

INDIGENOUS RIGHTS IN CANADA: IMPLICATIONS FOR LEADERSHIP IN EDUCATION

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In the autumn of 2012, the *Idle No More* (INM) movement began as a grassroots effort started by four women in Saskatoon Saskatchewan—Jessica Gordon, Sheelah McLean, Sylvia McAdam, and Nina Wilson (The Kimo-nda-niimi Collective, 2014) in response to the Conservative Government's second omnibus budget bill, known as *Bill C-45*¹. Their protest was intended to reflect grassroots support of Indigenous sovereignty and respect for treaty relations with Canada. The event also focused on, among other issues, raising awareness of environmental degradation as well as economic and social disadvantages experienced by many Indigenous peoples in Canada. In the following months, demonstrations were staged across Canada in an effort to protest *Bill C-45* and to raise awareness of the government's treatment of Indigenous issues. The purpose of this paper is to explore how developments such as those associated with INM may lend to the reinforcement of a notion in the public consciousness of Indigenous peoples as subjects in a jurisdictional discourse and how this may require consideration by educational and instructional leaders.

The INM movement and its associated social protests have reminded the Canadian public and international onlookers that issues of poverty, unrecognized rights, unaddressed governmental obligations, and recognition among the broad public remain pressing issues for Indigenous peoples in Canada. Although much media attention has been given to the connections between *Bill C-45* and INM, one might rightfully suggest that this Bill is one initiative in a long line of government attempts to avoid deliverance on their responsibilities within the contexts of Indigenous rights (Diabo, 2012). One of the foundational principles that are advanced in support of the contemporary Indigenous rights movement has been the existence of ever-present, sustained rights and accords that are intended to codify the relationship between Indigenous peoples and the governing authorities who have facilitated the settlement of what is now Canada by non-Indigenous peoples.

Currently, discourse that explores the awareness and importance of national and international rights is a bona fide dimension of social studies education in Canada (White Face & Wobaga, 2013). Usually discussed within the context of Charter rights, universal human rights, and the larger discussion of citizenship (Hebert & Wilkinson, 2002), Canadian secondary students acquire an understanding of entitlements and freedoms that emphasize social responsibilities toward others and to themselves, as well as their relationship with the state (Deer, 2010). In recent years, the discussions of rights and citizenship in secondary schools in Canada have begun to include the perspectives

1 Bill C-45 was a bill that acquired royal assent in December 2012. The subsequent *Jobs and Growth Act, 2012* has implications for Indigenous peoples. It is alleged that First Nations lands may be more easily accessed by government and industry, as well as a reduced protection of lakes, rivers, and the need for environmental assessments.

associated with the Canadian Indigenous experience (Battiste & Semaganis, 2002). Somewhat accordingly, this information is frequently explored through a supplementary discussion on the broader responsibilities and rights associated with citizenship (Warry, 2007).

One of the fundamental notions associated with inherent rights is that those rights are entitlements based on the sole fact that the people in question exist and are bestowed upon them from others (Dick, 2011). The inference of this notion with regard to Indigenous peoples is that there exists a set of entitlements that are held by Indigenous individuals by virtue of their existence that cannot be extinguished (Mainville, 2001). As well, these rights are unique, because they are additional entitlements to those normally associated with Canadian citizenship (Cardinal, 1977). The tension between these two discourses, one which explores the broad range of entitlements, freedoms, and responsibilities for all Canadian and the other more focused discussion exploring issues associated with Indigenous peoples, may have an undesired effect on how students and adults perceive how Indigenous people are situated in Canada. There have been numerous events (other than INM), such as the 1990 Oka Crisis, the Grand River land dispute of 2006, and the Gustafsen Lake standoff of 1995, when land stewardship and rights have been of focus and widely publicized. There is the potential that individuals who study or otherwise consume through media sources the narratives concerning events such as these may develop a proxy for understanding the Canadian Indigenous experience—that of jurisdiction.

It may be understandable that the Canadian Indigenous experience is frequently regarded both by Indigenous and non-Indigenous peoples as a jurisdictional issue. Generations of First Nations, Metis, and Inuit peoples subject to such things as residential schools, the denial of rights normally enjoyed by others, and legislative developments intended to marginalize Indigenous peoples may easily govern the quality of discussions that pertain to first peoples. The sorts of emotionally and/or politically charged rhetoric and posturing that are frequently associated with such discussions have the potential to create this proxy (that of jurisdiction) for understanding the Canadian Indigenous experience. In some rather crucial ways, exploring Indigenous peoples and experiences as a jurisdictional issue has obscured some of the ethno-cultural dimensions of Indigenous identity in the broad public consciousness. Debating the relevance of the constitutional protection of Indigenous rights, considering conservative perspectives of government transfers to First Nations, and consuming politically-charged rhetoric associated with INM may raise awareness of legislative and/or jurisdictional matters, but often indicate little about the unique manifestation of Indigenous consciousness, culture, or tradition. It has been suggested that exploring the Canadian Indigenous experience through jurisdictional, legislative, or political lenses alone may do little to achieve reconciliation in a post-colonial Canada.

Many teachers, academic, and other leaders in the field of Indigenous education have chosen to focus on more than just jurisdictional issues for exploring Indigenous peoples and issues. In many provincial and community contexts, the content and pedagogies used to provide learning opportunities for primary and secondary students have begun to employ aspects of the Canadian Indigenous

experience that has direct relevance to language, literacy, mathematics, and other curricular areas where emphasis is placed on a variety of the unique manifestations of Indigenous knowledge, heritage, consciousness, and tradition. Treaty relationships, legislative issues, and constitutional rights are and should be a part of these educational discourses, but it is essential that they are not explored in such a way that leads to the development of a perspective that is governed by jurisdictional matters alone. School and district leaders responsible for governing and empowering educators to account for the emergent educational imperatives associated with contemporary Indigenous education should be responsive to the notion that Indigenous content that may be shared, celebrated, and inform the development of a balanced perspective on the Canadian Indigenous experience that is appreciative.

Education leaders in Canada have a public responsibility to facilitate the provision of appropriate, respectful, and balanced learning opportunities that will support citizenship and character development that is relevant to the Canadian context (Reimer, 2008). Recognizing and affirming that the Canadian Indigenous experience embodies emotive, cultural, spiritual, traditional, and language-based dimensions may be a crucial step for school and classroom leaders in the provision of such learning opportunities. Social movements such as INM may provide context for such explorations, but it is important that such contexts are not treated with a solely jurisdictional frame. As school principals, district superintendent, and others in positions of authority venture into the area of Indigenous education as a means of realizing reconciliation, it may be important to consider those dimensions of Indigenous life that will facilitate the development of empathy. It is toward harmonious coexistence amongst all that empathy may lead and is, in many ways that matter, the collective vision of our educational systems.

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