



University  
of Manitoba | Faculty of Law

# Conference of the Interdisciplinary Journal of Indigenous Inaakonigewin



September 22, 2023

Robson Hall Faculty of Law, Moot Courtroom  
224 Dysart Road | Winnipeg, Manitoba, Canada





# Territory Acknowledgement

The University of Manitoba campuses are located on original lands of Anishinaabeg, Cree, Ojibwe-Cree, Dakota and Dene peoples, and on the homeland of the Red River Métis Nation. We respect the Treaties that were made on these territories, we acknowledge the harms and mistakes of the past, and we dedicate ourselves to move forward in partnership with Indigenous communities in a spirit of reconciliation and collaboration.

Program and Journal cover art by Sherry Farrell Racette, copyright 2012.



# Conference of the Interdisciplinary Journal of Indigenous Inaakonigewin

*A forum for gaining understanding and sharing knowledge  
about Indigenous Legal Orders in Canada*

**September 22, 2023**

Harry Walsh, O.C., Q.C. Moot Courtroom, Robson Hall

Faculty of Law, University of Manitoba

224 Dysart Road, Winnipeg, Manitoba, Canada



## Conference Overview

This conference is a forum for gaining understanding and sharing knowledge about Indigenous Legal Orders in Canada. Four panels of guest speakers will present on and discuss the topics of Indigenous governance and colonial consequences, Indigeneity, the land and resources, Indigenizing Treaty Interpretation and implementation of UNDRIP, and The Legal, Analytical and Application of Decolonization. Work presented at this conference will be considered for publication in the inaugural edition of the *Manitoba Law Journal's* fifth dimension, the *Interdisciplinary Journal of Indigenous Inaakonigewin*. This new journal was developed with the intention of uniting scholars, community leaders, and artists that have an interest in Indigenous law and remedies for justice.

## AGENDA

Friday, September 22, 2023

Time	Panel	Speaker/Location
8:00 a.m.	Registration	Main Hall
8:30	Opening Remarks	Elder Charlotte Nolin Leo Baskatawang
9:00-10:30	<b>Panel 1: Indigenous governance and colonial consequences</b>	Moderator: Laura Forsythe Elder Ron Evans Chief Clarence Easter Paul Simard Michael Giudice James Daschuk
10:30-10:45	Break	Main Hall
10:45-12:15	<b>Panel 2: Indigeneity, the land and resources</b>	Moderator: Daniel Diamond David Hughes Lydia Schoeppner Sheila North Matthew Tegelberg
12:15-1:15 p.m.	Lunch Break	Lunch is provided to participants.
1:15-2:30	<b>Panel 3: Indigenizing Treaty Interpretation and implementation of UNDRIP</b>	Moderator: Laura Reimer Patricia Hania Richard Jochelson
2:30-2:45	Break	Main Hall
2:45-4:15	<b>Panel 4: The Legal and Analytical Application of Decolonization</b>	Moderator: Marc Kruse Omeasoo Wahpasiw Lisa Beaucage Genevieve Benoit Liam Midzain-Gobin Donna Tremble
4:15-4:30	Break	Main Hall
4:30-5:00	Keynote Speaker	Ovide Mercredi, O.C., O.M.



## CONFERENCE ORGANIZERS



**Leo Baskatawang, Assistant Professor, Faculty of Law,  
University of Manitoba**

Dr. Leo Baskatawang is an Anishinaabe scholar from Lac Des Mille Lacs First Nation in Treaty #3 territory. In 2021, Leo graduated with a PhD in Native Studies from the University of Manitoba. His SSHRC funded doctoral dissertation “Kinamaadiwin Inaakonigewin: A Path to Reconciliation and Anishinaabe Cultural Resurgence” was published as a book in April, 2023 by the University of Manitoba Press and reflects on the development of the Treaty #3 Anishinaabe education law as it is known in the oral tradition, into a written form of law.

Leo joined Robson Hall from the Law and Society Program at York University, where he taught the courses Indigenous Peoples and Law and Social Justice and Law. He previously taught online courses for the Department of Native Studies at UM.

Leo teaches Indigenous Methodologies and Perspectives with Marc Kruse and Daniel Diamond. He also teaches Introduction to Law and Society and Oral History, Indigenous Peoples and the Law. His primary research interests include: the processes of colonization, reconciliation, and decolonization; social justice; the history of Indigenous peoples (with particular attention to the Anishinaabe); Indigenous law and Canadian policy; treaty interpretation and implementation; Indigenous education; Indigenous resistance and activism; as well as Indigenous literature, art, and representation.



**Daniel Diamond, Assistant Professor, Faculty of Law,  
University of Manitoba**

Daniel Diamond is a proud member of the Opaskwayak Cree Nation and a graduate of the University of Toronto J.D. and LL.M. programs. Daniel teaches Indigenous Methodologies and Perspectives with Marc Kruse and Leo Baskatawang, as well as Contracts. Daniel's research areas include Indigenous legal traditions, Aboriginal law, legal theory, property law, and legal history. His research focuses on historic injustice and contemporary efforts at redress. His work synthesizes legal history, legal theory, and property law in analyses of Indigenous legal and political issues.



**Marc Kruse, Director of Indigenous Legal Learning and Services, Faculty  
of Law, University of Manitoba**

Marc Kruse, JD, is the Director of Indigenous Legal Learning and Services at Robson Hall. He is also an associate with Rees Dyck Rogala Law Offices, where he practices criminal defence representing youth and adult clients. His research interests are on the relationship between philosophical ethics, political philosophy, and law, with special focus on the ways educational institutions can ameliorate or exacerbate legal problems. He has published on the moral foundations of professional ethics, social justice education, and Indigenous educational ethics. Kruse completed his JD at the University of Manitoba and co-teaches Indigenous Methodologies and Perspectives. He is a member of Muscowpetung First

Nation in Saskatchewan.





## CONFERENCE ORGANIZERS



**Laura Reimer, Director of Program Development; Chairperson, The Marcel A. Desautels Centre for Private Enterprise and Law Advisory Committee, Faculty of Law, University of Manitoba**

Dr. Laura Reimer is currently the Academic Program Development Specialist for the Faculty of Law and the Chair of the Desautels Centre for Private Enterprise and Law Advisory Committee. Until recently, she was the Practicum and Professional Development Coordinator for the Master of Human Rights program in the Faculty of Law. She is a former assistant professor of Public Administration and Public Policy at the University of Winnipeg, where she was awarded the prestigious Clifford J. Robson Memorial Award for Teaching Excellence. Upon completion of her Ph D, Laura held an administrative teaching post-doctoral fellowship at the University of North Carolina Greensboro. Her research interests explore the intersection of theory and practice, and her expertise merges peacebuilding practices with policy, governance, and leadership. She has particular interest and expertise in education policy and Indigenous education. Laura is a former elected school trustee, an experience which in part drives her passion for excellence in public service and leadership. Laura's books and publications explore diverse enquiries and practices of positive transformative change and reconciliation. She is a trained Mediator and has been a leadership, governance, and strategic planning consultant.



**Laura Forsythe, Assistant Professor, Faculty of Education, University of Winnipeg**

Laura Forsythe is a Metis scholar at the University of Winnipeg in Faculty of Education. Forsythe's research focus is Metis-specific contributions to the academy, Metis inclusion efforts, and educational sovereignty. Her academic contributions include seven edited collections, numerous peer-reviewed publications, and the co-creation of a Michif Language program at the University of Manitoba. During her studies she was a SSHRC Joseph-Armand Bombardier Doctoral Scholarship recipient, co-organized Mawachihitotaak's Metis-specific conference in partnership with Kwaata-nihtaawakihk – A Hard Birth at the Winnipeg Art Gallery in her final year of study and won the UM Dissertation Award.



## SPEAKER BIOGRAPHIES AND ABSTRACTS



### **Ovide Mercredi, O.C., O.M., Keynote Speaker**

Ovide Mercredi was born in Grand Rapids, Manitoba into the traditional hunting, trapping and fishing lifestyle of the Misipawistik Cree Nation where he is currently councillor. Since graduating from the University of Manitoba with a law degree in 1977, Ovide has let his passion for social justice guides his illustrious career.

As Former Chief of the Assembly of First Nations, Ovide gained extensive experience advocating for Indigenous rights and issues and has become one of Manitoba's most well-known and highly respected Indigenous leaders.

Ovide's experience is highlighted by his many accomplishments, including played a major role in the Charlottetown Accord constitutional discussions, the Order of Manitoba (2006), a nomination for the Ghandi Peace Prize, a number of honorary degrees and doctorates from Bishop's University, St. Mary's University, Lethbridge University and Athabasca University, and the Distinguished Alumni Award from University of Manitoba (2013).



### **Charlotte Nolan, Elder**

Two-Spirit Elder Charlotte Nolin is an elder in residence at Ongomiizwin – Indigenous Institute of Health and Healing at the University of Manitoba. She is an Indigenous person of Métis ancestry – Oji-Cree and French – a survivor of the “Sixties Scoop” and a member of the 2SLGBTQQIA+ community.





**Lisa Beaucage, Panel 4: Selective Decolonization: Navigating Institutionalized Racism, Confronting Intergenerational Trauma, and Supporting Indigenous Frontline Workers in our Fight to End the MMIWG Crisis**

Lisa Beaucage is First Nations from the Chippewas of Nawash (Cape Croker) with ancestral ties to Batchewana First Nation and was born and raised in Ajax, Ontario. She is a PhD Candidate at Carleton University and Police Officer with Ottawa Police Service.

**Abstract:** Despite the Truth and Reconciliation Commission Report being released in 2015 and the Missing and Murdered Indigenous Women and Girls Inquiry being released in 2019 there is somewhat limited research being done into the implementation of recommendations from either report.

As an Indigenous woman, working as a frontline Police Officer, as well as a PhD Candidate hoping to create an actionable plan to implement the Calls to Justice from the MMIWG Inquiry, I have firsthand experience of the barriers created by the Criminal Justice System in what I refer to a “Selective Decolonization”. Why do stakeholders within the Criminal Justice System continue to merely strive for surface level decolonization at the expense of our Sisters and Daughters? What are the barriers for Indigenous peoples working in these fields? What resources are available to Indigenous Frontline workers and those looking to help move towards a more inclusive future?



**Genevieve Benoit, Panel 4: Red River Métis Self-Governance, Laws, & UNDRIP**

Genevieve Benoit is a proud Red River Métis woman and lawyer practicing in the areas of civil litigation, Aboriginal law, Indigenous law, and Indigenous governance. Genevieve currently lives and practices in the heart of the Homeland of the Red River Métis. She has her Call to the Manitoba Bar and is an alumna of the University of Manitoba and Robson Hall, Faculty of Law.

**Abstract:** The Red River Métis is a distinct Indigenous collectivity and one of the Indigenous peoples of Canada. This presentation will begin with background information on the collectivity, its history, and it’s recognized Indigenous self-government – the Manitoba Métis Federation (“MMF”).

It will touch on Red River Métis Laws, including the MMF Constitution and the Métis Laws of the Harvest. Finally, it will explore how the successful implementation of the United Nations Declaration on the Rights of Indigenous Peoples could positively impact: the Red River Métis’ relationship with Canada through negotiated agreements and a Constitutionally-protected treaty; the relationship between Red River Métis jurisdiction/laws and federal and provincial jurisdiction/laws; and the advancement and growth of the MMF as the national government of the Red River Métis.



**Dr. James Daschuk, Panel 1: Milk, Medicine and Mortality: The Qu’Appelle Indian Tuberculosis Study, the Failure of Government Policy and the (needless) Loss of Indigenous Lives.**

Originally from Treaty 9 territory in Ontario, James Daschuk has a PhD in Canadian History from the University of Manitoba and is a professor in the Faculty of Kinesiology and Health Studies at the University of Regina. His work centers on the impact of settler-colonialism on the health of Indigenous communities.

**Abstract:** In the early 20th century, TB was the predominant threat to the health of Canadians. First Nation communities shouldered a much greater burden from the disease than the rest of the population.

Milk was recognized as a vector of the disease early on in the fight against TB and measures were taken to ensure a safe milk supply for the general population. Because the Indian Act stipulated that Band Chiefs were responsible for cattle in their communities, preventative measures applied to commercial herds were not undertaken for decades for herds on reserves and residential schools which contributed to ongoing and needless Indigenous mortality for generations after the settler community was protected.







### **Elder Ronald G. Evans, Panel 1: Reconciling the relationship between Canada and Treaty #5**

Ronald G Evans is President of RGEVANS Indigenous Solutions and is former Chief of Norway House Cree Nation and Grand Chief of the Assembly of Manitoba Chiefs.

**Abstract:** The presentation by 2 senior leaders from Treaty 5 deals with the Indigenous Nation signatories of Treaty 5, signed in 1875–76 by the federal government, Ojibwe peoples and the Swampy Cree of Lake Winnipeg. Treaty 5 covers much of present-day central and northern Manitoba as well as portions of Saskatchewan and Ontario.

The presentation will identify the significant sections of the Treaty negotiated in 1875, will deal with the perception that the terms of the Treaty have not been met, and will present the current plans of the leadership of Treaty 5 to negotiate a decision-making partnership with Manitoba and Canada with regard to the control and management of the economic development related to the extensive Natural Resources, including mining, forestry and fishing, spread across this wide area. The presenters will clearly indicate the treaty's legal status that provides the legal context for these actions.



### **Chief Clarence Easter, Panel 1: Reconciling the relationship between Canada and Treaty #5**

Clarence Easter is Chief of Chemawawin Cree Nation and is Co-Chair of the Summit of Treaty 5 Sovereign Nations, and President of The ASSINI Group.

**Abstract:** The presentation by 2 senior leaders from Treaty 5 deals with the Indigenous Nation signatories of Treaty 5, signed in 1875–76 by the federal government, Ojibwe peoples and the Swampy Cree of Lake Winnipeg. Treaty 5 covers much of present-day central and northern Manitoba as well as portions of Saskatchewan and Ontario.

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### **Dr. Michael Giudice, Panel 1: Two Concepts of the Inherent Right to Self-Government**

Michael Giudice is a Professor in the Department of Philosophy, York University, Canada. His teaching and research focus on general jurisprudence, legal pluralism, constitutional law, and State-Indigenous relations.

**Abstract:** The emergence and status of various letters of understanding, reconciliation protocols, framework agreements, and self-governance agreements between Indigenous governments and Canadian governments raise a number of questions of both theoretical and political importance.

Theoretically, such agreements draw attention to conceptual issues about the nature of constitutional authority and the inherent right to self-government. What exactly is constitutional authority, and what are the conditions under which it is held? Does constitutional authority necessarily entail a right to self-government, and if so, what kind of right to self-government? Politically, such agreements offer several challenges but also significant opportunities, as getting clear on the concepts of constitutional authority and self-government may provide important steps forward in re-imagining Indigenous-Crown relations to put these on a more ethical and just footing for Indigenous peoples in Canada. How should these agreements be best understood, so as to align with and advance objectives of reconciliation and decolonization? How should the Crown reinterpret the nature of its constitutional authority, to better relate to Indigenous governments, who often assert for themselves a form of sovereignty and inherent right to self-government?





### **Dr. Patricia Hania, Panel 3: Indigenizing Business Law in the Classroom**

Patricia Hania is an Assistant Professor in Law & Business Department at the Ted Rogers School of Management at Toronto Metropolitan University. She holds a Ph.D. (Osgoode), LL.M. (Osgoode), LL.B. (Osgoode), MES (York Environmental Studies), MBA (Grad. Dipl. Schulich) and BAS (York).

**Abstract:** In order to redress the legacy of residential schools and to advance reconciliation, the Truth and Reconciliation Commission (TRC) recommended 94 Calls to Action. Among them, recommendations 62(ii) and 63(ii and iii) called upon post-secondary educators “to educate teachers on how to integrate Indigenous knowledge” and “share best practices on teaching curriculum related to residential schools and Aboriginal history” and to “build student capacity in intercultural” competency. It is with these Calls to Action in mind and in a spirit of reconciliation

that the Law & Business Department at Toronto Metropolitan University undertook a project to infuse Indigenous law, Aboriginal law and ways of knowing into the department’s business law and ethics program. A key objective of the project is to educate business students on the history of Indigenous peoples in Canada including the social-economic impacts of the Indian Residential School System, and create awareness of the intersection of Aboriginal and Indigenous legal orders with Canadian business law and practices. This panel presentation discusses the process, challenges and successes of the indigenization project.



### **David Hughes, Panel 2: The Declaration on the Rights of Indigenous Peoples Act and Indigenous Control over Natural Resource Projects in British Columbia**

David Hughes (BA, MA, JD, LL.M) is a University Instructor in the Bob Gaglardi School of Business and Economics and an Open Learning Faculty Member at Thompson Rivers University. David is also a founding partner of Forward Law LLP. His legal practice is focused on working with indigenous peoples and he currently represents a number of First Nations throughout British Columbia, including Ya’it ʔa-knuqł’i’it, Tk’emlúps te Secwépemc, and Skw’lax te Secwépemcú’ecw. He works on many different matters such as advancing title and right claims, negotiating strategic and mutual benefit agreements with government and industry, preparing Custom Election Codes and Bylaws, preparing and negotiating joint venture and revenue sharing agreements

with non-indigenous businesses, forming new corporations and non-profit societies, as well as providing assistance and representation in land development, housing, leasing, and employment law matters. David is a non-indigenous individual and an indigenous ally. His research and teaching interests currently lie in the areas of indigenous rights and business law, particularly indigenous economic development.

**Abstract:** The Declaration on the Rights of Indigenous Peoples Act (“DRIPA”)<sup>2</sup> was enacted in British Columbia in November 2019. DRIPA requires the government of British Columbia to bring all provincial laws into alignment with the United Nations Declaration on the Rights of Indigenous Peoples (the “Declaration”)<sup>3</sup>. However, some of the ramifications of this legislation are only just starting to be understood by government, academia, industry and the public at large. In this paper, I argue that: (i) DRIPA should be considered quasi-constitutional legislation; and (ii) DRIPA means that the BC Environmental Assessment Act<sup>4</sup> must be amended to give Indigenous peoples control over natural resource projects on their unceded traditional territories in British Columbia. This in turn will lead to Indigenous nations actively being the “doers” of new resource projects as opposed to the old model of Indigenous nations simply receiving passive “benefits” under an impact benefit agreement for allowing things to be done by others. This series of legal moves should forever change government-industry-Indigenous relations and how natural resource projects are carried out in British Columbia.





### **Dr. Richard Jochelson, Panel 3: Indigenizing Robson Hall**

Richard Jochelson is the Dean of Law at the Faculty of Law, University of Manitoba. He holds a Ph.D. in Law from Osgoode Hall Law School at York University, a Master of Laws from the University of Toronto Faculty of Law, a Bachelor of Laws degree from the University of Calgary Faculty of Law (Gold Medal), and a Bachelor of Science in Zoology (with Distinction), also from the University of Calgary. He served his articling year as a clerk at the Alberta Court of Appeal and Court of Queen's Bench, before working at one of Canada's largest law firms. He taught criminal law for 10 years at the University of Winnipeg prior to joining the University of Manitoba's Faculty of Law.

**Abstract:** The Dean of Manitoba's only Law School will speak about his overall vision for Access to Justice and why he believes that this includes careful attention to education that includes Indigenous legal orders. Dr Jochelson will outline the innovative strategy he has designed and implemented throughout the Faculty of Law.



### **Dr. Liam Midzain-Gobin, Panel 4: UNDRIP in Manitoba: Lessons from National and Provincial Implementation Efforts**

Dr. Midzain-Gobin is a settler scholar whose research focuses on the production and continual remaking of settler coloniality, and Indigenous governance practices, studying Indigenous-settler relationships as a form of international politics. His major research project studies the ways that settler colonial ordering is shaped and made possible by knowledge production, but also contested by Indigenous ways of knowing. His work analyzes settler policymaking, showing how knowledge is both produced and also productive.

**Abstract:** In November 2019, British Columbia (BC) became the first jurisdiction in Canada to commit to implementing the UN Declaration on the Rights of Indigenous Peoples (the Declaration) when it passed it into provincial law. After two failed attempts, in 2021 the federal government joined BC in committing to implement the Declaration by passing C-15, the United Nations Declaration on the Rights of Indigenous Peoples Act. Both governments have developed and released action plans to guide that implementation, which include commitments to working closely with First Nations, Inuit, and Métis when doing so. Other governments, notably across the prairies, have rejected calls to do the same.

This intervention offers a comparative analysis of the two government's approaches to implementing the Declaration. It focuses on concrete actions to date, outlining the practical steps each government has taken to change the relationship between Indigenous nations and the government. The comparison leads into a look at Manitoba, offering lessons learned from the other governments. The intervention identifies possibilities and challenges to implementing the Declaration in the province given existing treaty relations, provincial capacity, and the complexities of building and maintaining relationships First Nations and Métis governments and legal orders.







## Sheila North, Panel 2: The Medium is the Message: Storytelling versus Journalism

A member of Bunibonibee Cree Nation, former MKO Grand Chief Sheila North moved to Winnipeg at age 15 to pursue her education. She valued the educational opportunities she had and achieved completing two diplomas from Assiniboine Community College in Business Accounting and Rural Development focusing on community development. After completing her diplomas at Assiniboine Community College, she decided to pursue a career in journalism obtaining certification in radio and television broadcasting from the Academy of Broadcasting Corporation and a Creative Communications diploma from Red River College.

**Abstract:** Storytelling, as a way of life for Indigenous people, will have you believe that the original people of these lands now known as Canada, are made up of strong nations, a hopeful people, hardworking, happy, loving and even humorous. However, Canadians including journalists, have been taught to disrespect, disregard and dismiss Indigenous people of Turtle Island. As a consequence, storytelling and eventually through journalists, media have participated in furthering hardships for the country because it taught that the original people must be conquered for the land, water and other resources they call home with little regard for their wellbeing. These lessons also seeped into the minds and hearts of Indigenous people through colonization and created an imbalance that keeps the country from being the best place to live in the world. Storytelling can change the course of history though, if we can find a way to see the whole picture and retell the tale of Canada.



## Dr. Lydia Schoeppner, Panel 2: Inuit counter-mapping and counter-narrating processes in the (Canadian) Arctic

Lydia Schoeppner holds a PhD in Peace and Conflict Studies from the University of Manitoba. She has been working with Inuit in Nunavut and Greenland for over 10 years to learn about Inuit conflict resolution approaches. Currently, she is working with Inuk Elder Tagak Curley on a book project - funded by the Government of Nunavut - to publish letters written by Inuit Elders in the Canadian Arctic in the 1960s and 1970s that shed light on the effects of colonialism and served as the mandate for Curley and other Inuit leaders to create the Inuit Tapiriit Kanatami and Inuit Circumpolar Council. Schoeppner has been a Visiting Research Fellow at the University of Notre Dame's renowned Kroc Institute for International Peace Studies in 2022. She is currently a Faculty Fellow in Conflict Resolution Studies at Canadian Mennonite University, and a Senior Researcher at Narratives Inc. in Winnipeg.

**Abstract:** Climate change has created new challenges for Inuit in the Arctic where different forms of ice have started melting at four times the speed than elsewhere in the world. Ice constitutes an important part of Inuit Nunangat, the Inuit homeland in the circumpolar north. Importantly, to Inuit – an Arctic transnational Indigenous group – Inuit Nunangat consists of land and (frozen) water. However, such a perception of their homeland as consisting of maritime and terrestrial space contests more Western-based concepts of space that are informed by a terrestrial bias, that tend to perceive the ocean as empty space (“mare nullius”) and the circumpolar north as remote and peripheral. These biases and perceptions are reflected in maps that (1) only visualize land above and surrounded by water and that also (2) often place the Arctic at the map's periphery. Additionally, today's legal and political frameworks have served to divide the Arctic Ocean into a transnational space / international space, introducing new agents with complex claims of ownership.

This same space is central to Inuit history, culture and identity, and Inuit are actively engaged in counter-mapping and counter-narrating processes to challenge such notions. The Pikialasorsuaq Report and the Nilliajut 2 Report are the final results of two recent projects by the Inuit Circumpolar Council (ICC), an Indigenous Peoples' non-governmental organization that advocates for Inuit interests nationally and internationally. Inuit-made maps resulting from these projects emphasize the area's cohesiveness and trans-boundary use of the Northwater Polynya and the Northwest Passage, reflecting Inuit transnational customary use. Inuit Nunangat covers a large geographic space consisting of land and water, and these

*continued...*



maps help visualize such spaces. Inuit-made maps of the Northwest Passage and the Northwater Polynya oppose dominant notions and narratives of Arctic space. Challenging Canadian and international notions and legal frameworks portraying the Arctic Ocean mainly as a transnational transit corridor in the world's perceptual periphery, these processes of counter-mapping and -narrating storytelling tools that also help Inuit amplify their voices in the face of climate change to strengthen local Inuit agency.



### **Dr. Paul Simard Smith, Panel 1: Two Concepts of the Inherent Right to Self-Government**

Paul Simard Smith is a citizen of the Métis Nation - Saskatchewan. He grew up in Regina, SK and his Métis family is from Meadow Lake with roots in the Qu'Appelle Valley and Red River. He is an Assistant Professor in the Department of Philosophy and Classics at the University of Regina.

**Abstract:** The emergence and status of various letters of understanding, reconciliation protocols, framework agreements, and self-governance agreements between Indigenous governments and Canadian governments raise a number of questions of both theoretical and political importance. Theoretically, such agreements draw attention to conceptual issues about the nature of constitutional authority and the inherent right to self-government. What exactly is constitutional

authority, and what are the conditions under which it is held? Does constitutional authority necessarily entail a right to self-government, and if so, what kind of right to self-government? Politically, such agreements offer several challenges but also significant opportunities, as getting clear on the concepts of constitutional authority and self-government may provide important steps forward in re-imagining Indigenous-Crown relations to put these on a more ethical and just footing for Indigenous peoples in Canada. How should these agreements be best understood, so as to align with and advance objectives of reconciliation and decolonization? How should the Crown reinterpret the nature of its constitutional authority, to better relate to Indigenous governments, who often assert for themselves a form of sovereignty and inherent right to self-government?



### **Dr. Matthew Tegelberg, Panel 2: Exploring temporal (dis)connections in media framing of Indigenous climate justice**

Matthew Tegelberg is an Associate Professor in the Department of Social Science at York University. His research and teaching explores the interplay between media, technology, environments and climate change/justice.

**Abstract:** Dr. Tegelberg's presentation will explore the temporal disconnect between how Canada characterizes its efforts to implement Article 29 environmental rights in UNDRIP and stories emerging from Indigenous communities living on the front lines of the climate crisis. Dr. Tegelberg will first ask a broad set of questions about the ways in which the Canadian public comes to know about local climate impacts in Indigenous communities, such as: How are demands for Indigenous

climate justice (mis)framed in Canadian political communication (i.e. UNDA Action Plan) and in news and social media narratives? Whose histories, knowledges, voices and perspectives are present in or absent from dominant national climate change narratives? To what extent are settler-colonialism and extractive capitalism identified as historical and ongoing drivers of climate vulnerability in Indigenous communities? Dr. Tegelberg then considers examples from climate change communication campaigns where establishing critical connections between past, present and future inform wider strategies of raising public awareness of local struggles for Indigenous climate justice. Following Callison (2022), Dr. Tegelberg will conclude his presentation by arguing that in communicating its National Action Plan to the public, Canada must be more transparent in connecting past historical legacies and present Indigenous climate realities to its future priorities in order to truly and justly honour a commitment to the implementation of UNDRIP.





### Donna Tremble, Panel 4: Algonquin Law: Wampum Belts and Blockchain

Donna Tremble is Anishinaabe and a member of Kiashke Zaaging Anishinaabek (Gull Bay First Nation). Donna is a self-taught mathematician and a software entrepreneur with experience in blockchain technology, encryption techniques and launching cryptocurrencies. Donna engages with community-centred research methodologies to examine the robust technological paradigms embedded in the Algonquin Anishinaabeg use of wampum belts.

**Abstract:** The purpose of this research is to investigate the construction of Algonquin wampum belts and wampum strings, specifically examining how information is recorded and maintained in comparison with modern blockchain technology. The primary objective of this study is to determine whether the wampum belts can be identified as a form of blockchain. Through a comprehensive analysis of modern encryption techniques, code review, cryptocurrency analysis, and gathering traditional oral knowledge from Algonquin elders and storytellers, this research will show the technological complexity and significance of wampum belts and wampum strings in Algonquin law. The key findings of this study reveal a binary code, immutable ledger, consensus methods, encryption, a variety of assets, and a distributed network of nodes for verifying and maintaining the accuracy of information. Our results also indicate that Algonquin ceremony and spiritual beliefs influence wampum belt construction agreements. In conclusion, this study will provide lawmakers with insights into the technological complexity of wampum, enabling the development of a framework to better implement Algonquin law in treaty negotiations. Furthermore, the results suggest that treaties on paper are not valid under Algonquin law.



### Dr. Omeasoo Wahpasiw, Panel 4: Claiming Power and Place

Dr. Omeasoo Wahpasiw is a nehiyaw iskwew living in Anishinabe territory. Her PhD dissertation is titled Tla'amin Housing, Architecture and Home Territories in the 20th Century: Invisible spaces Shaping Historical Indigenous Education. It explores the ways in which Indigenous people have maintained their cultural and spatial heritage even while forced to inhabit architecture that follows colonial paradigms. Omeasoo co-wrote the Federation of Sovereign Indigenous Nations Women's Commission submission to the National Inquiry into Missing and Murdered Indigenous Women and Girls and 2SLGBTQQIA+ People. For the past several years, she has been an Assistant Professor in the Department of Education at the University of Prince Edward Island.

**Abstract:** Although the Missing and Murdered Indigenous Women and Girls Report, Reclaiming Power and Place: the Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls was published in 2019, it is rarely referenced in Canadian institution, for any of its Calls to Justice. How does Reclaiming Power and Place, and the concept of Land Back, create a blueprint for land justice in Saskatchewan and beyond?



### Brad Moggie, Traditional Fiddle

Brad Moggie is a multi-award winning fiddle player who won "Specialty All Star Band of the Year 2021" at the Manitoba Country Music Awards. He originates from the small French Métis community of St. Ambroise, Manitoba. Brad brings a high energy show with all the traditional fiddle tunes you love to hear, adding a modern twist that will keep your feet moving!





## ACKNOWLEDGEMENTS

*Thank you to these organizations for their support of this conference:*



*Thank you to our Volunteer Students:*

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