Plenary 5: Indigenous Laws, Ways and Values: Transforming Canada

Wednesday November 15, 2017 9:30AM – 10:15AM

James Arreak (Chair), Leena Evic, Kris Statnyk

Leena Evic

We have all come together to recognize and celebrate our strength as Indigenous peoples. Form her perspective, she has never been more hopeful that Canada is on the verge of real change. Transformation and reconciliation are powerful words that fill us with hope. But they are only words unless they are followed by real actions.

Having traveled a difficult journey, she shared the devastating impact of colonization which is a buzzword of today, but it's a real lived experience. She said "fragments of our identity and ancestral knowledge give us the strength to never give up." Indigenous cultures are in a temporary stop as we search for our permanent place of resilience. We have begun to dive deep into our collective world and are preparing for a journey of great change.

The Pirurvik Centre came from her dreaming of a different learning centre built on Inuit culture, knowledge and values where elders teach values and skills and children would have the opportunity to claim their identity. The dream of Nunavut was sparked by Inuit identity in the 1960s as language and culture were the priorities. However, the creation of Nunavut was the beginning of a new struggle as most institutions were designed elsewhere. They welcomed many newcomers with new ideas but had to sense of priorities and dreams of the future. Inuit still struggle to find their place in our homeland. Pirurvik Centre was founded in 2003 and by working independently they can imagine the essence of Inuit teaching and learning. The immersion setting is essential to the revitalization of the language and there is a hunger to reconnect with Indigenous ways of thinking.

The written language is made easier by a standard writing system that they share with fluent speakers. They have developed Inuktitut software systems and keyboards and they even developed new words to evolve the language. The centre has survived year to year on short term contracts.

She explained that to have a better sense of the path forward, we need to look back at where we come from. In traditional times, Inuit practiced a model of lifetime learning. Expected children were still a part of the naming system as part of their culture. Mothers and fathers gave the future parents gave models and rules for raising a strong and productive family and parents mentored children. Mentoring and learning instilled a sense of discipline to always do something to its best outcome. This fostered a sense of wellbeing in the child as they found their place in the world. This is what they are trying to recreate in the modern world in a more concentrated form; to prepare a new generation of Inuit knowledge holders and professors to take up the work through Inuit ways of being and thinking that is available for generations to come.

Languages as a living legacy to enrich the lives of generations to come. Inuit identity is a source of strength and they have only been able to scratch the surface because of funding. They want to establish full-time accredited formal learning with a rigorous and urgent effort to train the next generation of language teachers. There is a need for indigenous approach to accredit courses.

Taking a student to the natural classroom on the land, they learn the most important knowledge. Living within the rhythm of the tidal system. Indigenous knowledge is at its essence is practical and hands on and there can only be so much learning within the walls of the classroom because out on the land is where it thrives.

Kris Statnyk

We must walk softly and share some understandings to compel us to leave with more questions than answers about the diverse legal systems that surround us. It is important that mentorship is made available so that youth can have these experiences.

One of the central messages from the Truth and Reconciliation Commission's (TRC) final report with regards to how reconciliation can be achieved in Canada what Indigenous law can do to move forward as a society in a more positive way.

Indigenous law exists and it is not Aboriginal law. Despite the imposition of colonial/settler law, Indigenous laws remain although they may be difficult to see from the western legal tradition perspective.

Leading thinkers such as John Borrows and Val Napoleon talk about the sources of Indigenous law. They ask about the cultural resources that help us interpret and apply Indigenous law within the Canadian legal common law tradition. It can be applied to various lands and resources, and when there are conflicts. Indigenous legal orders deserve respect, good faith, and implementation.

For the change needed for actual reconciliation to occur, Canadian law can hinder progress. Canada's legal system must be transformed. The TRC commissions concluded that Canadians must respect Indigenous Peoples' own ideas of reconciliation and many of these principles are found in Indigenous law. Recognition of Indigenous laws is also required because denial is still a powerful tool founded in problematic myths like *terra nullius* and doctrine of discovery.

Not all Indigenous legal traditions are healthy and we must foster them. He truly believes that Indigenous legal traditions have the potential to achieve reconciliation. They can answer many of the human problems. For example:

- Where to invest fiscal resources?
- What is FPIC, how do we seek/obtain it?
- How do we exercise law-making authorities?
- How do we respond to violence against Indigenous peoples?
- How do we address incarceration and child welfare?