

From: Diversity and Inclusion Steering Committee

Re: What is a land acknowledgement, when does it take place and why?

Advice and Recommendation for Consideration of TAS adopting a new policy.

A land acknowledgement is an informed opening statement given at the start of a gathering, event or ceremony. It is an expression of respect to recognize the enduring presence and specific traditional territory of the Indigenous people(s) on whose territory the event is taking place. Indigenous people have provided such acknowledgements on territories occupied prior to the arrival of settlers and continue to do so today. It is offered by the host speaker.

In 2018, the Advocates Society collaborated with the Indigenous Bar Association, and the Law Society of Ontario to produce *The Guide for Lawyers Working with Indigenous Peoples* ("*The Guide*"). Citing Call to Action # 27 of the Final Report of the Truth and Reconciliation Commission, *The Guide* was a joint project founded upon the recognition of the need for deeper understanding and more meaningful inclusion of Indigenous People in Canada and within the legal community in particular.

The Guide has since become a valuable resource within the legal community and is often cited at continuing legal education forums across Canada. The Guide is silent on the protocols surrounding land acknowledgements and this may be an important addition to subsequent updates.

In 2019, TAS adopted a "Diversity Statement" to further its commitment to diversity. In it, TAS acknowledges its own continuous learning and improvement on diversity and inclusiveness.

In the spirit of better understanding and meaningful inclusion, the Diversity and Inclusion Steering Committee (DISC) is considering what advice and recommendation(s) it can provide to the Board of Directors for when land acknowledgements would be an expectation in TAS programs and events.

Final Report of the Truth and Reconciliation Commission:

Call to Action # 27

"Ensure that lawyers receive appropriate cultural competency training, which include the history and legacy of residential schools, the United Nations Declaration of the Rights of Indigenous Peoples, Treaties and Aboriginal Rights, Indigenous law, and Aboriginal-Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism"

TAS Vision

The Advocates Society is Canada's leading organization for advocates.

We are dedicated to promoting excellence in advocacy and the highest standards of professionalism within a fair and accessible system of justice.

TAS Mission (excerpted)

1. *We are the authoritative voice of advocates within the justice system.*

...

8. *We are committed to improving diversity, equity, and inclusion within our community of advocates.*

TAS Diversity Statement (2019)

*“The Advocates’ Society (“TAS”) commits to fostering diversity and inclusiveness in the legal profession in Canada, first and foremost through its own activities. TAS endorses the principles of diversity, inclusion and equality through its programs, advocacy and policies. TAS actively seeks to: (1) increase the diversity of its membership; and (2) identify and address any barriers to membership, or participation by all members, that may arise from unconscious bias or discrimination. TAS encourages representation of lawyers and staff of varying backgrounds and perspectives in all levels of seniority and in leadership positions within TAS and the legal community. TAS is dedicated to becoming a leader within the legal community in supporting and promoting equality, inclusion, and diversity in the bar. **TAS acknowledges the need for its own continuous learning and improvement** and welcomes feedback from its members on TAS’s diversity and inclusiveness.”*

TAS Leadership Principles (2019)

...

Principle 3

“We embrace and promote diversity among our members.”

DISC supports TAS adopting a policy of providing a land acknowledgement, the particulars of which are set out below.

To support the continuous learning that such a policy requires, DISC has compiled a number of educational resources that TAS members may refer to when preparing to deliver a land acknowledgement in the traditional territories of Indigenous peoples across Canada. These resources are publicly available:

Canadian Association of University Teachers, “Guide to Acknowledging First Peoples & Traditional Territory” [link](#)

This resource offers the Canadian Association of University Teachers (CAUT) recommended territorial acknowledgement for institutions where our members work, organized by province.

The Elementary Teachers’ Federation of Ontario (ETFO) First Nations, Métis & Inuit Education, “Starting from the Heart: Going Beyond a Land Acknowledgement” [link](#)

This document was developed to provide you with information, ideas and resources that promote further learning while supporting you in your reconciliation journey. It will invite you to acknowledge your own values, your relationship with family, the community and the land. It will also explore our collective responsibility to protect the natural environment. As you go through the resource, you will be invited to engage in the activities and to examine the importance of nurturing relationships with the Indigenous communities in your region.

Subject: Land Acknowledgement Resources

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Guides

Canadian Association of University Teachers, “Guide to Acknowledging First Peoples & Traditional Territory” [link](#)

The following document offers the Canadian Association of University Teachers (CAUT) recommended territorial acknowledgement for institutions where our members work, organized by province.

Native Governance Centre, “A Guide To Indigenous Land Acknowledgment” [link](#)

Native Governance Center co-hosted an Indigenous land acknowledgment event with the Lower Phalen Creek Project on Indigenous Peoples’ Day 2019 (October 14). The event featured the following talented panelists: Dr. Kate Beane (Flandreau Santee Dakota and Muskogee Creek), Mary Lyons (Leech Lake Band of Ojibwe), Rose Whipple (Isanti Dakota and Ho-Chunk), Rhiana Yazzie (Diné), and Cantemaza (Neil) McKay (Spirit Lake Dakota). We’ve created this handy guide to Indigenous land acknowledgment based on our panelists’ responses.

LSPIRG, “Know The Land Territories Campaign” [link](#)

To recognize the land is an expression of gratitude and appreciation to those whose territory you reside on, and a way of honouring the Indigenous people who have been living and working on the land from time immemorial. It is important to understand the long standing history that has brought you to reside on the land, and to seek to understand your place within that history. Land acknowledgements do not exist in a past tense, or historical context: colonialism is a current ongoing process, and we need to build our mindfulness of our present participation. It is also worth noting that acknowledging the land is Indigenous protocol.

Engineers Canada, “A guide to acknowledging First Peoples and traditional land: Land acknowledgements for staff and volunteers” [link](#)

The purpose of this document is to provide guidance and to answer questions for Engineers Canada staff for conducting land acknowledgements at the beginning of meetings, public events, and conferences. This guideline is a hub for understanding the value of conducting land acknowledgements, as well as tips, templates, and protocols for how to do a land acknowledgement at your meetings. It will be regularly updated by the Diversity, Equity, and Inclusion Manager.

University of Saskatchewan, “Land Acknowledgements” [link](#)

Through a series of 5 video blogs, Rose and Stryker invite you to explore a few different elements that are important to understand before building your own Land Acknowledgement: worldviews, positionality, treaties and the Metis homeland. The goal is to help you to build your own awareness about the Indigenous philosophy of *wahkotowin* (all our relations) and how you can honour it when you engage these elements and create your own land acknowledgement.

The Elementary Teachers’ Federation of Ontario (ETFO) First Nations, Métis & Inuit Education, “Starting from the Heart: Going Beyond a Land Acknowledgement” [link](#)

This document was developed to provide you with information, ideas and resources that promote further learning while supporting you in your reconciliation journey. It will invite you to acknowledge your own values, your relationship with family, the community and the land. It will

also explore our collective responsibility to protect the natural environment. As you go through the resource, you will be invited to engage in the activities and to examine the importance of nurturing relationships with the Indigenous communities in your region.

Journal Articles

Rima Wilkes, “Canadian University Acknowledgment of Indigenous Lands, Treaties, and Peoples” [link](#)

Abstract: At many Canadian universities it is now common to publicly acknowledge Indigenous lands, treaties, and peoples. Yet, this practice has yet to be considered as a subject of scholarly inquiry. How does this practice vary and why? In this paper we describe the content and practice of acknowledgment, linking this content to treaty relationships (or lack thereof). We show that acknowledgment tends to be one of five general types: of land and title (British Columbia), of specific treaties and political relationships (Prairies), of multiculturalism and heterogeneity (Ontario), of no practice (most of Quebec), and of people, territory, and openness to doing more (Atlantic). Based on these results, we conclude that the fluidity of acknowledgment as a practice, including changing meanings depending on the positionality of the acknowledger, need to be taken into account.

Jeffery G. Hewitt - Land Acknowledgment, Scripting and Julius Caesar [link](#)

Abstract: This essay follows my presentation at Osgoode’s 21st Constitutional Cases Conference on the growing practice of land acknowledgments, honour and the legacy of now retired Chief Justice McLachlin. During the presentation, I examined some of the Supreme Court of Canada’s constitutional cases arising out of section 35 of the Constitution Act, 1982, along with the practice of land acknowledgments in academic spaces. What follows is an essay critically examining scripted land acknowledgments mainly from post-secondary institutions in Canada. Are land acknowledgments contributing to Canada’s national reconciliation project as so often purported? I consider whether the practice is becoming too comfortable rather than challenging colonization and oppression, which should be uncomfortable. Throughout I offer some reflections on how to evolve the growing practice of land acknowledgments to “version 2.0”.

Eve Tuck & K. Wayne Yang, “Decolonization is not a metaphor” [link](#)

Abstract: Our goal in this article is to remind readers what is unsettling about decolonization. Decolonization brings about the repatriation of Indigenous land and life; it is not a metaphor for other things we want to do to improve our societies and schools. The easy adoption of decolonizing discourse by educational advocacy and scholarship, evidenced by the increasing number of calls to “decolonize our schools,” or use “decolonizing methods,” or, “decolonize student thinking”, turns decolonization into a metaphor. As important as their goals may be, social justice, critical methodologies, or approaches that decenter settler perspectives have objectives that may be incommensurable with decolonization. Because settler colonialism is built upon an entangled triad structure of settler-native-slave, the decolonial desires of white, non-white, immigrant, postcolonial, and oppressed people, can similarly be entangled in resettlement, reoccupation, and reinhabitation that actually further settler colonialism. The metaphorization of decolonization makes possible a set of evasions, or “settler moves to innocence”, that problematically attempt to reconcile settler guilt and complicity, and rescue settler futurity. In this article, we analyze multiple settler moves towards innocence in order to

forward “an ethic of incommensurability” that recognizes what is distinct and what is sovereign for project(s) of decolonization in relation to human and civil rights based social justice projects. We also point to unsettling themes within transnational/Third World decolonizations, abolition, and critical space-place pedagogies, which challenge the coalescence of social justice endeavors, making room for more meaningful potential alliances.

News Articles/Blog Posts

CBC Radio, “I regret it’: Hayden King on writing Ryerson University’s territorial acknowledgement” [link](#)

Excerpt: Territorial acknowledgements have become common in many spaces. You hear them at the beginning of events, in speeches, during school and even at hockey games.

But there’s growing tension about the politics of territorial acknowledgements. Are they emptied of meaning as they become more commonplace?

Hayden King helped write Ryerson University’s territorial acknowledgement in 2012, but now he regrets it.

King, an Anishinaabe writer and educator who works at Ryerson University, spoke to Unreserved host Rosanna Deerchild about territorial acknowledgements, what they mean in today’s political climate and how they can be improved. Here’s part of that conversation.

Ramna Shahzad, “What is the significance of acknowledging the Indigenous land we stand on?” [link](#)

Excerpt: During the opening ceremony for the North American Indigenous Games (NAIG) on Sunday evening, organizers will honour and acknowledge the Aboriginal homelands on which the games are taking place.

It’s a tradition that has dated back centuries for Indigenous people, but for many non-Indigenous Canadians, officially recognizing the territory or lands we stand on is a fairly new concept.

However, it’s one that many Indigenous people say marks a small but essential step toward reconciliation.

Chelsea Vowel, “Beyond territorial acknowledgments” [link](#)

Excerpt: When I think about territorial acknowledgments, a few things come to mind that I’d like to explore. First, what is the purpose of these acknowledgments? Both what those making the territorial acknowledgments say they intend, as well as what Indigenous peoples think may be the purpose. Second, what can we learn about the way these acknowledgments are delivered? Are there best practices? Third, in what spaces do these acknowledgements happen and more importantly, where are they not found? Finally, what can exist beyond territorial acknowledgements?

Selena Mills, “Land acknowledgements are a good first step, but there’s a lot more work to be done” [link](#)

Excerpt: When approached humbly, in authentic consultation with Indigenous people as equals, land acknowledgements can help pave the way to honouring those with whom we share this

land. That means that land acknowledgements can't just be a token gesture. To bring equality to all Canadians, we need to find ways to match those words with action.

Kairos, "Territorial Acknowledgment as an act of reconciliation" [link](#)

Excerpt: In some settings, using a territorial has become a common practice. Often it involves a brief statement at the beginning of a gathering or event to name the Indigenous territory that the gathering is taking place upon. It often involves the names of the First Peoples of the particular area and may also involve acknowledgement of treaties that may have covered that area, or an acknowledgment of the fact that no such treaties exist in the area. It may also involve giving thanks for the land and acknowledging the ongoing oppression and struggles for justice that are facing Indigenous peoples and communities.

Patty Winsa, "Are Indigenous acknowledgements a step forward or an empty gesture?" [link](#)

Excerpt: And like "O Canada," the acknowledgements, which are becoming more widespread in Ontario's institutions, can be stirring.

Some see them as recognition and respect, an acknowledgement that Indigenous people live here as they have for thousands of years, and an important step toward reconciliation

Others see them as meaningless, an Indigenous tradition co-opted by outsiders and with statements that don't go far enough to make amends.

Patrick Mascoe, "Mascoe: Here's why land acknowledgements are both meaningless and patronizing" [link](#)

Excerpt: As I write this, I would like to acknowledge that I am doing so while sitting at my desk on the unceded, unsurrendered traditional territory of the Algonquin people. Why am I telling you this? I'm not sure. But I'm also not sure why I am hearing a similar message every morning on the announcements at the school where I work. Furthermore, I don't know why the same statement is being read prior to my staff meetings and teacher's federation meetings.

Maija Kappler, "Reconciliation more than land acknowledgments, Indigenous groups say" [link](#)

Excerpt: These brief reminders of Canada's colonial history, tucked into the routines of everyday life, are meant as small acts of reconciliation.

But Indigenous leaders stress that the more powerful the institution that makes the statement, the more important it is for it to be accompanied by concrete actions or it appears more as an empty gesture than a sign of respect.

APTN News, "Questioning the usefulness of land acknowledgements" [link](#)

Excerpt: Land acknowledgements have been growing in popularity in the past 10 years to the point they're now at most events or gatherings. But while they're common, some question if they're useful in reconciliation or simply superficial platitudes meant to give the illusion of honour and respect for indigenous land and nations.

Indigenous Corporate Training, "The Relationship between Indigenous Peoples and Place Names" [link](#)

Excerpt: What is the relationship between Indigenous Peoples and place names? Indigenous place names carry knowledge that has been passed from generation to generation - they are the story maps that connected Indigenous people to place and guided Indigenous people from place to place. This people and place connection has remained strong despite the era of assimilation and the impacts on culture and community.

Videos

Centre for Teaching, Learning and Technology, University of British Columbia, “Territory Acknowledgement Panel Talk” [link](#)

Coast Salish Cultural Network, “Making Coast Salish Territorial Acknowledgments Matter” [link](#)

Dr. Cutcha Risling Baldy, “What Good is a Land Acknowledgement” [link](#)

Smithsonian Arctic Studies Center Alaska channel, “Conversations: Land Acknowledgement” [link](#)

San Francisco State University, American Indian Studies, “A Workshop on Land Acknowledgment (Panel)” [link](#)

Misc

Ontario Government “Ontario First Nations Maps” [link](#)

The Ontario First Nations map shows the locations of:

- First Nation communities: listed by band number and cultural affiliation (e.g., Algonquin, Cree, Ojibway)
- Tribal Councils (a grouping of bands with common interests who join together to provide advice and programs to their members)
- reserves (land set aside for bands under the [Indian Act](#) and treaty agreements)
- political organizations (e.g., Union of Ontario Indians, Grand Council Treaty 3)
- land covered by specific treaties

Indigenous and Northern Affairs Canada, “Map Room” [link](#)

In this section, you will find various thematic mapping products on Aboriginal people, communities and initiatives undertaken by the Department. Information is being shown using our web-based interactive maps and/or cartographic static maps available in PDF format for viewing and printing purposes.

Government of Canada, “Territorial acknowledgement” [link](#)

This job aid provides ideas and tips on how to acknowledge Indigenous territories before meetings.

Government of Canada “Welcome to the First Nation Profiles Interactive Map” [link](#)