



RESEARCH BRIEF RFNG | Rebuilding First Nations Governance

Revitalizing Indigenous Languages, Fostering Self-Governance, Overcoming the Indian Act: A Case Study of Lil'wat Nation

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Overview:

The Lil'wat Nation's revitalization of its language, Ucwalmícwts, demonstrates how Indigenous languages are not only vehicles of cultural identity but foundations of law, governance, and inherent rights. This research shows that language revitalization is an act of legal renewal, enabling Nations to move beyond Indian Act-imposed systems toward governance grounded in their own traditions. The Lil'wat case study illustrates how immersion programs, curriculum development, and community-driven frameworks—such as the Bear Paw model—create pathways to legislative reconciliation under Section 35 of the Constitution

“To reclaim language is to reclaim law, and through both, to reclaim the future.”

Key Themes and Important Ideas:

1. Language as Law and Governance

- Ucwalmícwts encodes Lil'wat laws, values, and governance principles. Concepts like *Ntákmén* (our laws) and *Nxékmen* (our ways) articulate inherent sovereignty that predates Canada
- Revitalizing Indigenous languages is not symbolic; it is constitutional design and legal resurgence.

2. Exiting the Indian Act Framework

- The Indian Act imposes delegated authority structures (band councils) that limit true self-determination.
- Section 35 of the Canadian Constitution affirms pre-existing Indigenous rights, meaning Indigenous law must be the starting point of reconciliation, with Crown law reconciling to it, not the reverse.

3. Community-Driven Revitalization

- Lil'wat's efforts include language nests, immersion programs, partnerships with schools and universities, and the Tszil Learning Centre.
- Trauma-informed pedagogy supports "silent speakers" and strengthens inter-generational transmission.

4. Reconnecting Language, Land, and Law

- Language revitalization is inseparable from land-based learning and cultural resurgence.
- Frameworks like the Bear Paw model (below) visually and linguistically root governance in Lil'wat traditions.



5. Policy and Legislative Context

- Bill C-91 (Indigenous Languages Act) and Bill C-92 (child and family jurisdiction) recognize language and inherent rights, though implementation gaps remain.
- Federal frameworks like the Official Languages Act continue to exclude Indigenous languages from full recognition.

Common Issues and Observations:

- **Capacity challenges:** Few fluent speakers and lack of legal drafting capacity can hinder language-based lawmaking.
- **Delegated vs. inherent authority:** Many Nations continue to rely on Indian Act band councils to implement inherent rights laws, limiting their scope and legitimacy.
- **Cultural mismatch:** Colonial governance structures persist unless replaced by frameworks that reflect Indigenous languages, laws, values, and community validation (e.g., ceremonies, consensus).

Conclusion: Language Revitalization as a Path to Self-Determination

Lil'wat demonstrates that revitalizing Indigenous languages is a governance imperative. Ucwalmícwts is not only being preserved but used to design laws, guide decision-making, and assert jurisdiction. This model highlights that Indigenous Nations can move beyond colonial constraints by reclaiming their legal and governance systems through language.

Advantages of this approach include:

- Incremental yet transformational change rooted in culture.
- Stronger legitimacy and accountability through community-driven lawmaking.
- A clear path for other Nations seeking to assert Section 35 inherent rights and exit the Indian Act.

