What is Indigenous Law?

Indigenous law consists of the internal legal systems, traditions, and governance practices developed by Indigenous peoples to manage their societies, relationships, and territories

"It is time for the conversations to move from the why of Indigenous law (whether Indigenous societies had law and why it matters) to the how of Indigenous law so that the work of law may done by and within Indigenous communities, between Indigenous communities, and between Indigenous societies and the state (and settler society)."[1]

Indigenous Law vs. Aboriginal Law

Aboriginal law is a set of rules made about Indigenous people by non-Indigenous governments. Canadian legislatures and courts create and define this area of law. Aboriginal law defines Indigenous peoples' rights in Canada and the legal relationship between Indigenous peoples and the Crown.

Indigenous laws are the rules that Indigenous peoples develop for themselves. This area of law is diverse and community specific. Importantly, Indigenous laws exist in the present, not just the past.[2]

What is Secwépemc Law?

Secwépemc elders point to the concept of stsq̓ey̓ as denoting Secwépemc "laws" as marked on the land and connected to stories of the past. These oral histories derived from ancestors' actions are the underpinnings of legal and moral codes.

We have a second concept, tk̓wenm7íple7, that is also sometimes translated as "law" by Secwépemc elders. Tk̓wenm7íple7 lays out the forward-looking way that we can enact new laws and determine what is best for us as a people.

Whereas stsq̓ey̓ reminds us of the deeds and powers of our ancestors, tk̓wenm7íple7 gives us a way forward to think of law.[3]

Facts, Fears & Fictions

Indigenous Peoples have always been lawful

Working with Indigenous/Secwépemc law does NOT mean you have to be a lawyer – Secwépemc Law is meant to live in all of us and we are all meant to work and bring it to life.

You cannot break Secwépemc Law – it is robust and has been evolving, changing, and adapting through time.

Secwepemctsín & Secwépemc Law

Secwepemctsín is foundational to the rebuilding and revitalization of Secwépemc Law.

Secwepemctsín provides an invaluable layer of knowledge and perspective to our laws.

However, Secwépemc Law does not rely on your ability to speak or understand Secwepemctsín.

Rebuilding and Revitalization Secwépemc Law is all of our business as Secwépemc.

[1] https://ilru.ca/wp-content/uploads/2020/08/What-is-Indigenous-Law-Val-.pdf
[2] https://www.lawnow.org/indigenous-law-vs-aboriginal-law-whats-the-difference/
[3] Secwépemc People Land & Laws, Ignace & Ignace 2017 pp. 15-16