

Rethinking the relationship between spirituality and reconciliation

A SYMPOSIUM ON INDIGENOUS AND NON-INDIGENOUS
RELATIONS IN CANADA

MARCH

8-9

2018

UNIVERSITY OF VICTORIA

First Peoples House

Ceremonial Hall

www.reconciliation-and-spirituality.ca

We acknowledge with respect the Lkwungen-speaking peoples, on whose traditional territory the university stands, and the Songhees, Esquimalt and WSÁNEĆ peoples, whose historical relationships with the land continue to this day.

SUPPORTING PARTNERS



The work of the Truth and Reconciliation Commission, and the survivors of residential schools who testified before it, have helped to expand a national public conversation about reconciliation.

This includes how we understand our own history, the dynamics of individual and collective healing, the on-going social, cultural, political, and economic impacts of Canada's history of colonization, and how to foster transformed and mutually respectful relationships between Indigenous and non-Indigenous peoples in this country. This conversation, and the work it demands, is complex, multi-layered, and touches all sectors of Canadian society. Included in this work are unresolved issues about self-government, land rights, resource extraction, environmental protection, the well-being of children and families, gender equality, and policing — just to name a few. Many of these issues continue to be fraught with conflict, and few have been resolved satisfactorily through political or legal processes.

It is encouraging that in recent years there has been significant research and study — increasingly led and informed by Indigenous scholars — about how to understand these challenges and effect the required transformations. This symposium asks whether and how this work of decolonization and reconciliation may be understood as also being a spiritual challenge, and what that might mean for individual and social action.

It must be acknowledged that there are some potential tensions associated with raising such a topic, given the roles of religious institutions and belief systems in settler colonialism. Furthermore, the meanings and goals of reconciliation, as well as the definitions of religion and spirituality themselves, are contested. Although these factors suggest we adopt a cautious and humble approach to these discussions, there are nonetheless vital areas for exploration and further understanding: What might it mean to understand reconciliation as being a spiritual challenge? Are there serious pitfalls to conceiving of reconciliation in those terms? What are the specific understandings of reconciliation that may be gained from Indigenous spiritual traditions, as well as other spiritual traditions, and do they work cross-culturally? How might this alter our approach to reconciliation? Can concepts and approaches offered by various spiritual traditions present useful contributions to processes of reconciliation or give rise to new strategies — social, political, legal, economic — for working for social change? Do the differences and disagreements on the meanings and nature of spirituality render such a focus counter-productive? What is the role of love, trustworthiness, truthfulness, and compassion in reconciliation? Do spiritual perspectives on reconciliation help us understand the relationship between healing the harms that have occurred and achieving justice in the present and future? What kind of alternatives and visions of the future can acknowledging the spiritual dimensions of reconciliation open up to those who are working to transform relations between Indigenous and non-Indigenous peoples in Canadian society?

March 8

7:00 – 9:00 pm

The Role of the Sacred in Indigenous Law and Reconciliation

IdeasFest Event, in partnership with University of Victoria VP Research
Alix Goolden Hall, 907 Pandora Ave.

It is often said that Indigenous peoples' relationship to the land — and Indigenous peoples' law — are sacred. What does “sacred” mean in this context? What should it convey to non-Indigenous Canadians when they engage with Indigenous peoples? How can you understand another person's sense of the sacred? Two of UVic's leading Indigenous scholars, John Borrows and Val Napoleon, will discuss the sacred in Indigenous law and reconciliation.

Keynote speakers:

- Prof. John Borrows
- Prof. Val Napoleon

March 9

8:30 – 9:00 am

Welcome and Opening

9:00 – 10:30 am

Panel 1: Whose Reconciliation? Which Spirituality?

‘Reconciliation’ and ‘spirituality’ are both contested, multiple, and at times divisive terms. As such, it is important at the outset to explore the range of meanings, misunderstandings, and approaches which can be employed when speaking of reconciliation, spirituality, and their possible relations with each other. What do we mean when we talk about these things separately and in relation to each other? What are the distinct and diverse ways of talking about them? What modes of talking about them have been predominant, and which have been marginal? Should we be cautious in speaking of their relation to each other?

Chairperson: Dean Jeremy Webber (University of Victoria)

Speakers:

- Dr. Roshan Danesh (University of Victoria) — “A genealogy of a symposium”
- Prof. Andrée Boisselle (York University) — “Reconciliation: Learning from the Coast Salish witness”
- Prof. Pierrot Ross-Tremblay (Université Laurentienne) — “The Test of Truth: First Peoples, Canada and the Journey to Reconciliation”

10:30 – 11:00 am — Coffee break

11:00 am – 12:30 pm

Panel 2: Understanding the Past

The history of relations between Indigenous and non-Indigenous peoples in Canada is full of pain and oppression, as well as periods of cooperation and dialogue. We are steadily deepening our individual and shared understandings all the time, and learning to listen and dialogue in new, more respectful, and purposeful ways. How are understandings of the history of Indigenous and non-Indigenous relations in Canada changing? How does looking at spirituality help us to interpret and understand past events, and their influence on the present day? How have religion and spirituality been used to divide and harm people, and in what ways have they contributed to resilience in the face of oppression, and to relationships of mutual understanding and respect? How should we understand the injustices and suffering of the past, while retaining the intrinsic nobility, dignity and agency of present day survivors? What kind of education is needed to help young people to learn about the most negative forces of history, still present in many forms, while also being provided with a hopeful kind of learning that can inspire transformative actions?

Chairperson: Geoffrey Cameron (Baha'i Community of Canada)

Speakers:

- Prof. Heidi Kiiwetinepinesiiik Stark (University of Victoria) — “Giving Voice to Creation: Considering Treaties as Sacred”
- Prof. Tolly Bradford (Concordia University) — “A Brief History of Spirituality, Christianity, and Relationship”
- Dr. Chelsea Horton (University of Victoria) — “Reconciliation and Relationship: Histories of Heart, Hope, and Humility”

12:30 – 1:30 pm — Lunch break

1:30 – 3:00 pm

Panel 3: Acting in the Present

The Truth and Reconciliation Commission reported that the process of reconciliation is about “establishing and maintaining a mutually respectful relationship between Aboriginal and non-Aboriginal peoples in this country.” The TRC also called for the United Nations Declaration on the Rights of Indigenous Peoples to be endorsed and implemented as comprehensive framework for reconciliation. The work of building the required new relationships embraces the whole of society. It is not something that can be left for future generations – although they will also have a role to play. What are central foundations for such new relationships? What are the characteristics of relationships based on recognition and respect? What is the role of Indigenous legal traditions in revitalizing and re-imagining our relations? Are there spiritual principles that can guide this work of coming together? What conditions are needed for people to pursue sustained healing, collective learning, and an unbiased recognition of the truths about our history? What attitudes and practices of dialogue can help to eradicate prejudice, foster common understanding, truly respect distinctiveness and diversity, and promote greater social unity? How does attending to spirituality in the process of reconciliation modify our view of politics as a contest over access to power? How can we discover other models of transformative change that do not rely on winning, losing, and dividing people into groups with opposing interests?

Chairperson: Prof. Paul Bramadat (University of Victoria)

Speakers:

- Prof. Gordon Christie (University of British Columbia) — “The Valorization of Human Spirituality and the Oppression of Indigenous Peoples”
- Prof. Hadley Friedland (University of Alberta) — “Spiritual Space: The Importance of Non-knowing”
- Prof. Sarah Hunt (University of British Columbia) — “Gendering the T of the TRC: truth-telling and transformation”

3:00 – 3:30 pm — Coffee break

3:30 – 5:00 pm

Panel 4: Imagining the Future

As we examine the conditions of society today and reflect on our hopes for social transformation, our vision can be uplifted by efforts to imagine alternative futures. How might society look differently than it does now, and what different roles would religion and spirituality play in this society? In what ways will relationships based on recognition and reconciliation be reflected in families, neighbourhoods, communities, and in public conversation and social action? How must society change to properly respect Indigenous laws, governments, and jurisdictions? How will cultural distinctiveness and differences be honoured and respected? How will the process of reconciliation help to transform the relationship between people and the natural environment?

Chairperson: Prof. Lisa Dufraimont (Osgoode Hall, York University)

Speakers:

- Douglas White (Vancouver Island University) — “Love, Acceptance, Justice and Reconciliation”
- Prof. Sarah Morales (University of Ottawa) — “Speakers, Witnesses and Blanketing: The Need to Look Beyond the Courts to Achieve Reconciliation”
- Robert Clifford (York University) — “SKÁLS: WSÁNEĆ Laws and Beliefs”

5:00 – 5:30 pm

Closing comments

Prof. Val Napoleon and Prof. John Borrows

Prof. Andrée Boisselle

Andrée Boisselle is an Assistant Professor at Osgoode Hall Law School. She holds a joint civil and common law degree from McGill University, an LLM from the Université de Montréal, and a PhD in Law from the University of Victoria. Her dissertation, titled “Law’s Hidden Canvas: Teasing Out of the Threads of Coast Salish Legal Sensibility”, is the product of a decade of engagement with Stó:lō / Coast Salish communities.

Prof. John Borrows

John Borrows is a Professor and Canada Research Chair in Indigenous Law at the University of Victoria Law School. He is Anishinabe/Ojibway and a member of the Chippewa of the Nawash First Nation in Ontario, Canada. He specializes in Indigenous legal rights and comparative constitutional law. He has written and spoken extensively on Indigenous legal rights and traditions, storytelling, treaties and land claims, and constitutional and environmental law. His publications include *Recovering Canada: The Resurgence of Indigenous Law*, *Canada’s Indigenous Constitution*, and *Drawing Out Law: A Spirit’s Guide*.

Prof. Tolly Bradford

Tolly Bradford is an associate professor of history at Concordia University of Edmonton in the territory of treaty six. His research interests include Christian missions and Indigenous Peoples in the British Empire, the fur trade, treaties, and comparative history. He is author of *Prophetic Identities: Indigenous Missionaries on British Colonial Frontiers, 1850–75* (2012), and co-editor with Chelsea Horton of *Mixed Blessings: Indigenous Encounters with Christianity in Canada* (2016). He is currently working on two projects: a transnational history of the Hudson’s Bay Company, and a study of Christianity and colonization in western Canada.

Prof. Gordon Christie

Professor Christie is of Inupiat/Inuvialuit ancestry and specializes in Aboriginal law. He has a PhD (in philosophy) from the University of California, Santa Barbara and a LLB from the University of Victoria. His teaching is primarily in the fields of Aboriginal law, torts and legal theory, and his research work is entirely concerned with Aboriginal/Indigenous law and legal theory (and their intersection). His most recent work focuses on how colonial systems of cultural meaning frame Canadian jurisprudence around Aboriginal rights.

Robert Clifford

Robert Clifford is WSÁNEĆ and a member of the Tsawout First Nation on Vancouver Island. He carries the name YELKÁTFE, passed to him by his late grandfather Earl Claxton Sr. He is a doctoral candidate at Osgoode Hall Law School and lives and writes in his home community of Tsawout. His work engages the resurgence of WSÁNEĆ laws and seeks to relate the ways in which those laws reflect and generate out of the values, philosophies, lands, and worldviews of his people. His work is community focused and draws upon WSÁNEĆ law in relation to pressing problems throughout WSÁNEĆ territory.

Dr. Roshan Danesh

Roshan teaches, researches, and works in the areas of Indigenous rights, the relationship between law and religion, and international peace-building.

Prof. Hadley Friedland

Hadley Friedland, LLB, LLM, PhD, is an Assistant Professor at the University of Alberta Faculty of Law. She was the first Research Director of the University of Victoria’s Indigenous Law Research Unit and has worked extensively with Indigenous communities across Canada to revitalize their own laws. Hadley teaches and researches in the areas of Indigenous legal traditions, Aboriginal law, family law, child welfare and therapeutic jurisprudence. Her book, *The Wetiko (Windigo) Legal Principles: Cree and Anishinabek Responses to Violence and Victimization*, has recently been released.

Dr. Chelsea Horton

Born and raised on the west coast, historian Dr. Chelsea Horton had a deep interest in intersections of religion, colonialism, and reconciliation in this region. She is a research coordinator with the Centre for Studies in Religion and Society and an instructor in the Department of History at UVic. Chelsea is co-editor, with Tolly Bradford, of *Mixed Blessings: Indigenous Encounters with Christianity in Canada* (UBC Press, 2016). She has also presented and published on Indigenous Baha’i histories. Chelsea also works with and for First Nations on research and reporting on Indigenous land use and occupancy, rights, and title.

Prof. Sarah Hunt

Dr. Sarah Hunt is a Kwagiulth (Kwakwaka’wakw) scholar whose work critically takes up questions of justice, gender, sexuality, violence, self-determination and the spatiality of Indigenous law. Her research and teaching build on over 15 years of collaboration with Indigenous people and communities, with emphasis on issues facing youth, Two-Spirit people and women. Sarah is an assistant professor in the Institute for Critical Indigenous Studies and the Department of Geography at UBC.

Prof. Sarah Morales

Sarah Morales, JD (UVic), LLM (University of Arizona), PhD (UVic), PostDoc (Illinois) is Coast Salish and a member of Cowichan Tribes. She is an Assistant Professor at the University of Ottawa, Faculty of Law where she teaches torts, Aboriginal law, Indigenous legal traditions and international human rights, with a focus on Indigenous peoples. Sarah’s research centres on Indigenous legal traditions, specifically the traditions of the Coast Salish people, Aboriginal law and human rights. Specifically, she is committed to the recognition and reconciliation of Indigenous legal traditions with the common law and civil law traditions in Canada. In addition to these academic interests, Sarah has been actively involved with Indigenous nations and NGOs across Canada through her work in nation building, inherent rights recognition and international human rights law. Her community-based research has resulted in the creation of policies and procedures that are reflective of the laws and legal orders of the communities who utilize them.

Prof. Val Napoleon

Val Napoleon is the Law Foundation Professor of Aboriginal Justice and Governance at the Faculty of Law, University of Victoria. She is from north east British Columbia (Treaty 8) and a member of Salteaux First Nation. She is also an adopted member of the Gitanyow (Gitksan) House of Luuxhon, Ganada (Frog) Clan. She has taught and published on aboriginal legal issues, Indigenous law and legal theories, Indigenous feminisms, governance, critical restorative justice, oral traditions, and Indigenous legal research methodologies.

Prof. Pierrot Ross-Tremblay

Pierrot Ross-Tremblay is Innu, sociologist and professor at Laurentian University in Sudbury. His research focuses on memory and oblivion, psychological colonialism and legal traditions of First peoples in Canada. His book *Thou Shalt Forget: Indigenous Sovereignty, Resistance and the Production of Cultural Oblivion in Canada* will be published in 2018 at the School of Advanced Studies Press, University of London.

Prof. Heidi Kiiwetinepinesiik Stark

Heidi Kiiwetinepinesiik Stark (Turtle Mountain Ojibwe) is an Associate Professor of Political Science at the University of Victoria. She is the Director of the Graduate Certificate in Indigenous Nationhood and the Associate Director of the Centre for Indigenous Research and Community-led Engagement (CIRCLE). Her research interests include Indigenous law and treaty practices, Aboriginal and Treaty rights and Indigenous politics in the United States and Canada. She is the co-editor of *Centering Anishinaabeg Studies: Understanding the World Through Stories* with Jill Doerfler and Niigaanwewidam Sinclair and is the co-author of *American Indian Politics and the American Political System* (3rd and 4th edition) with Dr. David E. Wilkins. She has published articles in journals such as *Theory and Event*, *American Indian Quarterly*, *American Indian Culture and Research Journal*, and *Michigan State University Law Review*.

Douglas White

Douglas S. White, BA, JD, is a member, former Chief, and current Councillor and Chief Negotiator of the Snuneymuxw First Nation in Nanaimo, BC. His Coast Salish name is Kwul’a’sul’tun and his Nuu-chah-nulth name is Tlii’shin. He has been a director of the Indigenous Bar Association of Canada and an associate lawyer at Mandell Pinder. He is currently the Director of the Centre for Pre-Confederation Treaties and Reconciliation at Vancouver Island University and practices as a lawyer and negotiator across the country for First Nations governments.