



The **RELAW** Project
REVITALIZING INDIGENOUS LAW
FOR LAND, AIR & WATER

Revitalizing Haítzaqv Law for Land, Air and Water

Telling the RELAW Story

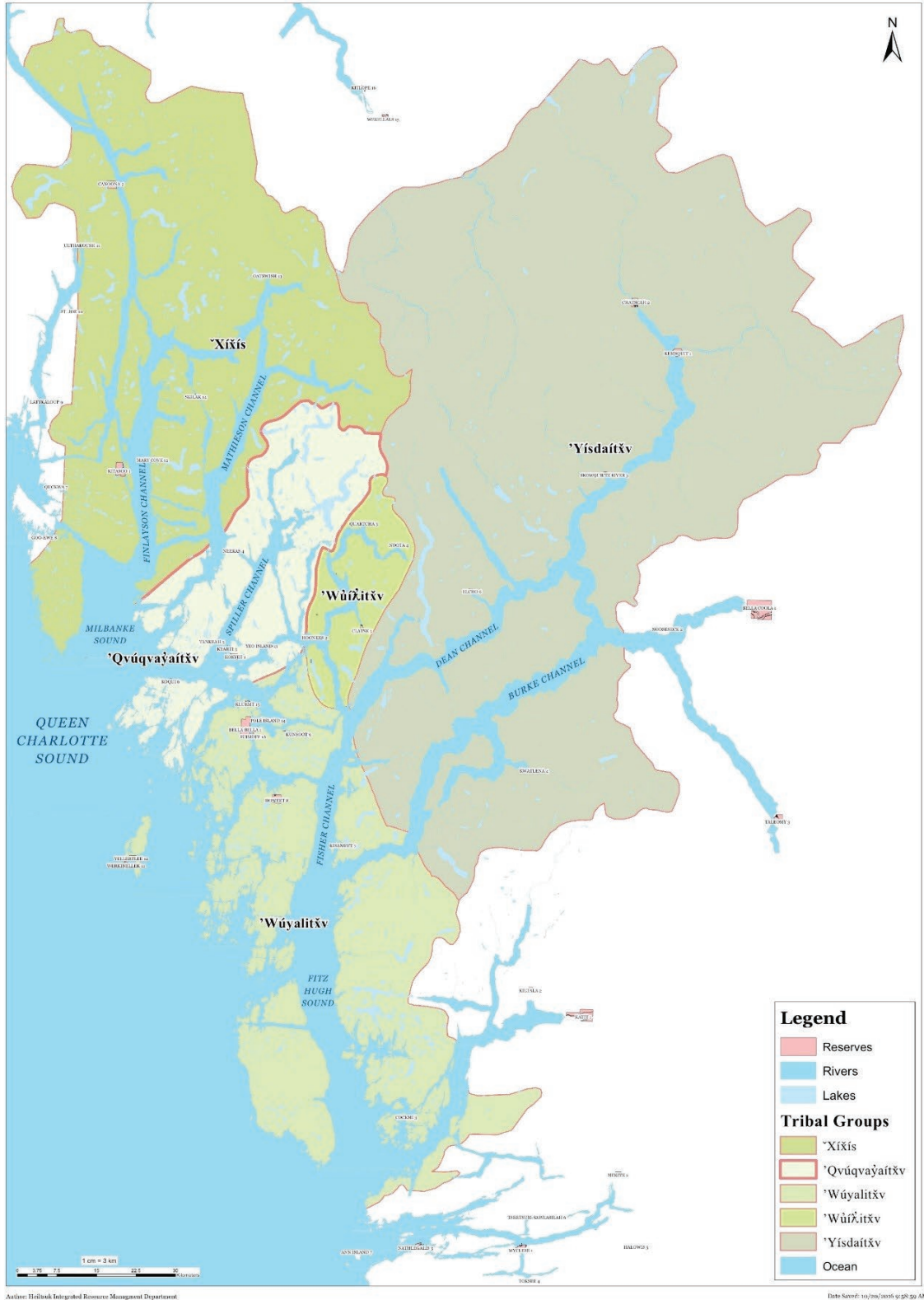


WEST COAST
Environmental Law

A project of the Heiltsuk Tribal Council and the Heiltsuk Integrated Resource Management Department
in partnership with West Coast Environmental Law

Haítzaqv Territory

Heiltsuk First Nation Territory





We are the Haíłzaqv Nation. According to our *núymí* (oral tradition) and supported by archaeological findings, for at least 14,000 years, we have thrived on the abundance of the lands and waters in what is now known as the central coast of British Columbia, Canada. In other words, for approximately 700 generations we have had a life-sustaining reciprocal relationship with our territory.

Our territory encompasses an area of 35,737 km². Of that amount, 19,072 km² are ocean. That is, 53% of our territory is ocean. We are an ocean people. We know and love our ocean, and we are defined at our very core by the ocean world. All of the five Haíłzaqv tribal groups agree, this is our rightful place in the world, the place where we belong, and the place we call home.

We acknowledge that the ocean, air and land are all connected.

Photo above: Yírhás (left-right) Anne Housty, Johnny Moody, Conrad Humchitt, Gary Housty, Arnold Humchitt.
Photo credit: Jordan Wilson.

A photograph of a forested shoreline. In the foreground, there are large, smooth, greyish-brown rocks partially submerged in dark water. The rocks are covered in patches of white and yellowish moss. Behind the rocks, a dense forest of green trees and shrubs grows on a steep bank. The trees are lush and vibrant, with some hanging moss visible. The overall scene is a natural, serene landscape.

**“Ġvı́lás is the straight and narrow
path you follow.”
- Fred Reid**

Photo: Desiree Lawson

Our Legal Tradition

We affirm our *ǵviłás*, the laws of our ancestors, as the paramount principles to guide all our actions on this living planet. Our *ǵviłás* refers to our power or authority over all matters that affect our lives. It is a sophisticated and comprehensive system of laws that embodies values, beliefs, teachings, principles, practices, and consequences.

Ǵviłás not only governs our relationship and responsibilities to land and resources, but also social relationships and obligations with respect to lands and resources. For example, it teaches us to take a little and leave a lot, and that we need dispersed and varied resource harvesting obligations to share and support family and community.

It teaches us that we have obligations to care for resources and that all aspects of harvesting from taking of the resources to the methods used, are a gift of the Creator. Our *ǵviłás* helps us understand how all things are connected and have deep value in ways far more profound than the economic.

Our legal system is upheld by the *yímás* (hereditary chiefs). They, in consultation with the people, provide guidelines that allow our people to grow, evolve and flourish, as we have done for over 14,000 years.

There are many roles in addition to the *yímás* that maintain order, for example we have always had scientists, educators, administrators, lawyers and judges. These English language terms do not exactly match our *Hałtzaqv* reality, but the ideas are roughly the same.

The RELAW Team

The Haítzaqv RELAW project was overseen by the Heiltsuk Integrated Resource Management Department (HIRMD), through a learning partnership agreement with West Coast Environmental Law (WCEL). The Haítzaqv RELAW project's aim was to deepen the community-based capacity to engage in articulation, revitalization, and application of our Haítzaqv laws to environmental decision-making and proactively taking care of our ocean.

Our RELAW team was Desiree Lawson (Haítzaqv) and Lindsay Borrows (WCEL). Our technical working group included Kelly Brown (HIRMD), Mike Reid (HIRMD), Diana Chan (HIRMD), Earl Newman (yímás), William Housty (HIRMD), Pauline Waterfall (HTC), Marilyn Slett (HTC) and a youth representative (tba).



Haíkíłaxsi ćíslá wáwáxtusa gáyáqla qnts dmsaǵv: Respecting and taking care of our Ocean Relatives

The Haítzaqv RELAW team received direction from leaders at HIRMD to create an Oceans Act that would meet or beat the new federal *Oceans Act*.

Traditionally, ġvılás were orally articulated and agreed upon. They were reviewed, reaffirmed and amended annually. This *Haítzaqv haíkíłaxsi ćíslá wáwáxtusa gáyáqla qnts dmsaǵv*, or Haítzaqv respecting and taking care of our ocean relatives, or Haítzaqv Oceans Act is also intended to be living.

We are an adaptive people. We have learned from the land, water, plants and animals around us that adaptation is essential for survival. We are now writing our laws down so others can be invited into our legal world and keep our territories strong and healthy alongside our own efforts.

Revitalizing Our Law

The Haítzaqv RELAW team came together in September 2017. There are many publicly available Haítzaqv stories and many of the nation's plans that were researched. We worked with the methodology created by Val Napoleon and Hadley Friedland (Indigenous Law Research Unit, University of Victoria Faculty of Law) to case brief Haítzaqv stories and eventually write a synthesis of Haítzaqv legal principles related to the ocean.

During this process we engaged with Haítzaqv members in Bella Bella and travelled to Vancouver and Vancouver Island to meet with members there and collectively expand our understanding of our ḡvìlás.



Photo: Island Conservation



Photo: Lindsay Borrows

Applying Our Law

Beginning in October 2017, Desiree Lawson conducted community engagement sessions with Kathy Brown, who was working on our Haíłzaqv constitution. It was a great way to show the community how the Oceans Act will be the first piece of legislation to flow from our own Constitution.

Our sessions included meeting at the elders building for their weekly lunches, the Leadership Resiliency Group at the youth centre and meeting with Heiltsuk Tribal Council staff. Desiree continued on to do community engagement with the LRP group, in classes at the school, with GRS, Kaxla Child and Family Services, with the Vancouver Island Heiltsuk group in Nanaimo, at the Aboriginal Friendship Centre in Vancouver, one-on-one interviews with elders, knowledge holders, managers, also with the technical working group and language group to begin the process of translating our act into Haíłzaqv.

An estimated 467 Haíłzaqv people have been engaged throughout the RELAW process. Everyone from elders, matriarchs, chiefs, youth and school-aged children have been included and provided their input, ideas, and stories to inform the Oceans Act. Every Haíłzaqv's voice is valued and appreciated in this process.

Benefits from the Haítzaqv RELAW Project

Through the RELAW process we are deepening our capacity to understand who we are as Haítzaqv peoples, and how to best govern our nation. We are reconnecting with our ancestral visions for our territory and restoring health amongst our people. Almost a century ago, Bob Anderson speaking on behalf of our Nation to a Royal Commission on Indian Affairs, affirmed unequivocally our inalienable and timeless title and rights. This continues to be our vision today.

“We are the natives of this country and we want all the land we can get. We feel we own the whole of this country, every bit of it, and we ought to have something to say about it. The government has not bought any land from us so far as we know and we are simply lending this land to the government. We own it all. We will never change our mind in that respect, and after we are dead our children will hold the same ideas. It does not matter how long the Government takes to determine the question, we will remain the same in our ideas about this matter. The British Columbia Government is selling the land all around us, and we do not know but they might sell it all, even including these Reserves, in time. We consider that the Government is stealing that land from us, and we also understand that it is unlawful for the Government to take this Land.”



Photo: Lindsay Borrows



**“Ǵvı́lás was not a written document, it lives
in the minds and hearts of Haı́tzaqv people
and is implemented in our daily lives.”**

- William Housty

Our Dream – Next Steps

Canadian law is not always in line with our ḡvī́lás. It is for this reason that we are enacting our own Haíkíłaxsi ćísłá wáwáxtusa gáyáqla qnts dḡsaǵv.

Our lives, and the lives of our relatives in the land, air and sea, depend upon the strength of our laws.

We accept Canadian law in so far as it is in accordance with our ḡvī́lás. We understand we live side by side now. We want us all to thrive. Our ḡvī́lás holds essential keys to realizing the health of the nation called Canada.

The Haítzaqv Nation has never ceased to affirm our ownership and jurisdiction over all our seas, lands and resources.

It is through this longstanding and unextinguished authority that we enact this **Haíkíłaxsi ćísłá wáwáxtusa gáyáqla qnts dḡsaǵv.**



Photo: Richard Reid



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