



Indigenous Law Research Unit
Faculty of Law, University of Victoria
PO Box 1700, STN CSC
Victoria, British Columbia, Canada, V8W 2Y2
Tel. 250-721-8914 Email. ilru@uvic.ca
www.uvic.ca/ilru



Current Projects

(as of November 2017)

Kipimoojikewin (“the things we carry with us”): How Anishinaabe Law Upholds Local Governance (2018-2019)

Funded by the Law Foundation of Ontario

In partnership with a community in the Nishnawbe-Aski Nation (NAN), this project will explore how principles and processes within an Anishinaabe legal tradition inform and legitimize community governance. The ILRU will facilitate a community workshop, conduct interviews with knowledge holders, and analyze the available resources, which will be synthesized as a report, casebook, and glossary.

Tsimshian Inter-Nation Co-operation and Dispute Resolution (2017-2018)

Funded by the North Coast Skeena First Nations Stewardship Society (NCSFNSS)

The overarching focus of this work is to articulate the legal principles and processes through which communities within Tsimshian legal traditions cooperate and manage conflicts, particularly in regards to common resources and challenges. This research is being undertaken through a collaborative partnership with four member nations of the NCSFNSS (Kitsumkalum, Kitselas, Gitxaala, and Gitga’at First Nations), and will integrate community-specific knowledge into a broader analysis of shared legal tools and approaches to issues of inter-national concern.

Ḵwséltkten: Secwépemc Citizenship Law (2017-2018)

Funded by the Shuswap Nation Tribal Council

The ILRU is partnering with the Shuswap Nation Tribal Council to research Secwépemc understandings of citizenship, including how citizenship informs the legal relationships between, and the legal expectations and obligations of, individuals and collectives in the Secwépemc legal tradition. This work includes exploring how citizenship, belonging, and standing are defined in Secwépemcstín, as well as how historical and contemporary Secwépemc legal institutions may be reconciled through the lens of these core concepts. This project is intended to help inform how laws and practices of citizenship are engaged in the work of revitalizing Secwépemc governance.

We acknowledge, with respect, the history and legal traditions of the Lkwungen-speaking peoples on whose lands the Indigenous Law Research Unit stands, and those of the Songhees, Esquimalt and WSÁNEĆ peoples whose relationships with the land continue today.



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Water Laws: Lessons from Indigenous and Colonial Stewardship (2016-2019)

Funded by the Social Sciences and Humanities Research Council/Real Estate Foundation

Led by Val Napoleon and Deb Curran, this three-year project in three British Columbia regions that are currently experiencing water scarcity and crisis has the overarching goal of facilitating collaborative water stewardship and watershed management across legal traditions. The project brings together three research streams in each region: (i) substantive articulation of Indigenous law, namely Tsilhqot'in, Cowichan, and Lower Similkameen; (ii) settler water users and the articulation of informal water management practices which do not map onto formal legislation, but inform how water users organize access, sharing, and allocation of water; and (iii) an analysis of formal state legal processes that govern water, including BC's new *Water Sustainability Act*. These research streams will merge towards the development of more responsible, effective, and environmentally responsible water stewardship laws and practices that bring together Indigenous and settler communities, and will serve as exemplars for other regions in Canada and elsewhere. Additional projects include the development of an Indigenous water law graphic narrative and accompanying teaching guide.

Indigenous Governance and Citizenship: Developing a Collaborative ILRU Methodology (2017-2018)

Funded by SWIFT Foundation

This grant is enabling the ILRU to more broadly and critically engage with Indigenous legal principles relating to governance and citizenship. Done in collaboration with our academic as well as community networks, this work involves responding to the 'hard questions' of decolonizing ideas, forms, and practices of Indigenous governance through law. This includes how historic and contemporary Indigenous institutional forms may be reconciled, as well as illuminating issues of citizenship, gender, sexuality and equality, all of which are relevant to the (re)articulation of Indigenous law and legal processes. The purpose of this work is to provide a foundation for the actual practice and application of all law, and the scaffolding for healthy citizenries, inclusion and accountability, conflict management, and respectful debate. The methodological frameworks produced through this project will support the ILRU's current and future work relating to governance.

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Indigenous Law in the Law School Curriculum

Funded by the University of Victoria Teaching and Learning Grant and the Murray and Anne Fraser Endowment

The focus of this work is to support the redesign of law school curricula at the University of Victoria to respond to TRC Call to Action #28 (requiring the teaching of Indigenous law and legal perspectives in law schools). The work will provide content and examples of material relating to Indigenous law that can be incorporated within existing law school classes and methodology training sessions, and provide time for faculty members to work directly with ILRU staff and students to discuss the integration of this content.

Tracking Change – The Role of Local and Traditional Knowledge in Watershed Governance

Project Subgrant in partnership with University of Alberta (2016-2018)
Funded by the Social Sciences and Humanities Research Council

This six-year project is led by the University of Alberta, Mackenzie River Basin Board, and the Government of the Northwest Territories in collaboration with many other Aboriginal organization partners and universities. This goal of this project is to create opportunities to collaboratively document and share local and traditional knowledge about social-ecological change in the Mackenzie River Basin, Lower Mekong, and Lower Amazon Basins and determine its role in watershed governance. The ILRU's work within this large project will focus on articulating Dane-zaa legal approaches to watershed management in the context of climate change.

Revitalizing Law for Land, Air, and Water Project (2016-2018)

Funding from West Coast Environmental Law (WCEL) to support its project

We continue to partner with WCEL to support the Revitalizing Law for Land, Air and Water (RELAW) project. Our role is to support and advise WCEL on RELAW project work with community partners, providing training to WCEL staff on ILRU methodologies, and supporting WCEL-led community engagement and learning sessions. The RELAW project worked with five communities in 2016-2017 and is working with another five in 2017-2018. Based on ILRU's methodology and analytical approach, RELAW's collaborations are focused on developing and implementing Indigenous environmental law research, towards

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the (re)building of the necessary instruments, institutions, and practices of Indigenous environmental law.

ILRU and WCEL continue to host and facilitate Indigenous Law Learning Circles as part of this collaboration. These Learning Circles, which alternate between Vancouver and Victoria, invite WCEL and ILRU staff, law school faculty, and community members, as well as other people engaged in the practice of Indigenous law or in the re-articulation of Indigenous laws, to discuss the practice of Indigenous laws and work through the critical issues that we encounter in our practice.

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