

The Indigenous Law Research Unit
acknowledges, with respect, the
history and legal traditions of the
lakwanan peoples on whose
lands our office stands, and
those of the Songhees,
Esquimalt, & WSÁNEĆ peoples,
whose relationships with the
land continue today.

These materials were created for educational purposes.

The authors refer to Coast Salish laws and engage with stories from the named communities/nations. None of the authors, ILRU nor NIŁ TU,O claim any ownership over any of these stories or laws. The art and illustrations in these materials have been reproduced with the express consent of the artists who continue to own and possess the copyright for their individual pieces. Their works should not be reproduced or distributed outside the specific use of these materials as part of the Toolkit, Casebook, Abridged Casebook, or Activity Books.

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If you have any questions or concerns about this or anything else in these materials, please email: toolkit@niltuo.ca or ilru@uvic.ca.



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The Coast Salish Laws Relating to Child and Caregiver Nurturance & Safety Toolkit and its corresponding Casebook, Abridged Casebook, and Activity Books are part of a collaborative research project of NIŁ TU,O Child and Family Services Society (NIŁ TU,O) and the Indigenous Law Research Unit (ILRU).

The materials for this collaborative project were imagined and authored by Jessica Asch, Leslie-Ann Paige, and Tara Williamson. They thank the many ILRU and ĆELÁNENEŁ field course students who conducted research and writing for this project, including Emily Beggs, Diana Borges, Kim Francisco, Liam McGuigan, Veronica Martisius, Brendan Noyes, and Mbaka Wadham. The authors are thankful to Cheyenne Arnold-Cunningham, Ellen Campbell, and Brooke Edmonds, who edited the materials.

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A number of community engagement sessions and workshops guided this project. These sessions were organized and co-facilitated by Jessica Asch, Brooke Edmonds, Kim Francisco, Dr. Rebecca Johnson, Veronica Martisius, Liam McGuigan, Leslie-Ann Paige, and Tara Williamson. Community engagement would not have been possible without the participation of all the community members and social workers present at these sessions, or without the support of Brooke Edmonds, Sarah Jackson, Simon Owen, Scott Sam, Katharina Stocker, and John Bradley Williams.

The materials for the Toolkit draw from the knowledge and scholarship of Jo-ann Archibald Q'um Q'um Xiiem, Dr. John Borrows (Kegedonce), Earl Claxton, Sr. (YELKÁTŦE), Dr. Nicholas XEMŦOLTሧ Claxton, Robert YELKÁTŦE Clifford, Dave Elliot Sr., STOLŒŁ (John Edward Elliot Sr.), Dr. Hadley Friedland, Dr. Sarah Morales (Su-taxwiye), Dr. Val Napoleon, Sharon Marlo Paige, and Kwulasulwut (Dr. Ellen White). The Toolkit adapts work released in other ILRU publications authored by Jessica Asch, Lindsay Keegitah Borrows, Dr. Hadley Friedland, Dr. Darcy Lindberg, Dr. Emily Snyder, and Dr. Val Napoleon. The authors are grateful for these contributions to this project.

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ACTIVITY 1: WORD SEARCH

2

UNIT

BOKEĆEN
COAST SALISH
ESQUIMALT
KLALLAM
IƏKWƏŋƏN
SC'IKNEW
SENĆOŦEN
SONGHEES
STÁUTW
T'SOU-KE
WSÁNEĆ
WJOŁEŁP
WSÍKEM

C R U Ε В Ł 0 I Ν S Ν Ε S 0 0 G Н Ε S Ł Ε Ŕ Á L S Ε Α R Ε Т Т S Ķ Υ Ŧ S Ε L R Ε Ν Т ŋ Ć Ζ 4 L 0 Т ٧ X Ν 7 Ε X L Ć Ć U D S C Ε Υ Ε Α S Ķ G Ŧ Ε Н Ν Α Ν 0 Ε M Ŕ I U Υ Ε L Q Ρ S K Т S 0 F S I C 7 0 U Ć Ε C Ν Ŧ D R S Т Q Ć K Χ Α L L Α L W Н R 0 S M Т Á 7 S K Ε М W U S Ε Ķ W 0 U Ε Ε X S Т Ε F S Т Ε G 0 Ν Ν J

WHAT COMMUNITY ARE YOU FROM?

IF YOU ARE NOT FROM ONE OF THE COMMUNITIES LISTED HERE, WHAT COMMUNITY IS CLOSEST TO YOU?

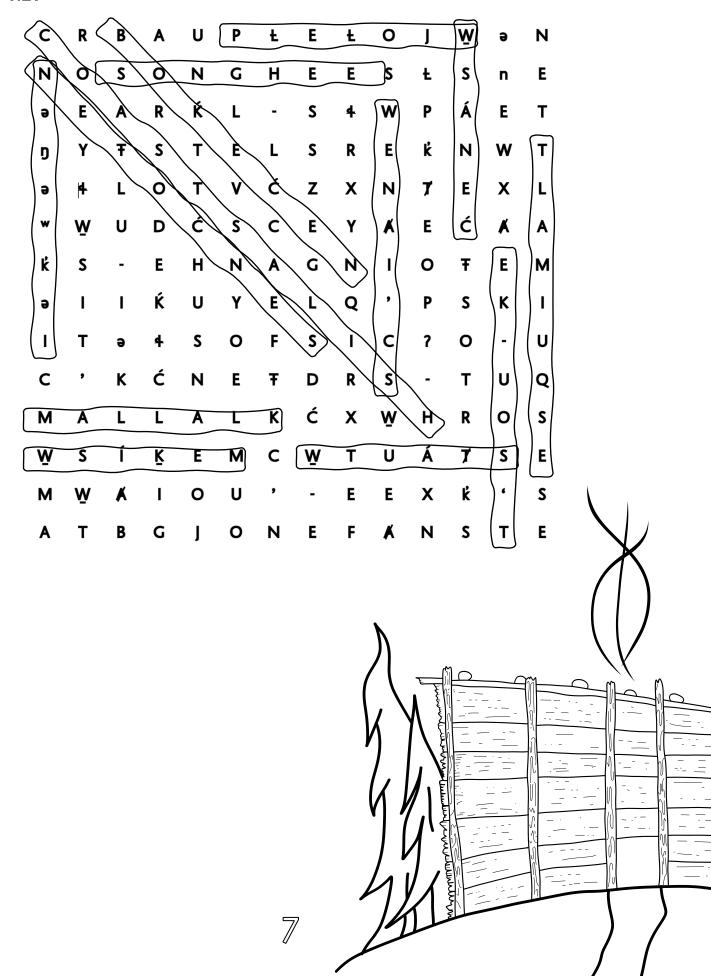
GLOSSARY

COAST SALISH	The Coast Salish World is big! It goes through and beyond the Salish Sea and along the lower Fraser River. There are many Coast Salish nations within the Coast Salish world intersecting with three major city areas: Victoria, Vancouver, and Seattle.
lək ^w əŋən	ləkwəŋən refers to the lands held and lived on by the Songhees and Esquimalt peoples, historically ləkwəŋi?nəŋ-speaking people, for thousands of years. Meaning "the place where the herring fish are smoked," ləkwəŋən peoples occupied territories that cover the bounds of what is known as Greater Victoria and across the Salish Sea, from Albert Head to Cordova Bay and to the San Juan Islands.
ESQUIMALT	The Esquimalt Nation is a small nation on the water of Esquimalt Harbour. Their traditional name is Xwsepsum, also written as Kosapsum. Members of the Esquimalt Nation are part of the ləkwəŋən peoples.
SONGHEES	The Songhees nation is adjacent to Esquimalt and View Royal. Songhees may come from a ləkwəŋi?nəŋ word meaning "people from scattered places." Members of the Songhees Nation are part of the ləkwəŋən peoples.
SC'IÁNEW (BEECHER BAY)	SC'IANEW (pronounced CHEA-nuh) means "the place of the big fish" in the Klallam language. SC'IANEW First Nation is located on Beecher Bay in East Sooke. SC'IANEW lands include Fraser Island, Lamb Island, Long-neck Island, Twin Island, Village Island, and Whale Island.
KLALLAM	Klallam is a language of SC'IANEW First Nation (BEECHER BAY) in East Sooke.
T'SOU-KE	T'sou-ke means "Stickleback" (an endangered species of fish that can be found at the estuary of the Sooke River) in SENĆOŦEN. The T'sou-ke First Nation territory covers from Beechy Head to the east, Port Renfrew to the west, north to the Koksilah River and south towards the United States, including the Northern Straits and Secretary Island.

WSÁNEĆ	WSÁNEĆ means "the emerging people" in SENĆOŦEN. The WSÁNEĆ Nation includes WJOŁEŁP (TSARTLIP), SŢÁUTW (TSAWOUT), WSÍĶEM (TSEYCUM), and BOKEĆEN (PAUQUACHIN). These nations have occupied their villages around the Saanich Peninsula and the Salish Sea continuously for thousands of years.
SENĆOŦEN	SENĆOŦEN is a language spoken by several communities, including those part of the WSÁNEĆ Nation: WJOŁEŁP (TSARTLIP), SŢÁUTW (TSAWOUT), WSÍĶEM (TSEYCUM), and BOKEĆEN (PAUQUACHIN).
BOKEĆEN (PAUQUACHIN)	BOKEĆEN (Pauquachin First Nation) means "land of cliffs and bluffs" in SENĆOTEN. BOKEĆEN is located on the west side of the Saanich Peninsula along the Saanich Inlet.
STÁUTW (TSAWOUT)	SŢÁUTW (Tsawout First Nation) means "houses on top" in SENĆOŦEN. SŢÁUTW is located on the east side of the Saanich Peninsula, north of what is known as Victoria and across from ŁEL, TOS (James Island).
WJOŁEŁP (TSARTLIP)	WJOŁEŁP (Tsartlip First Nation) means "place of the maple leaves" in SENĆOŦEN. WJOŁEŁP is located close to what is known now as Brentwood Bay on the western side of the Saanich Peninusula.
WSÍKEM (TSEYCUM)	WSÍKEM (Tseycum First Nation) means "land of clay" in SENĆOŦEN. WSÍKEM is located on the northwest side of the Saanich peninsula, next to what is known as Patricia Bay.



ANSWER KEY



UNIT

Practice learning local place names and territories by filling in this map.

Mark your home on the map. Whose territory or territories might you be on? If you don't know, how would you find out?

What other connections do you have to these places? Mark those connections with symbols. Some examples might be:

- Where I pick berries;
- My favourite hiking/biking trail;
- My favourite campsite;
- Where I saw a whale.

4

What stories might connect to some of those places?

NOTE

One version of this map can be found on page 13 of the Toolkit

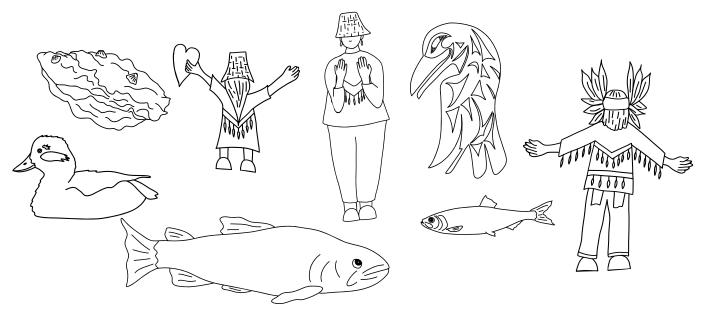
ACTIVITY 3: WHAT IS LAW?

2

UNITS

- 3
- 5

- 1. READ THE LEGEND OF CAMOSSUNG (ləkwəŋən)
- 2. PICK ONE (OR ALL!) OF THE FOLLOWING RELATIVES/IMAGES/OBJECTS FROM THE STORY



3. CONSIDER THE FOLLOWING QUESTIONS

In the Legend of Camossung, what did this relative/image/object teach us about how people should take care of each other?



ACTIVITY 4: THE SCOPE OF LAW (PART 1)

UNITS 2

1. CONSIDER

Fill out these categories with as many examples as you can think of from any legal tradition you can think of

SPECIFIC LAWS/RULES E.g. Don't drink and drive

LEGAL IDEAS, CONCEPTS,

OR PRINCIPLES

E.g. innocence or guilt

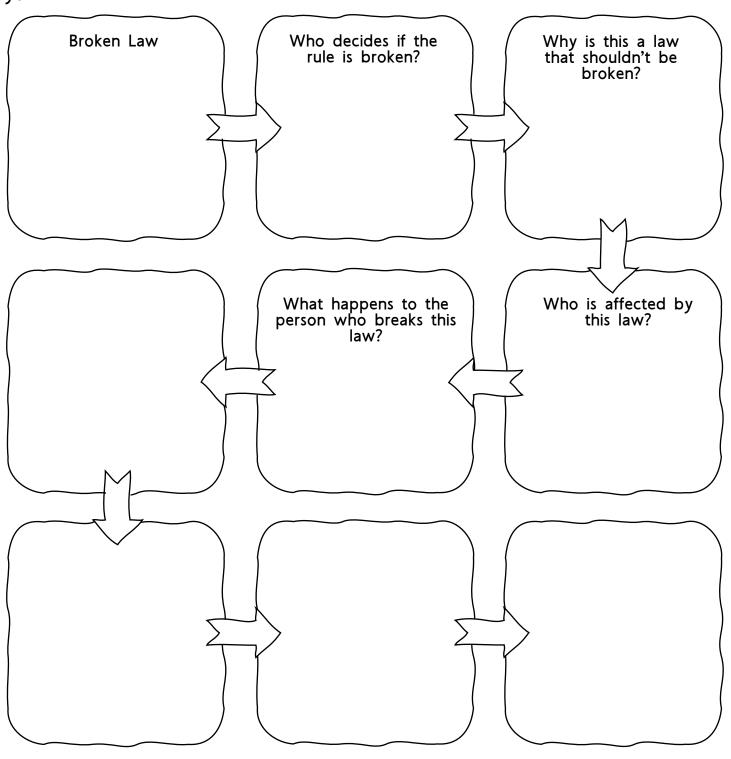
PEOPLE INVOLVED IN THE LEGAL ORDER E.g. Judges

LEGAL INSTITUTIONS (WHERE THE LAW HAPPENS)

E.g. Courtrooms, Bighouses

2. MAP IT OUT

If you were to break one of the specific laws you identified in the first square, what processes would happen if that legal order wanted to address the broken law? Think through as many steps as you can and include the people, institutions and concepts that might be part of the process. Add more process bubbles/shapes if you need!



ACTIVITY 5: THE SCOPE OF LAW (PART 2)

UNITS
2
5

1. READ MR. COOKSHLA AND HIS FAMILY

2. CONSIDER

Identify the laws, legal concepts, actors, institutions and processes. You might not know the exact answers, but, you can infer some details from the story.

SPECIFIC LAWS/RULES
BROKEN

PRINCIPLES THAT
SUPPORT THE EXISTENCE
OF THE LAW THAT
WERE BROKEN

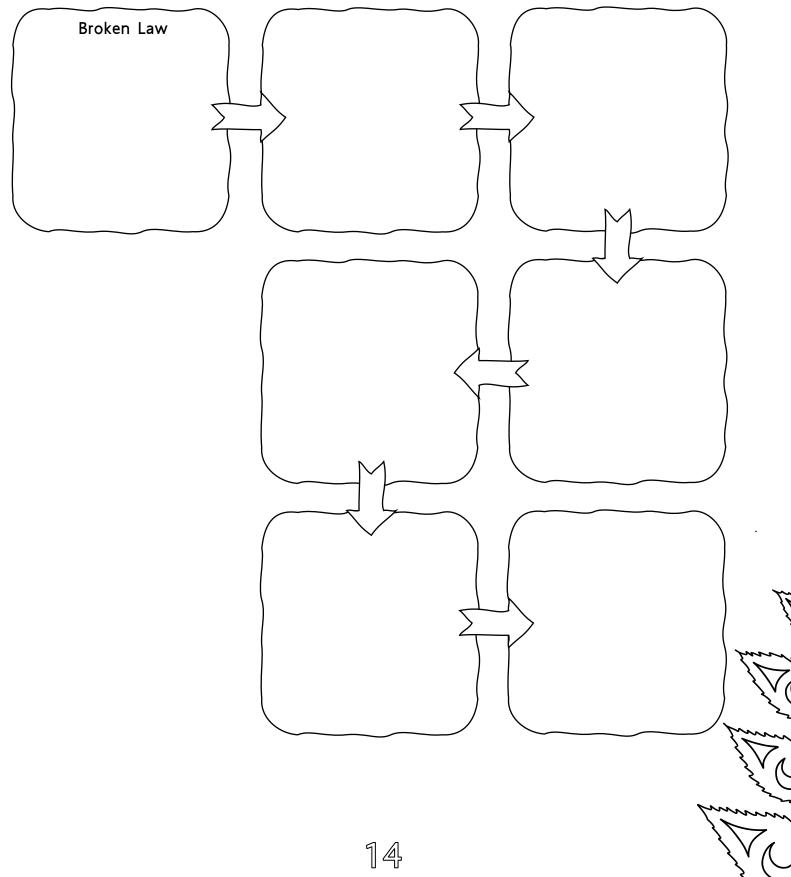
PEOPLE INVOLVED IN THE LEGAL ORDER

LEGAL INSTITUTIONS (WHERE THE LAW HAPPENS)

O NIŁ TU,O & IL

2. MAP IT OUT

After the law was broken, what process(es) happened as a response? Feel free to add your own arrows, and boxes, or draw your own map.



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ACTIVITY 6: LEGAL NARRATIVE ANALYSIS

UNITS

2

3

What are some of the stories shared in your family when you grew up? What are the characters like in those stories? Who are they? How do the stories teach lessons? How do these stories contain laws?

Unit Three of the Toolkit introduces people to a method of looking at Coast Salish stories to draw out the law within them. This method starts by choosing a question to ask the story to learn about the law. It then asks you what facts in the story matter in order to answer the question. Then you look at the story again to see how the question is answered in the story and the reasons why. Here is a breakdown of those pieces.

Issues	Issues are the human problems raised in a story. These are questions you ask a story. There are an infinite amount of questions you can ask a single oral narrative. The key is to find a question that relates to an area of Indigenous law you are researching. It is helpful to ask questions that speak to how people respond in a situation to draw out legal reasoning. For example, in child and caregiver nurturance law, one might focus on questions such as "what is the proper response when a child is in danger?" Or, "what is the proper response when a caregiver needs help?" These are just two examples of the type of questions you might ask.	
Facts	Facts are the relevant background information to the issue. They are the parts of the story that are necessary to understand in order to make sense of a decision made in the story. Not all facts in a story are relevant to a particular issue.	
Resolutions /Decisions	Resolutions/Decisions are the answer(s) to the issue or question raised in a story. There may be more than one resolution or decision. However, the decisions should always directly answer your issues or questions.	
Reasons	Reasons are the "because" of the decision. Sometimes the reasons are said clearly in a story. Sometimes the reasons are unsaid, but you can conclude or infer the reasons because of other information in the story. You must be able to explain your reason from what you have learned from the story itself, and not from other knowledge or information that cannot be linked to the story. Determining the reasoning is important for drawing out specific principles in law.	
Brackets	Brackets are information, questions and thoughts that you may have about a story but are not related to your analysis. They may be places to put other knowledge that you have that might explain something in a story, or things you don't understand at all. We find brackets are a useful place to put questions that might be answered by other stories or indicate where you might see the development of an overall legal principle.	

1. CHOOSE

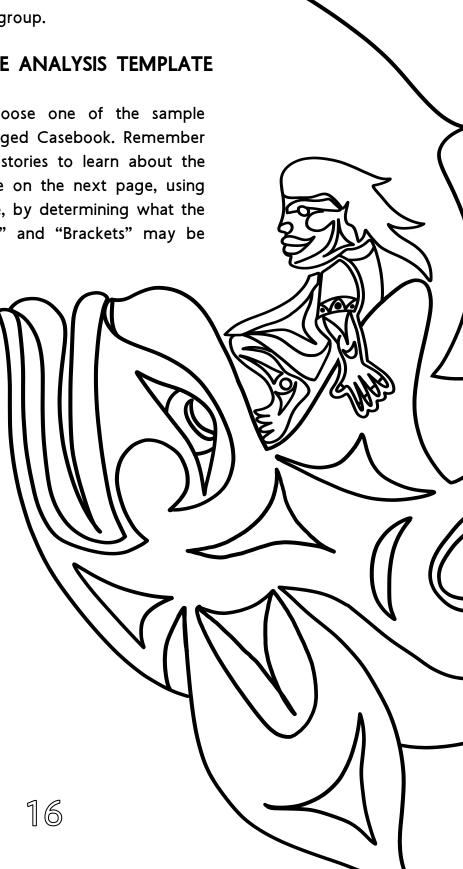
Choose a story from the accompanying Casebook or Abridged Casebook.

2. READ

Read the story out loud to yourself or a group.

3. FILL OUT THE LEGAL NARRATIVE ANALYSIS TEMPLATE

Choose your own question/issue, or choose one of the sample questions/issues in the Casebook or Abridged Casebook. Remember there are endless questions you can ask stories to learn about the law. Try to fill out the following template on the next page, using the chart on the previous page as a guide, by determining what the "Facts," "Resolutions/Decisions," "Reasons," and "Brackets" may be for this story.





	LEGAL NARRATIVE ANA	LYSIS TEMPLATE	
Story			
Source			
Issues What is the main human problem that the story focuses on?			
Facts What facts matter?			
Resolutions /Decisions What is decided? How is the issue resolved?			
Reasons What is the reason behind the decision or resolution? Is there an explanation in the story? Said? Unsaid?			
Brackets What do you need to bracket in this case? What outstanding questions do you have?			



ACTIVITY 7: ERASURE POETRY

UNIT (4)

NOTICE TO THE READER: REMOVAL OF ACTIVITY 7: ERASURE POETRY FROM ACTIVITY BOOK 2

After piloting Activity 7: Erasure Poetry in a workshop with NIŁ TU,O Child and Family Services Society staff, the Indigenous Law Research Unit and NIŁ TU,O Child and Family Services Society have decided to remove this activity from Activity Book 2. While we believe that the viewing and reading of the Statement of Apology to Former Students of Indian Residential Schools is an essential aspect of learning about colonization in Canada, it is also a subject better suited to a more in-depth analysis as part of a broader, comprehensive curriculum.

Activity 7: Erasure Poetry has been deleted from the online materials, and will be replaced with a new activity in future print materials.

We strongly recommend against using this activity in your training and/or classroom.

Should you have any other questions or concerns, please contact ilru@uvic.ca or toolkit@niltuo.ca

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ACTIVITY 8: SIÁTEN AND SESIÁTEN LETTER WRITING

UNITS



6

1. CONSIDER

When we hear a story, we are hearing it from the specific perspectives of the people in the stories or the person telling the story. However, we know from our own experiences that there are many sides to a story. What happens when we think about a story from the perspective of other people in the story?

2. READ

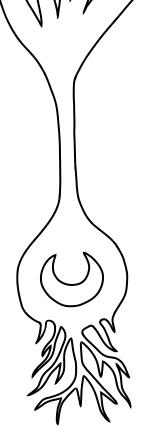
Read the story SIÁTEN and SESIÁTEN.

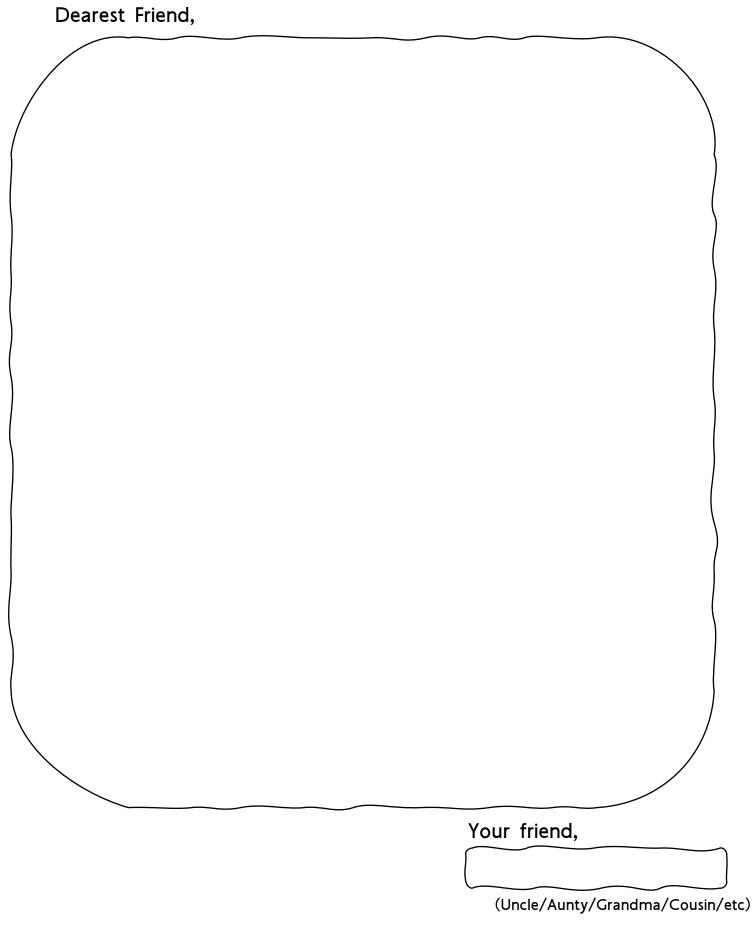
3. REFLECT

In the story SIÁTEN and SESIÁTEN, the main actors are a Mother and a Son/Boy. For this exercise, think about how an Aunty, Uncle or Grandparent might convey the story to someone.

4. WRITE OR DRAW

Put yourself in their position and write a letter to a friend explaining to them the story. Include some things you think that person might be thinking or feeling and their own opinion on might feel and what they might say if they were writing a letter to a friend about what happened.





ACTIVITY 9: WHAT'S GENDER GOT TO DO WITH IT?

UNIT 5

The story of SIÁTEN and SESIÁTEN involves a mother and a son. When we read these facts, we are inclined to assign the gender of "woman" to the mother and "boy" to the son—and this is reinforced with the use of the pronouns she/her and he/him.

Coast Salish societies has different kinds of gender ascriptions and roles than we might be familiar with. The SENĆOŦEN language also has different words to describe gender and sex than English. For this reason, it is sometimes difficult to completely understand how gender affects how an old story is told or heard.

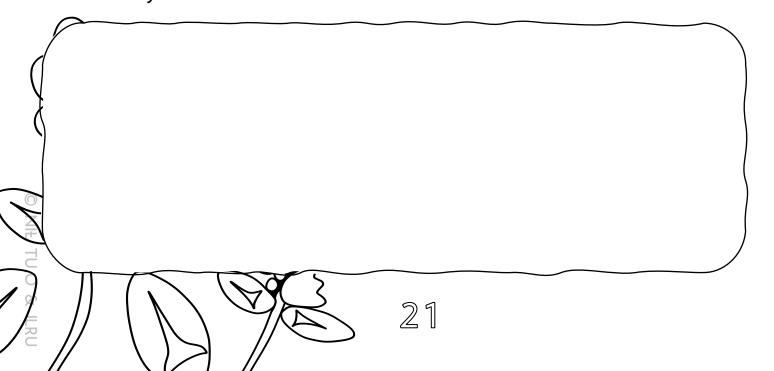
An interesting way to challenge our own reading of a story using a gendered lens is to change the genders of the main actors in the story.

2. READ

Read (or re-read) SIÁTEN and SESIÁTEN and consider the following changes:

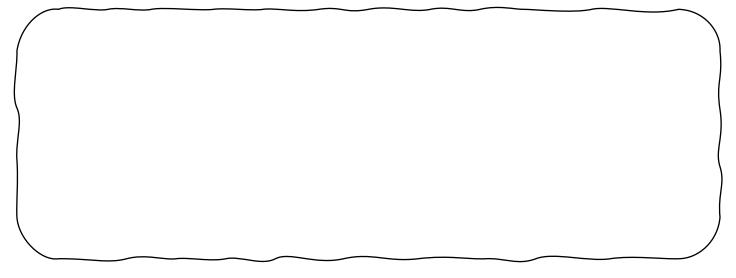
What if SIÁTEN and SESIÁTEN were Father & Son

What are a father's obligations to his son in this story? Do they differ from that of a mother? How? Do you think a father would grieve his son the same way a mother would? How? Do you think the community would have the same response to a father as they did to the mother? Why?



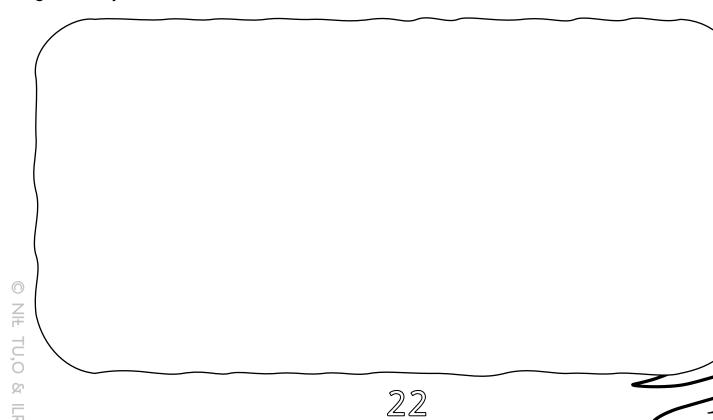
What if SIÁTEN and SESIÁTEN were Mother & Daughter?

What are a mother's obligations to her daughter in this story? Do they differ from that towards a son? How? Do you think a mother would grieve her daughter the same way she grieved a son? How? Do you think the community would have the same response to a daughter being lost as they did to a son? Why?

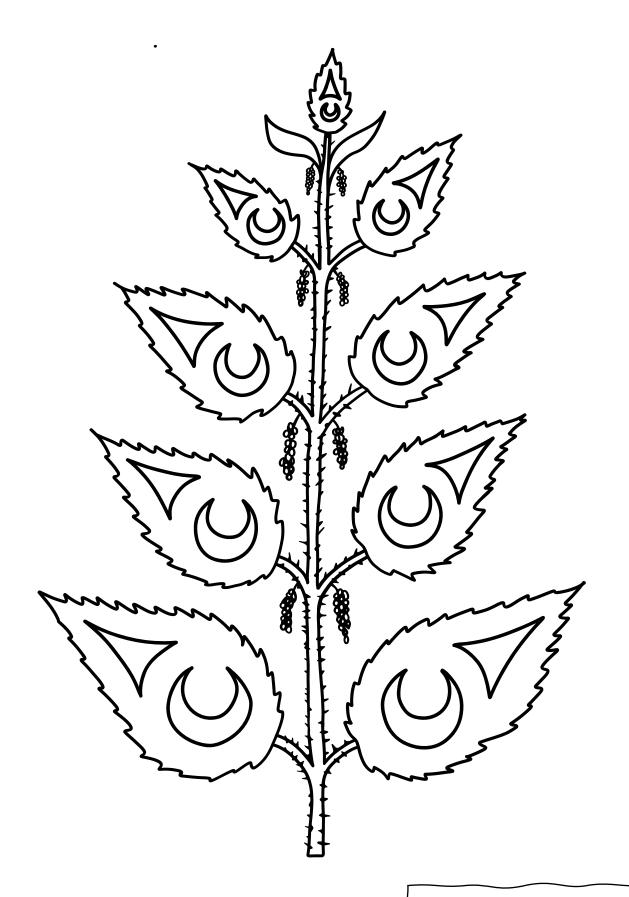


What if SIÁTEN and SESIÁTEN were trans, two spirit, or non-binary parent &/or child?

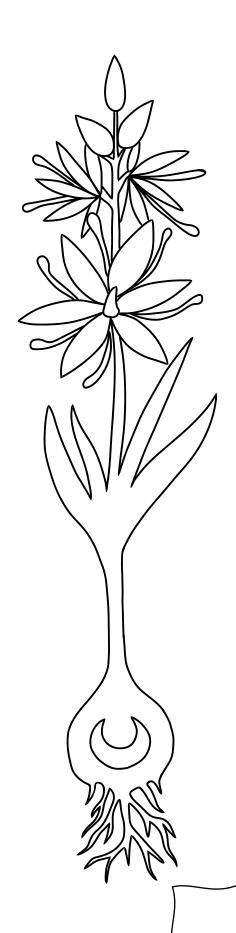
What are a parent's obligations to a child? Do those obligations change depending on gender How? Are there societal expectations about how different genders experience grief? Why?



COLOURING PAGES



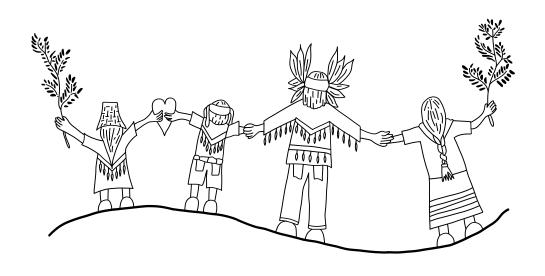
Stinging nettle By: Sarah Jim



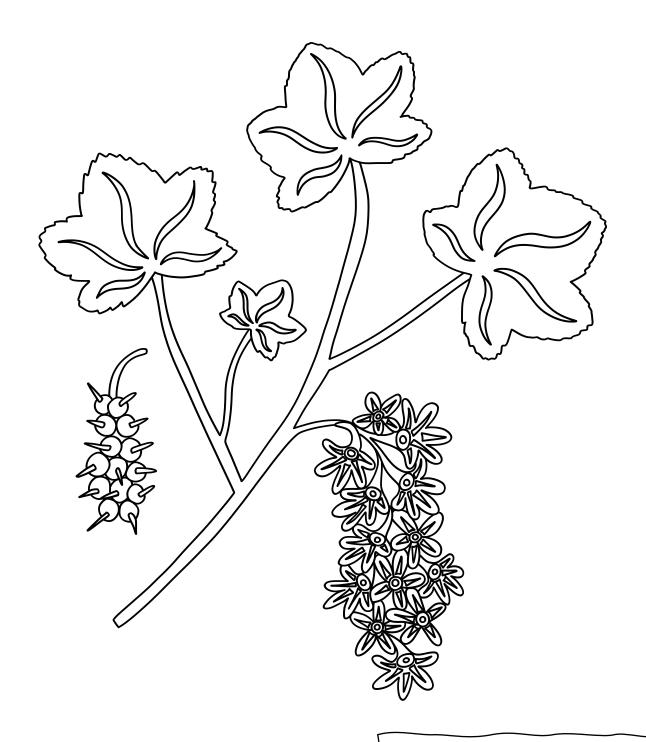
Camas

By: Sarah Jim



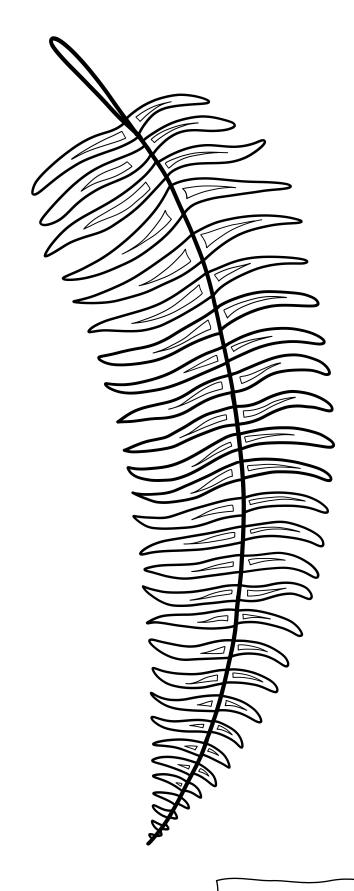


By: Bradley Yuxwelupton Dick



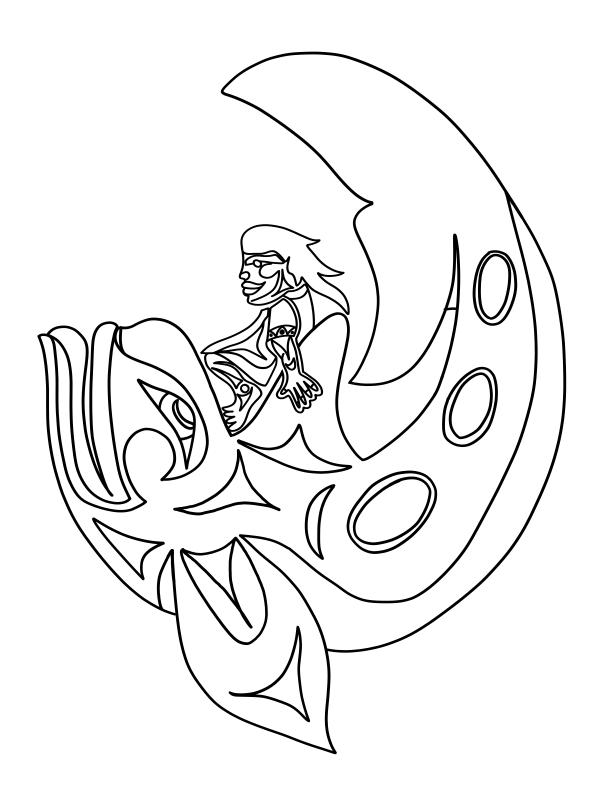
Redflower Currant

By: Sarah Jim

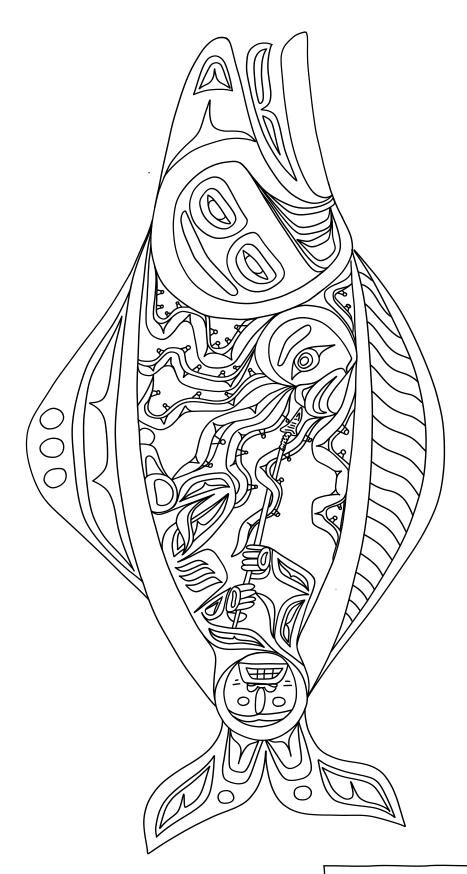


Fern

By: Sarah Jim

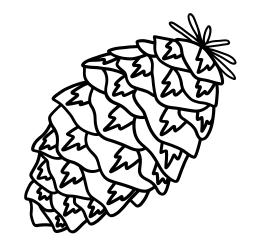


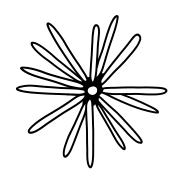
By: Doug LaFortune

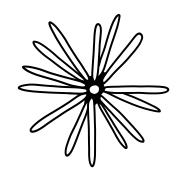


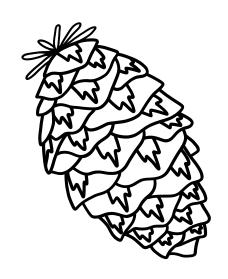
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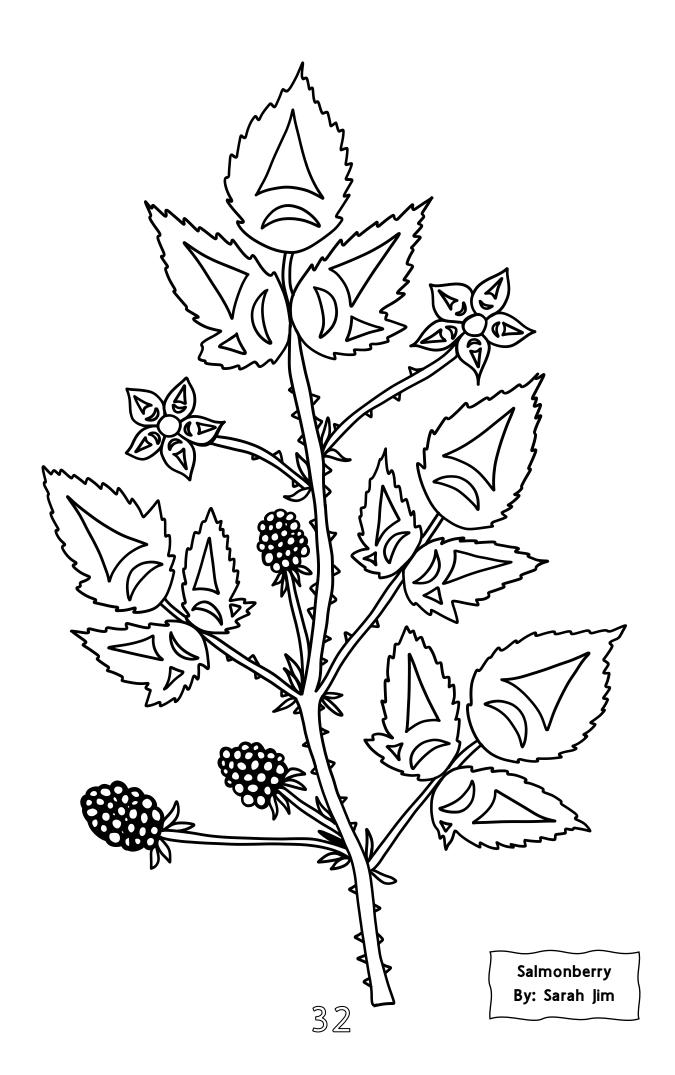


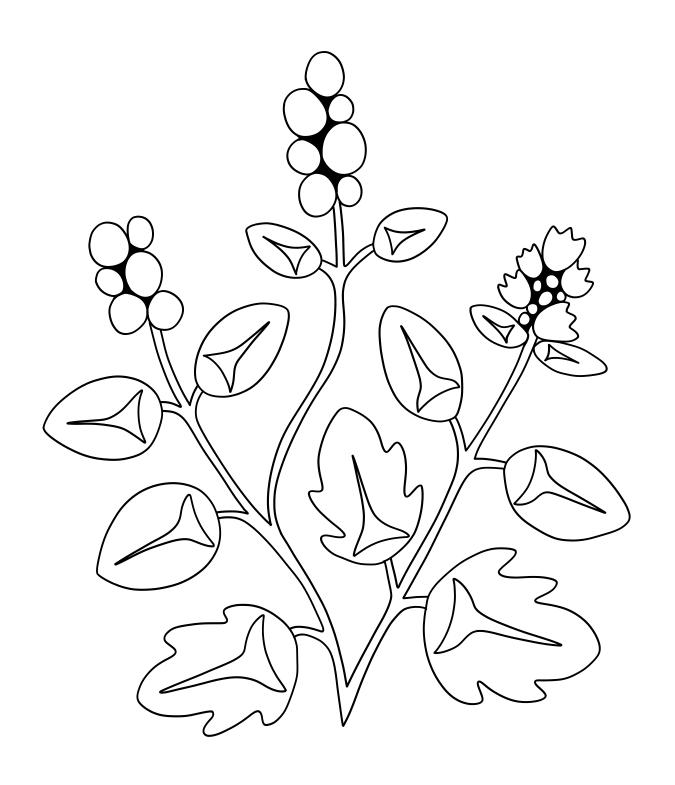






By: Sarah Jim





Snowberry By: Sarah Jim



By: Doug LaFortune



By: Doug LaFortune

NOTES



