurisdiction can be exercised when dealing with the federal government which must recognize and affirm: 'The inherent right of self-government under Section 35 of the Constitution Act, 1982 includes jurisdiction in relation to child and family services, including legislative authority in relation to those services and authority to administer and enforce laws made under that legislative authority'.

This important presentation by Peeling highlighted the fundamental rights that Bill C-92 opened for First Nations and for the rectification of decades of deep injustice and colonial violence, a step towards the implementation of UNDRIP and an important step towards truth and reconciliation. The CFNG and RFNG Research Project are committed to utilizing this piece of legislation to further promote, advocate and catalyze the inherent rights

Celebrating Dr. Mason Ducharme - The Retention and Turnover of Indigenous Executives in Indigenous Organizations and Future Research on Lateral Violence

During the gathering we had the opportunity to celebrate and honour Dr. Mason Ducharme for furthering the conversation on leadership and Indigenous governance through a presentation of his doctoral research findings. His research delved into four questions: Who occupies executive positions in Indigenous organizations? What factors contribute to Indigenous executive turnover? What are the impacts of executive turnover in these organizations? And what strategies can be developed to improve hiring and retention of Indigenous executives? The goal of this research is to fill a critical gap in the existing body of literature on Indigenous executives, their retention, and Indigenous organizational turnover. The research questions were motivated by several factors: firstly, Dr. Ducharme worked for over five years as an Indigenous executive in an Indigenous organization, now calling himself 'a recovering Band manager'. Secondly, as executive roles were historically occupied by non-Indigenous peoples, the research aimed to understand 'the nature of Indigenous executive turnover and identify strategies that Indigenous organizations can develop to hire and retain Indigenous executives effectively'.

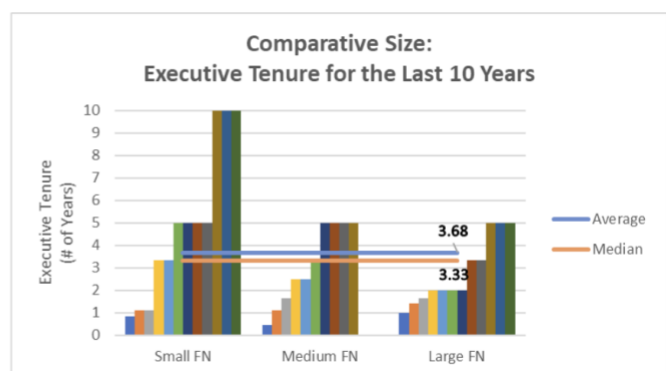
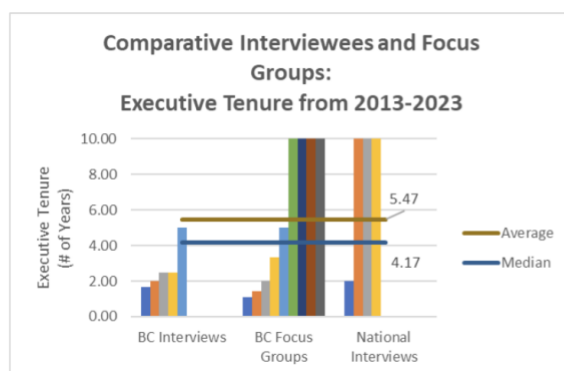
To answer these important questions, Dr. Ducharme used both a western and Indigenous analytical framework, also informed by his own lived experience. The methodology was

composed of both qualitative and quantitative analysis, using both interviews of national and Band Council respondents (totalling 45 respondents), three focus groups, and a survey (counting 35 responses). The findings of this research were divided into five main findings. Firstly, the career trajectories



of Indigenous executives, where Dr. Ducharme categorized them in three phases: before, during, and after the executive role, and with each phase its categories of behaviour. During the first executive role, four types are identified: the “volun-told” leader, the corporate ladder climber, the homecoming leader, and the emerging public leader. After the executive role, the types of career trajectory are collapsed into three distinct roles: the stay-at-home leader, the corporate ladder climber, and the recovering band manager.

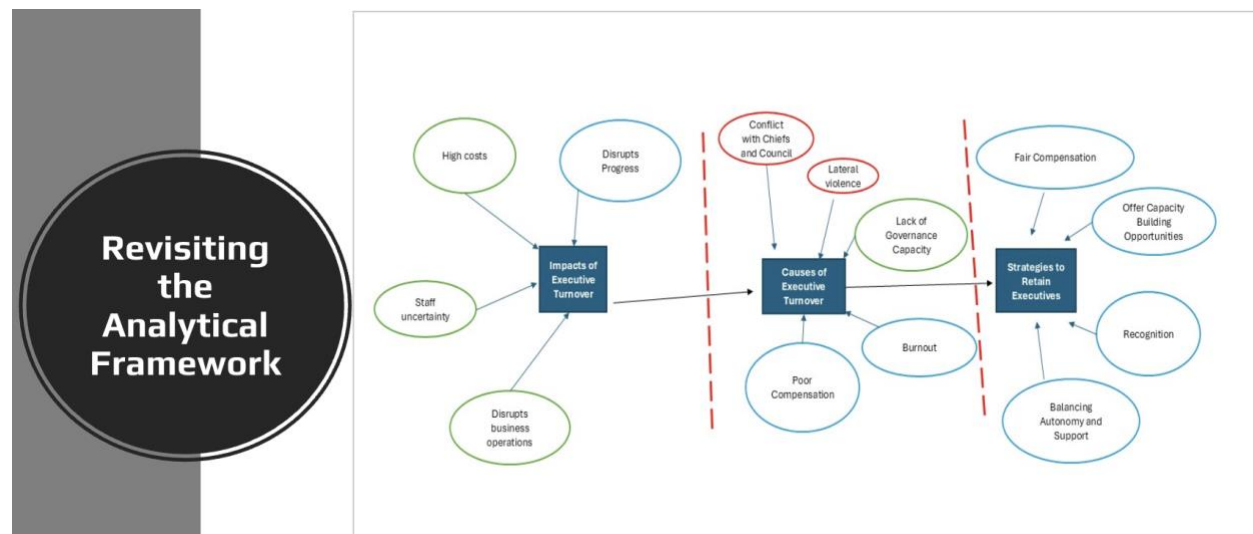
Secondly, the interviews and focus groups findings pointed towards the turnover rate and length of the executive role with special attention as well to the size of the Nation. According to his own findings, the average tenure of his respondents sat at 5.4 years.



Thirdly, the impacts of the frequent turnover of Indigenous executives leads to staff uncertainty, disruption in operations and overall progress, as well as high costs. With staff uncertainty, high turnover can also lead to uncertainty around continuation of employment as well as work culture. On disruption, newly elected or appointed executives may change the direction and vision of the course of action for their tenure which leads to sudden halts of projects and difficulties in establishing a long-term development plan when they leave. High costs are also incurred in the case of involuntary departure and compensations.

Fourthly, Dr. Ducharme established six main causes of Indigenous executive turnover: lateral violence, burnout, lack of governance capacity, poor compensation, conflict with leadership, and involuntary turnover. As such, the strategies to retain Indigenous executives focus on addressing these main concerns through fair compensation, a fair balance in autonomy and support, capacity building opportunities, and fair recognition. While high turnover results in structural challenges regarding continuity of policies and development among others, Dr. Ducharme reminded those in attendance that turnover is not only inevitable, but it can also be desirable: a renewal in leadership is generally good. As such, the strategic management of the inevitability of turnover revolves around balancing the challenges and opportunities through the strategies mentioned above. Addressing the concerns leading to high turnover becomes thereby a question of strengthening the future of Indigenous governance through the fostering of positive role-models, positive representation, and trust between leadership and team members. To further detail the strategies to retain Indigenous executives, Dr. Ducharme's research findings point towards strategic opportunities in improving fit and innovation, as well as in succession planning while keeping in mind high demand for the position and resource constraints which shape the competitive landscape of leadership. As such, the recommendations for retention are three-fold: fair compensation, capacity building, as well as fiscal reform addressing the high

costs related to a high, frequent, turnover which now sits at three and a half (3.5) years on average. To make sense of these findings, Dr. Ducharme centered Indigenous perceptions and lived realities as opposed to the larger scientific literature about executive turnover.



Dr. Ducharme details specific recommendations for practitioners precisely responding to the lack of literature for and by Indigenous executives in Indigenous organizations. The recommendations are divided into seven focus points: Design, a competitive total compensation package; Offer, capacity-building opportunities; Implement, recognition programs; Balance, support and autonomy; Develop, a lateral violence policy; Design, roles that avoid burnout; and Foster, relationship-building between staff and leaders.

The presentation ended by emphasizing the need for further research on lateral violence and executive turnover in Métis and Inuit organizations; on gender dynamics in Indigenous leadership - where 76% of Indigenous leadership is composed of women in British Columbia compared to the 27% national rate; on compensation disparities, and on the dual nature of turnover. Specifically, Dr. Ducharme calls for more research on lateral violence which currently consists of minimal information in First Nations contexts. Instead, most research

on lateral violence focuses on nursing in non-Indigenous organizations, thereby largely leaving governance-related impacts unexplored. In an Indigenous context, lateral violence can surface during reform efforts such as 'land codes, treaty processes and inherent right to self-government implementation, thereby understanding that moments of change can cause division, misunderstanding, and harm'. Here, Dr. Ducharme cites Terry Poucette's dissertation which 'highlights lateral violence as a barrier to effective governance, acknowledging its colonial roots and modern-day implications'. As such, Dr. Mason Ducharme and Dr. Terry Poucette announced their collaboration for a new study focused on lateral violence and governance change management which will be community-informed, culturally grounded, as well as governance specific. The research goals of this new research are to understand the root causes of lateral violence, to examine the impacts on governance and organizational health, and to propose preventative strategies and healing approaches specific to First Nations contexts, all future research needs identified by Dr. Ducharme in his doctoral research.

Envisioning the Best Possible Futures for Our People – 2050 Participatory Futurism Workshop

The ultimate scope of the Feeding Our Fire Gathering was to envision a better future for our People by fostering dialogue, opening space for new research and collaboration while rebuilding Indigenous governance structures. An ambitious way to look at the future was presented during the 2050 Participatory Futurism Exercise, where participants were asked to envision, and embody, the best possible futures by travelling 25 years into the future to have conversations about all that has been achieved through back-casting and reflection. Building upon the wildly successful pilot project, Les Materialistes, Jonathan Lapalme,

CFNG's Thought Partner, co-developed a workshop that invited our participants to be the creators of our collective futures.

The innovative participatory activity began with a guided meditation on generations, in which those at the gathering were asked to travel to the past, return the present, and forward into the future to a gathering in 2050, like Feeding Our Fire. After arriving in the future through the meditation, participants were invited to individually and collectively reflect on what they envision has happened since 2025.

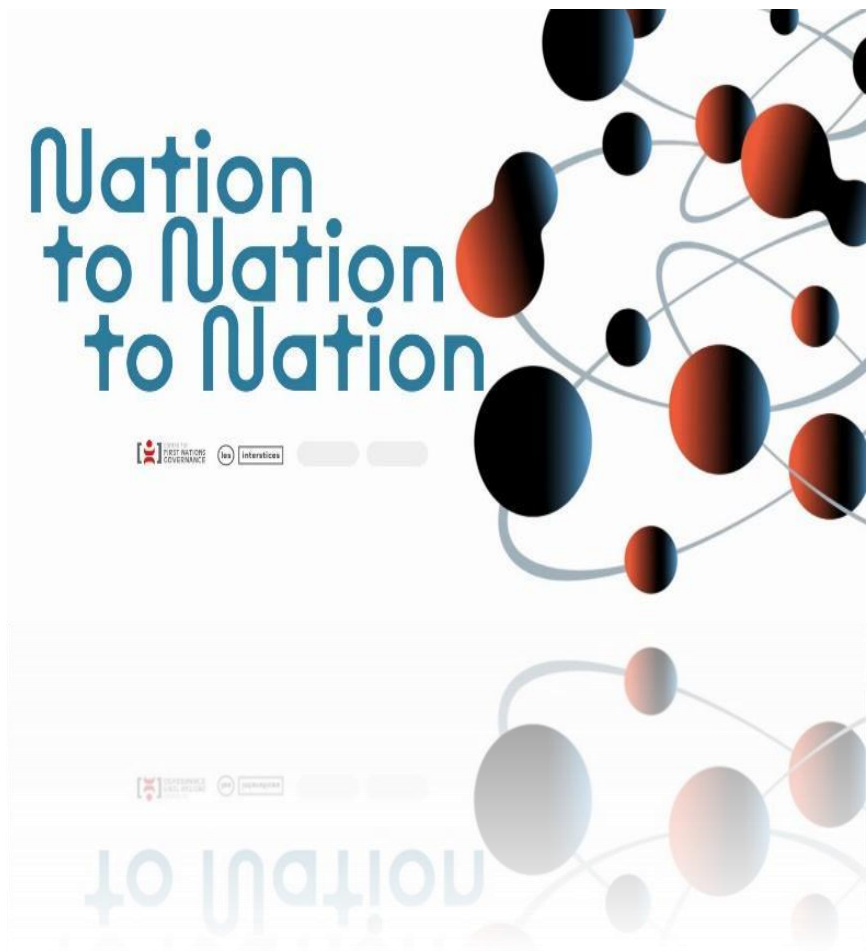
Divided into small groups, the participants were asked to discuss all that we have achieved, utilizing a *backcasting* approach from the perspective of 2050. Together they imagined all changes, milestones, and events that advanced inherent rights occurring between the years 2025 and 2050. The discussions focused on the connections between the Five Pillars of Effective Governance (The People, The Land, Jurisdiction and Laws, Governing Systems, and Resources), including how changes to one pillar would contribute to new possibilities for other pillars as well. This methodology encouraged everyone to use their creativity as well as to draw from their knowledge, dreams and lived experiences. The imagined political, social and economic changes that participants shared will inform Nation to Nation to Nation



(NNN), a multi-generational, collective film and organizing tool on the future of Indigenous governance. The people felt inspired, were left with hope, and empowerment to achieve all their goals: whatever they may be. There was laughter medicine

throughout the room, and through our journey we were reminded that hope is our biggest medicine.

By using a mix of documentary and science fiction protocols, the NNN film will be a work of collective imagination to inspire, raise awareness, foster debate and community action for real and lasting changes with the final aim to depict a practical utopia in 2050, a world in which inherent rights are a core principle in the Canadian Confederation. As Satsan always says, a true Nation to Nation to Nation relationship will realize a complete confederation, based in democracy, the way it should have always been done. The team of visionaries, specialists, and collaborators leading this project will bring the visions of the people to life, thus developing an offering to make realizing our inherent rights much more tangible.



Inherent Rights Youth Initiative - Passing the Torch & Constitution Declaration

A brighter future cannot be realized without involving the youth: our leaders of tomorrow. To close the conference in a good and uplifting way, the members of the Inherent Rights Youth Initiative (IRYI) discussed inherent rights from their perspective, while also reflecting on their activities from the past year, while also declaring the IRYI Constitution that will guide their work moving forward. The IRYI is a group of First Nations youth who have been working together for several years to advance the inherent right to self-government through mutual empowerment, education and language reclamation. This session outlined some of their recent work and how they are planning to continue building a movement to advance Indigenous sovereignty across the territories.

Over the past year, members of the IRYI have participated in five workshops structured around the five pillars of the inherent rights governance. The *People Pillar* workshop, led by former Chief of the Listuguj Mi'gmaq Nation, Darcy Gray, focused on citizen engagement as a central part of advancing governance that responds to the peoples' needs. The *Land Pillar* workshop, led by Satsan and Catherine MacQuarrie, set out how the Consultation and Accommodation process is meant to ensure that law and policy decisions on Indigenous lands uphold inherent rights as affirmed by Section 35 of the Constitution. The *Governing Systems Pillar* workshop was led by Aronhiaies Herne from the Akwesasne Mohawk Nation, who shared his teachings on the Great Law of Peace which connects healthy individuals and communities with good governance. In the *Jurisdiction and Laws Pillar* workshop, Listuguj lawyer and professor Naomi Metallic taught how languages, ceremonies, stories, songs and dances communicate values, protocols and principles that can inform legal systems, enabling governance that is grounded in reciprocity and responsibility. The *Resources Pillar* workshop, led by law professor Dr. Kent McNeill, focused on Section 35 to remind the youth



that the fight for Indigenous governance isn't about creating new rights, but about acting strategically to reclaim ones that have always existed. The IRYI members explained to everyone in attendance what they learned from these workshops, and why this space was ideal for their learning and growth.

In declaring their constitution – a living document that will evolve with their work – the IRYI set out how they will continue channeling this work into building an Inherent Rights movement that is inclusive, collaborative and rooted in humility, respect and care. The IRYI described their collective as open, non-hierarchical and consensus based. Reflecting on the gathering, many of the youth panel members evoked reclaiming freedom to live their lives in different ways as important for advancing the inherent right to self-government. In his closing words for the Gathering, Satsan invited participants to take inspiration from the IRYI youth panel and ask themselves, “What torch are you carrying and who are you passing it

to?”. These words encouraged those at the gathering to be intentional about their work and be committed to the broader goal of advancing inherent rights-based self-governance. We are proud of the journey these Emerging Leaders have done and we are looking forward to supporting them each step along the way.

Conclusions – The Next Steps: What to do for the Future

Since *Delgamuukw-Gisday’wa v. BC* (1997), when the existence of Aboriginal title was ascertained, the discussions around inherent rights have been at the core of every conversation with the government, at both the federal and provincial levels. Such discussions have often highlighted what should be improved and how, what has not worked and must be changed. As Satsan remarked, seeing inherent rights fully recognized means that First Nations should take their rightful place and build a better life for the future. To do so, it is important to address people in ways that they can understand, so that they know who they are as people, where their sacred homeland is, and what their jurisdiction and laws are. As Satsan mentioned, it is important for people to be able to answer the question: ‘Who are you as a people?’. Not everyone may have an answer; thus, it is necessary to talk together to activate our collective memories.

*‘When we go back home,
it’s going to be hard to
keep the fire burning’*

Satsan

Activating the collective memory and educating about the Indian Act, understanding it as a piece of colonial legislation conceived to exterminate the Indigenous peoples of Canada, is some of the most important work that can be done. To do this, it is necessary to have capacity and expertise, to gather the people and teach them of the meaning of the inherent rights and the content of Section 35, which can now be considered a full box of rights, whose meaning can only be determined by the people who hold them. Only in this way, it will be possible to shift the dialogue from the oppressed Indian Act thinking to the empowered and

capable inherent rights mind, while rebuilding our languages, cultures, histories, and ultimately self-governance.

Giving meaning to inherent rights and to Section 35 is something that goes together with success stories from various Nations, which can inspire the work that needs to be done in

‘We don’t have to negotiate with anybody to reinstate our own governance, we just have to engage with our own people’


Satsan

the coming years. Thinking about self-governance and ideas for the future, several Nations have initiated projects and programs in their jurisdiction, while also posing key questions to build better governance for the future. Among other examples, it is worth mentioning policies approved and implemented to manage the

land, to change the way people are elected in a community, the law regulating communities’ life and the education system. As it was highlighted during the final sessions of the gathering, in terms of land management, there are a variety of successful models that promote land management based on the full achievement of inherent rights. Program such as the Reserve Land and Environment Management Program (RLEMP) and Additions to Reserves, or the First Nations Land Management framework allow First Nations to govern their lands and resources outside of the provisions established within the Indian Act. Some Nations have also been able to pass a different election code, and the next steps should be to incorporate the elected system and traditional systems into the Nation’s governance and achieve a level of community satisfaction.

‘What are our original protocols? How do we engage? With ceremonies, shifting my mind from colonial legal system to our own systems’

As for law and regulations, First Nations have the jurisdiction to implement their own child and family laws, and to keep their children within their community, as established in Bill C-92. It is now time to establish governing bodies outside of the band council jurisdiction that



can implement the Nation's family law. This could be a first step in fostering Indigenous Justice to implement local systems of justice that incorporate traditional practices and common law.

Implementing laws that can work for the First Nation cannot be done without the language itself. Revitalizing Indigenous languages remains a major challenge many Nations are ready to face. Setting up initiatives that can achieve high levels of language fluency, interwoven with cultural revitalization and the use of traditional knowledge to manage the land is the key. This can be done in different ways, including incorporating traditional learning curriculum into the school system, whether on or off-reserve. In Kelowna, Indigenous students get out onto the land and learn about local plants, medicines, and animals, which will have lasting positive impacts on their overall identity and wellbeing. Such a shift is necessary to educate our children about inherent rights governance, so that they can grow up in a healthy mindset, rather than having to learn it as adults, while also unlearning the harm caused due to the Indian Act.

Eventually, it all goes back to the language and the land. Reclaiming inherent rights is about feeling the connection with the land. We all come from the 'iantah', which is the word for 'land' in Wet'suwet'en. To understand who people are, it is necessary to look back to the land and learn the natural laws of the world around us. There is an intimate and ever-present relationship with the land, which defines how people interact with each other, their laws and traditions. The land was never given up in treaty negotiations, and the law should not be used to ascertain things to which people never agreed. In this sense, it is important to move the law in the right direction, to contribute to justice. Thus, defining laws, words, and principles according to the Indigenous worldviews will be the foundation for realizing and embodying our inherent rights.

