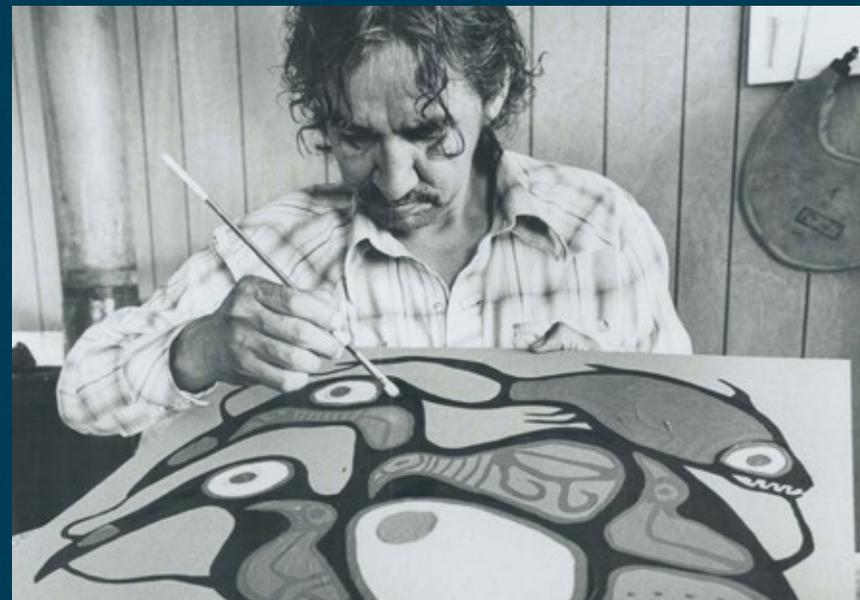


This publication gathers first-hand experiences and perspectives on promoting and protecting the arts, cultural expressions, and artistic practices of Indigenous Peoples. The experiences and insights shared here articulate both the real-life encounters and challenges with misappropriation of arts, cultural expressions, and artistic practices, as well as some of the tools and solutions being advanced to address these challenges.

Through this publication, we seek to advance a shared understanding of the issues and challenges of cultural misappropriation at the local, regional, national, and international levels. Our hope is that the experiences and stories shared in this publication will encourage dialogue and the ongoing development of effective solutions to promote and protect Indigenous arts, cultural expressions, and artistic practices. We also hope that this work will help educate the public and the Canadian and international arts milieu about misappropriation and its negative social, cultural and economic impacts. In our view, this publication is part of an important effort to explore what is being done and what still needs to be done.



Norval Morrisseau.

Photo by Graham Bezant/Toronto Star via Getty Images

“ *...appropriation is not about a simple “borrowing” of cultural elements or an equal cultural exchange – it’s a much more insidious, harmful act that reinforces existing systems of power.* ”

– Dr. Adrienne Keene

Promoting and Protecting the Arts and Cultural Expressions of Indigenous Peoples

Belcourt, Igloliorte & Robinson



Promoting and Protecting **the Arts and Cultural Expressions of Indigenous Peoples**

A Compendium Of Experiences And Actions

Edited by: **Tony Belcourt, Heather Igloliorte & Dylan Robinson**

Importantly, the writings contained in this compendium reflect contributors' personal experiences and reflections, often drawing from lifetimes of expertise working in their particular areas of artistic and cultural practice. It is this individual and personal connection to cultural and artistic practices and to experiences of misappropriation and misuse that is of particular value. Given that many Indigenous art forms are deeply connected to different forms of cultural knowledge, spirituality, medicine, legal orders, and family and community history, it is impossible (and undesirable) to separate personal lived experience from our work of examining misuse and misappropriation.

It is also important to note that the stories and experiences our authors share constitute multiple perspectives in an ongoing dialogue on promoting and protecting Indigenous arts, cultural expressions, and artistic practices. With the broad cultural diversity across Nations and communities, it would be impossible for a collection of writings of this kind to be definitive in its scope, or comprehensive in its analysis of misuse and misappropriation. Our hope is that the experiences shared here might lead to continued discussion that in turn prompts the development of new approaches and tools.

|| Within colonial structures we must take the position that we are all agents of either stasis or change. For every act of political, social or cultural agency that challenges the status quo, there will always be competing forces of colonial entrenchment/ privilege, oppositional paranoia or, simply, inertia.

—Steven Loft

Lou-ann Neel working in studio. Photo courtesy of Lou-ann Neel.





Tony Belcourt

Photo courtesy of Tony Belcourt.

Tony Belcourt, O.C., LL.D (Hon.) has a strong reputation as a successful leader and innovative public relations and communications specialist including as a writer, director and producer of film, radio, video and audio productions. His interest in the arts and communications spans more than 5 decades. In 1968 he was Vice-President and Managing Director of Team Products, Alberta and Mackenzie, a cooperative of 500 Indigenous artists and crafts people in those regions. A lifelong

advocate for the rights of Indigenous Peoples he has served on many boards including the Métis National Council, the Métis Nation of Ontario Cultural Commission, the Indigenous Commission for Communications Technologies in the Americas and the Ontario College of Art and Design University. Recently he has been active in a proposal to develop an Indigenous Art Registry. Carried by the pipe, he is regarded as a Métis elder.



Heather Igloliorte

Photo courtesy of Heather Igloliorte. Photo by Lisa Graves.

Heather Igloliorte is an Inuk from Nunatsiavut who holds the Tier 1 University Research Chair in Circumpolar Indigenous Arts at Concordia University, is an associate professor in the Department of Art History, and co-directs the Indigenous Futures Cluster of the Milieux Institute for Arts,

Culture and Technology. Heather has also been a curator since 2005, and directs the *Inuit Futures in Arts Leadership: The Pilimmaksarniq/ Pijariuqsarniq Project*, which aims to grow the number of Inuit and Inuvialuit in decision-making roles in the arts through training and mentorship.



Dylan Robinson

Photo courtesy of Dylan Robinson.

Dylan Robinson is a xwélmexw (Stó:lō/Skwah) artist and writer, and the Canada Research Chair in Indigenous Arts at Queen's University. He is the author of *Hungry Listening* (University of Minnesota Press, 2020) on Indigenous and settler colonial forms of listening.

A COMPENDIUM OF EXPERIENCES AND ACTIONS

This collection of articles addresses a broad range of examples that include multiple art forms and cultural expressions from across Indigenous communities and involve different actors and stakeholders from individuals to organizations and government funding bodies. Our goal of sharing and gathering these stories is to provide examples of tools and solutions that have been or could be developed to address the challenges raised by the contributors and others.

This publication was created through a collective effort. It gathers stories and reflections from 30 contributors. Copyright over individual articles is held by the authors of the articles. Copyright over the photographs is held by the owner of the photographs. The lead editorial team was Tony Belcourt, Heather Igloliorte, and Dylan Robinson. The design and layout were done by Shaun Vincent and his team at Vincent Design, including Chris Redekop, Kali MacDonald, and Doris Quill. The Department of Canadian Heritage (PCH) provided support, including financial, project management, and editorial from Joanne Rycaj Guillemette, Gaëlle Groux, Celeste Robitaille, and Sam Generoux. For inquiries about the publication, please contact the International Trade Branch at the Department of Canadian Heritage (PCH).



The creation of art is an economic and social pillar of Indigenous communities, and the value to Indigenous people extends far beyond the simple means of generating income. Indigenous culture endures because of its art and artists.



—Tony Belcourt

Promoting and Protecting **the Arts and Cultural Expressions of Indigenous Peoples**

A Compendium Of Experiences And Actions

15 Eddy Street
Gatineau, QC K1A 0M5

Email

PCH.info-info.PCH@canada.ca

Telephone

819-997-0055

1-866-811-0055

Call toll-free from all regions,

Monday to Friday, 8:30 a.m. to 5:00 p.m. (Eastern time)

TTY

1-888-997-3123 (for people who are deaf,
hard of hearing or speech impaired)

Table of Contents

| | |
|--|-----------|
| Introduction | 3 |
| Themes and Shared Considerations ----- | 3 |
| The Parameters and Stakes of Misappropriation and Misuse ----- | 5 |
| Navigating Appropriation, Collaboration and Intellectual Property in the Art World ----- | 6 |
| Sovereignty and Self-Determination Over Our Arts and Cultural Knowledge ----- | 7 |
| Experiments in Indigenous-Led and Government-Supported Protections and Protocols ----- | 8 |
| Creating a Critical Mass in Indigenous Arts Leadership ----- | 9 |
| Kidji pigidinimowatc kidja atowatc kegoni mamowi kidja pigidinimowatc kah-ndendagonik ----- | 10 |
| Kagi odja ishkwasik mamowi ka anotc inabidjicigadek ----- | 11 |
| Kidojigabwimigiton, kidja mamowi odimamidiyatc apitc anishnabe atok khja kishkitok ----- | 12 |
| Kidja minjodiziyak eja ndendimak, ehja tebwetimac odja, anishnabe odikidowin ----- | 13 |
| Kidja mamowi gweshtowik maamowi kidja odimtayik mamowi kitchiogimanodagin opimehna ----- | 15 |
| Odoshtonawa eh pitendagonik anishnabe odoshtcigan ----- | 15 |

| | |
|--|-----------|
| Themes akwa En pawr Itaystamowin ----- | 16 |
| Aen Ishchikatayk akwa En risk ouschi | |
| Kipachi-awpachihtawin akwa Waanapachihtawin ----- | 18 |
| Aen Paminikayk Katawa Awpachihtawin, En partineuz Weechayhtoowin akwa Ka tipayituhk Miyikosiwinin ooma En tayr Li art ----- | 19 |
| Tipaychikayiwn akwa Wiiya-ikoo Tipaymishouwin Shawpou Kiyanawn Li art akwa Ka ishi Pimaatishihk Kishkayistamowin ----- | 20 |
| Natounikaywin didawn Lii Pramyii Nawsyoon-neekwanaywin akwa Li gouvarnimawweechihiwaywin Pishkawpashtamowin akwa Awn nagrimawn ----- | 21 |
| Ooshistaw a Aenportaan Li noombr didawn Lii Pramyii Nawsyoon Li art Neekawneewin ----- | 22 |
| ΔΓΛΡΒΔΛΨΛΨΛΨ CLΔΨΔ ΔΓΛΒΨΨΔΠΔΠΔΨΛΨΛΨ -- | 24 |
| ΔΓΛΡΒΔΛΨΛΨΛΨ ΔΓΛΒΨΨΔΠΔΠΔΨΛΨΛΨ ΔΓΛΒΨΨΔΠΔΠΔΨΛΨΛΨ ----- | 26 |
| ΔΓΛΡΒΔΛΨΛΨΛΨ ΔΓΛΒΨΨΔΠΔΠΔΨΛΨΛΨ ΔΓΛΒΨΨΔΠΔΠΔΨΛΨΛΨ ΔΓΛΒΨΨΔΠΔΠΔΨΛΨΛΨ ----- | 26 |
| ΔΓΛΡΒΔΛΨΛΨΛΨ ΔΓΛΒΨΨΔΠΔΠΔΨΛΨΛΨ ΔΓΛΒΨΨΔΠΔΠΔΨΛΨΛΨ ΔΓΛΒΨΨΔΠΔΠΔΨΛΨΛΨ ----- | 27 |
| ΔΓΛΡΒΔΛΨΛΨΛΨ ΔΓΛΒΨΨΔΠΔΠΔΨΛΨΛΨ ΔΓΛΒΨΨΔΠΔΠΔΨΛΨΛΨ ΔΓΛΒΨΨΔΠΔΠΔΨΛΨΛΨ ----- | 29 |

Introduction

Tony Belcourt, Heather Igloliorte & Dylan Robinson

This publication gathers first-hand experiences and perspectives on promoting and protecting the arts, cultural expressions, and artistic practices of Indigenous Peoples. The experiences and insights shared here articulate both the real-life encounters and challenges with misappropriation of arts, cultural expressions, and artistic practices, as well as some of the tools and solutions being advanced to address these challenges.

Through this publication, we seek to advance a shared understanding of the issues and challenges of cultural misappropriation at the local, regional, national, and international levels. Our hope is that the experiences and stories shared in this publication will encourage dialogue and the ongoing development of effective solutions to promote and protect Indigenous arts, cultural expressions, and artistic practices. We also hope that this work will help educate the public and the Canadian and international arts milieu about misappropriation and its negative social, cultural and economic impacts. In our view, this publication is part of an important effort to explore *what is being done and what still needs to be done*.

3

Themes and Shared Considerations

The articles within this collection address a wide range of issues and considerations. While they have been grouped under five broad themes, we acknowledge that many of the experiences shared may touch upon more than one of these topics as well as issues beyond these five thematic groupings. The five themes are as follows:

1. The Parameters and Stakes of Misappropriation and Misuse
2. Navigating Appropriation, Collaboration, and Intellectual Property in the Art World
3. Sovereignty and Self-Determination Over Our Arts, Cultural Expressions, and Artistic Practices

4. Experiments in Indigenous-Led and Government-Supported Protections and Protocols
5. Creating a Critical Mass in Indigenous Arts Leadership.

Importantly, the writings contained in this compendium reflect contributors' personal experiences and reflections, often drawing from lifetimes of expertise working in their particular areas of artistic and cultural practice. It is this individual and personal connection to cultural and artistic practices and to experiences of misappropriation and misuse that is of particular value. Given that many Indigenous art forms are deeply connected to different forms of cultural knowledge, spirituality, medicine, legal orders, and family

and community history, it is impossible (and undesirable) to separate personal lived experience from our work of examining misuse and misappropriation.

It is also important to note that the stories and experiences our authors share constitute multiple perspectives in an ongoing dialogue on promoting and protecting Indigenous arts, cultural expressions, and artistic practices. With the broad cultural diversity across Nations and communities, it would be impossible for a collection of writings of this kind to be definitive in its scope, or comprehensive in its analysis of misuse and misappropriation. Our hope is that the experiences shared here might lead to continued discussion that in turn prompts the development of new approaches and tools. As this conversation continues, it will be important to hear other examples and experiences of misuse and misappropriation, develop tools and approaches for promoting self-determination in the arts, and consider new protocols for addressing historical and ongoing harms.

The current era of reconciliation following the Truth and Reconciliation Commission, in which arts organizations, funding bodies, and educational institutions have sought to support and prioritize Indigenous art and knowledge, has resulted in a drive toward Indigenous inclusion. While numerous opportunities and recognition for Indigenous artists have arisen from this, it has also spawned instances where non-Indigenous artists and organizations have sought to “include” Indigenous stories, art, design, and other cultural expressions without permission and consultation. This has often resulted from a misrecognition of what constitutes

misuse. Typically, from a Western perspective, only directly copied artworks, rather than the use of a form, “style” or “technique,” is understood as misappropriation. For many Indigenous people, particular forms are governed by hereditary rights, or have a complex relationship with community stewardship.

In other cases, the accessibility of Indigenous cultural expressions—stories, songs, knowledge—circulated by anthropologists and ethnographers in print and collected in museums and institutions of higher learning, has led to a misunderstanding that the rights to the use of this work have been extinguished. This is far from the case, as the hereditary rights of Indigenous Peoples to our cultural expressions persist, while understandings of community stewardship and governance of cultural practice remain strong. While these systems of Indigenous law (sometimes called “Indigenous legal orders” or “customary law”) may not be well understood by the non-Indigenous public, they provide the foundations for Indigenous people in determining cultural rights as well as processes for reparation when these rights are violated.

This collection of articles addresses a broad range of examples that include multiple art forms and cultural expressions from across Indigenous communities and involve different actors and stakeholders from individuals to organizations and government funding bodies. Our goal of sharing and gathering these stories is to provide examples of tools and solutions that have been or could be developed to address the challenges raised by the contributors and others.

“ I no longer want to have First Peoples’ songs held hostage in classical music pieces ... I no longer want to hear members of Indigenous communities telling me they had no idea their songs were part of a museum’s collection. ”

—Dylan Robinson

The Parameters and Stakes of Misappropriation and Misuse

The authors included in this collection address the infringement upon their own and other Indigenous Peoples' arts, cultural expressions, and artistic practices using a variety of terms including appropriation, misappropriation, misuse, plagiarism, and theft. This publication does not seek to untangle or narrow the terms used to describe these various forms of infringement; rather, our approach has been to allow contributors to share their own experiences in their own voices, and to employ the terms that are meaningful to them. As Cherokee scholar Dr. Adrienne Keene has written,

appropriation is not about a simple "borrowing" of cultural elements or an equal cultural exchange – it's a much more insidious, harmful act that reinforces existing systems of power,¹

referring to what transpires when members of a dominant culture appropriate from those whose culture that same dominant group has long oppressed. Regardless of the particular terms employed, the writings in this text are unified by a concern for when the rights of Indigenous artists and knowledge holders have been abrogated by other individuals, organizations, and corporations with or without the intention to do so. This latter point on intentionality is important to foreground, as a common argument against misappropriation is that positive intention renders claims of appropriation null and void. Another misunderstanding about appropriation arises from the fallacy that it is *only* constituted by premeditated intention to use or replicate without the agreement

of the artist or individual. There continue to be instances where artists use what they (mis)understand to be merely a "technique" or "style" of Indigenous art to create their work, without realizing that Indigenous hereditary rights often govern the usage of such designs and technique. Ignorance of the ways in which Indigenous artistic "technique" (such as that used in Throat Singing or formline design) constitutes an artwork points to the continued need to educate the public regarding the relationship between Indigenous rights and cultural practice. Yet another misunderstanding arises from the very category of Indigenous art as "folk art". By this token, generations of settler Canadians have understood Indigenous art to be a resource inherited by the Canadian public. As Lou-ann Neel cogently notes in this publication, Indigenous art was "often mistakenly understood by the general public to be 'in the public realm' – and must therefore be available to use free of charge or free of permissions."

In terms of this categorization of what Indigenous art is, it is additionally imperative to remember, as Dylan Robinson points out in his article, that Indigenous art holds functions beyond its existence as art. Indigenous art, cultural expressions, and artistic practices, including song and dance, have important roles as primary historical documentation (the equivalent to a book) of a family or community, as medicine, or as a legal order. Additionally, such art forms are sometimes considered by Indigenous people as having life – as ancestors, as beings, and life that is not comparable to human life. In this way, the misuse of what might be considered an artwork or song, in some instances may violate more than the artist's rights; it may enact epistemic

¹ Keene, Adrienne. "Whose Culture Is It, Anyway?" *The New York Times*, *The New York Times*, 4 Aug. 2015, www.nytimes.com/roomfordebate/2015/08/04/whose-culture-is-it-anyhow/the-benefits-of-cultural-sharing-are-usually-one-sided.



violence against these other forms of knowledge, or against life. Thus, while financial loss is one of the primary impacts when forms of Indigenous cultural expression are used without explicit agreement from individual artists, there is also significant cultural and spiritual detriment that arises from the appropriation of Indigenous artwork, design, and other cultural expression.

As Robinson and MacKay each point out, appropriation was often experienced within a context of Canadian settler colonialism, including widespread cultural censorship imposed upon Indigenous Peoples between the late nineteenth and mid-twentieth centuries under Section 3 of the *Indian Act* (often referred to as the Potlatch Ban), but also by missionaries and churches, as well as through residential schools. Thus, the experience of having one's cultural practice 'taken' is experienced as a dual loss that is felt intergenerationally.

Navigating Appropriation, Collaboration and Intellectual Property in the Art World

Appropriation of Indigenous art is rampant. In the essays by Christi Belcourt, Carmen Robertson and Lucinda Turner, we can see how these issues are addressed by individuals, industry, and institutions. Among other things, these essays explore the differences between directly copying works and the appropriation of styles and motifs. This distinction is a fundamental component in how we think about providing effective protection to the artists.

In Christi Belcourt's case, we learn of her struggles to remove products from websites that have misappropriated her designs on clothing sold around the world. However, we also learn of collaboration with the fashion industry to reproduce her works in a way that is not only appropriate, but which is acceptable to her. Christi also brings to light the uneasy question of misappropriation between Indigenous Peoples themselves.

Carmen Robertson points out that the "market is flooded with forgeries" of Norval Morrisseau. Her essay tells us about a comprehensive research project hosted by Carleton University that will document for the first time Morrisseau's works from the first thirty-five years of his art career. The project also explores the traditions and culture that influenced the genius of his works.

Lucinda Turner's essay provides an insight into the massive production of fake and stolen Northwest Coast Indigenous Art, ceremonial artifacts and clothing via the internet, in souvenir shops, flea markets and art galleries. Her essay speaks to the extent of copyright infringement and the need for legislative change.

Sovereignty and Self-Determination Over Our Arts and Cultural Knowledge

7 In recent years, Indigenous Peoples have been championing the development of major changes at Canadian cultural institutions that encourage these institutions to reframe and reconsider their responsibilities to First Nations, Métis, and Inuit in Canada, whose cultures and knowledges they often hold in trust. Ultimately, these initiatives aim to foreground Indigenous sovereignty and rights to self-determine such concerns as who has access to and decision-making authority over our arts and cultural expressions. In two essays about innovative work currently underway at the Canada Council for the Arts and Library and Archives Canada, both Steven Loft and Jennelle Doyle et al. foreground their commitments to addressing the ongoing impacts of the colonial legacies of Canadian museums, art galleries, archives, universities and funding bodies. Through their collaborative work with Indigenous interlocutors and their allies both within and outside these institutions, they have launched new programs that seek to create new relationships built on respect, reciprocity, and trust. In "Creating, Knowing and Sharing: The Arts and Cultures of First Nations, Inuit and Métis Peoples," Loft explains how a radical departure from a prescriptive approach to arts funding towards more Indigenous-led processes has not only prompted a transformation in how the Canada Council for the Arts considers its responsibilities to Indigenous artists, but also calls for the whole country to consider how it can better act on its nation-to-nation relationship.

In the essay by Doyle et al. on the "Listen, Hear Our Voices" project at Library and Archives Canada, they examine how the institution similarly aims to improve its accountability to Indigenous Peoples and uphold the equality of Indigenous knowledge to Western knowledge. To do this, the project uses a two-pronged approach that both preserves existing knowledge (through the free digitization of Indigenous language and culture audiovisual recordings)

and builds capacity in communities to build and maintain their own archives. Importantly, both reinvigorated processes at these beehive cultural organizations have been led by deep, meaningful, and ongoing Indigenous consultation and collaboration.

While Loft and Doyle et. al. discuss the currently unfolding, institution-wide changes, Carey Newman's essay, "Changing Relationships," considers a single yet monumental action of asserting Indigenous sovereignty within a non-Indigenous institution. He describes the process of negotiating a resting place for the *Witness Blanket*, the massive sculptural work that toured across Canada between 2014-2019, sharing and gathering Indigenous experiences of residential schools through potent memory objects, photographs, text and other evocative commemorations, within the Canadian Museum for Human Rights (CMHR). Providing the perspective of being on the other side of this negotiation, Jennefer Nepinak describes the process of negotiating for the care of the *Witness Blanket* at the CMHR. She argues that the agreement serves as a powerful example of how we can forge new relationships in the future by meaningfully and respectfully bringing Indigenous traditions and western legal concepts together.

Drawing on Kwakwaka'wakw understandings of sacred masks as living ancestors, Newman considers the *Witness Blanket* similarly as an entity unto itself, which therefore cannot be bought or sold, but only jointly stewarded by artist and institution alike. In this essay, the artist explains how he and the museum negotiate their shared responsibility. In this process, Newman forges new, sovereign pathways forward in relations between institutions and Indigenous arts that may inspire fundamental reconsideration of the museum-artist relationship.

Experiments in Indigenous-Led and Government-Supported Protections and Protocols

Indigenous communities, governments, and industry are increasingly recognizing the importance of appropriate protocols in the protection, preservation, and promotion of Indigenous art in all of its forms. Protocols can articulate how communities and Indigenous People deal with issues. They can also result in fair market practices that protect the interests of both Indigenous Peoples and their communities as well as the consumer.

The essays by Tony Belcourt, Blandina Makkik, Patricia Adjej, and co-authors Jane Anderson, James Francis and Māui Hudson provide examples of how these protocols and protections are now manifested through Indigenous and government action. The essay *Traditional Knowledge and Biocultural Labels* as well as the *Igloo Tag Trademark* illustrate how Indigenous Peoples and their communities can implement processes and laws that acknowledge the provenance of Indigenous culture, traditions, and art forms.

Ensuring respect for the authenticity of Indigenous art as well as ensuring that artists are fairly compensated for their work are priorities for Indigenous Peoples. The essays *Development and Implementation of Resale Rights for Australian Indigenous Visual Artists* and *Indigenous Art Registry* provide examples of how these objectives are currently being met, as in the case of Australia's resale royalty, and how they could be met, as in the case of the proposal for an Indigenous art registry. The recent report on the statutory review of the *Copyright Act* by The Standing Committee on Industry, Science and Technology included, among other things, recommendations for the government to consult on the participation of Indigenous groups on national and international law and policy, creating an Indigenous art registry, establishing an organization to advocate for the interests of Indigenous creators, and consultation to explore the implementation of an artist's resale right in Canada.



Creating a Critical Mass in Indigenous Arts Leadership

Sage Paul's essay in this volume points to hopeful new directions for a future where Indigenous Peoples and their perspectives lead and guide our understanding of issues that impact us the most. Paul's essay not only articulates the fraught nature of the international fashion industry and how a rampant culture of appropriation impacts Indigenous designers specifically—an issue also examined by Christi Belcourt in this collection—but also significantly concludes by discussing the model presented by Toronto's Indigenous Fashion Week. Under this new model, the Artistic Director leads the event through creative and collaborative processes that seek to ensure that all participating Indigenous designers are respected and highlighted not only for their individual creative vision, but also for how they wish to represent their communities, knowledges, and practices. Sage Paul's work thus fosters an artistic resurgence that raises our collective spirit and underscores our *thrivance*. Similarly, in Igloliorte et. al.'s essay *Inuit Futures in Arts Leadership Project*, which outlines the creation of a training and mentorship program designed to increase the number of Inuit in agential positions in

all aspects of the arts, provides an example for how we can collectively build a critical mass of Indigenous arts leaders. Not only does the growing presence and leadership of this new generation create more space for Inuit self-determination in the arts, the co-authors argue it should also lead to fewer instances of cultural appropriation and misuse, as Indigenous peoples' voices are foregrounded in matters pertaining to the circulation of their own culture. This argument is borne out in the essay by Anne Lajla Utsi, on the experience of consulting on Disney's *Frozen II* to make an accurate and respectful portrayal of Sámi peoples. The film, which contains not only accurate depictions of clothing and cultural objects but also reflects Indigenous worldviews, and which is also fully translated into the Sámi language, stands as an exemplary model of what is possible when Indigenous Peoples are equal partners and collaborators in projects that represent themselves.

9

“ There is a long history of the film and television industries appropriating Indigenous stories and narratives. This appropriation has exerted a great deal of influence on the lives of Indigenous Peoples around the world. ”

—Anne Lajla Utsi



Nitim Ke nabwadimin

Wehdi ke nabwadimin, kiga nisitan adi kaodja kendimowatc mamowi adi kijigabidimowatc eh ojitowatc kegoni. Agwa kidja inendik kegoni koni awin tapskotc Anishnaben, Indigenous People ka ijinkandizwatc. Kagi ijehbizowatc mamowi ka kendimowatc, kaija mosakidimowatc. Nijin oga kendanawa kepitcha animinik ojitowin kegon. Mamowi kidisinigini apitc minaginiwatc kenabijitowatc, kidja kishka ojitowatc keh-siniginik.

Widi mizininigin ke ojitcigadek, tapshkot kiga kendanana, kiga-nisitananadi ehja sinigik agwa ehja nisitcigadek awik ehja tebwetic kegoni, kina gotc eh-ijagabwiyatc. Keh-ija minendimac, kina-awik kidja nistik, adi ehja tebwetic awik, kidja mino atisokidadowatc, kidja nisitomowatc nagoneni keh minaginiyatc k eina-bidjitowatc. Nidedanana kidji widokazimigik, kidji kinamowaginiyatc wabiskiyek pinigotc adi keh-ijaminosenik kidja widokwaginitc anishnabek pepkian ka enehgizoyatc. Wedi ka ojitowak mizininigin, nidendanana kidja kendagok aaneh todjigadek nogom mamowi an kiyabitc panima ketodimowatc.

Kidji pigidinimowatc kidja atowatc kegoni mamowi kidja pigidinimowatc kah-ndendagonik

Wedi mizininigan, maneh kegon mizinateh kidja nabwadimin anen edodijadek. Agonenkeh nosiniyamin. Nanin kegoni ogi atonawa kidja kijigabidimowatc, maneh aweik oga pikiteshkagon oma ke nabwadimowatc. Ka ikidinanok nanin kegon:

1. Agwa kidja pikehsemigik mamowi agwa anotc kiji inabijitcigadek
2. Keh ija nosiniyamin weenda, kidja kinondinanok, mamowi wewnda kidji ijitchigewin awik ojitok kegoni.
3. Kidebwetimowin nan eja madizik kidji kijigabidimowik eh ijitchikeyik, agwa kidja mina ikidin kegon ka inendimin.
4. Kidja mamowi gweshtowik maamowi kidja odimtayik mamowi kitchi-ogimanodagin opimehna.

5. Kidja mamowi ojitowik asnishnabek kidja niganiyatc ehja kishkitowatc.

Ka kotendagok dish, ka ojibiyagadek mamowi ka pigidinigeyatc, kagi mosakidimowatc aji anotc ka inabiditcigadenik, odojibiyanaawa ka bi ijinagonik kagi mosakidimowatc. Pepejik awik o-miyodon ka ijyebizitc, agwa ka kendik kidja minashtok tebweticigadenik. Maneh anishnabek pepkan odiyanawa ehja kendik kegoni, ka tebwetic kegoni, ameyehwoni, miskikini, minjaweni, mamowi ehja tcinehdaginitc. Mamowi Ehja madizinanok weshkit, kan ta minowashison ishpin pikansidjigadek, ehja kendimin madiziwin mamowi kagi mosakidiminmegwatc eh odimtawin.

Kotendagon ashit kidja kendimin atsokan oma ka atsokenanak, maneh pepkan awik ogikendan pepkan kegoni, kidja kipiyodik dish anishnabe eja kishkitok kidja ikidic ehndendik. Pepkan awik

ka inehgizitc oma okitkimik, ta sinigin kidka mizinagadek pejigon eja tebwetic awik, koni kidja kendik an kadodik anotc. Nda mendenananan kidja kendimowatc oma kidji atsokiyatc kidja abidinik mamowi kidja geshtowatc kidja abijitowatc keh pigidinigenanonik kidja abidjicigadenik. Keh animodagok kiyabitic, tedigo kotendagon kidja nditcigadek awik anotc kagi ijiyebizitc, anotc kagi initik, kidja ojitchigadek keh inabijitok kidja kishka nosiniyak ehja tebwetic acitc kidja mamdintcigadek weshkit ka be ijiebizinanok.

Nogom kijigabidjigade anishnabe ka tebwetic kidji minosenik mamowi ogimanodaginik, ka ojitowatc kegoni ka minowashinik, ka kijigabidimowatc shonia mizinigin, ka kinamagewatc nogom ogishtonawa kidja nigansidowatc acitc kidja kipiyanadjin anishnabe midinendjigini ka ayamowatc. Maneh oma ki odja pizigwimigan anishnabek keija kendik kegoni, maneh ki widokazimgini ehja kendik anishnabek ehja kindik kegoni. Maneh oma anotc nangodin ki inabidin. Nangodin wabskiyek eh-nendik, kawin ogi nisistisinawa ke inabidjitowatc eh-ja kishkitowatc, anotc disk ki-ijadabiyok. Maneh anishnabek, ogimanodaginik ka

anikitowadjin anotch ogi intanawa ehja nosiniyak anishnabe, anishnabek ka tebwetimowatc anishnabe madiziwini.

Kodik awesh, anishnabe odinabijitowin ehja kendik, atsokanni mamowi nigimoni, ka atokiwatc wabishkiyeh oditonawa kit-ci-migwamik ka ija kinendasowatc kegoni, oginikanawa agwa miya ka-inabidinik ka inendimowatc anishnabe odinabijitowinya. Wedi ka ijagabwimigik, mi weni anishnabek eja tebwetimik kidja ikidowatc koni eja tebwetimowatc anishnabe madiziwini, kiyabitic eh mishkwizimigik. Weni anishnabe ankonigewin, nangodin ogima inakonigewin ijinkadjigadeh, maneh agwa ka anishnabeyatc kawin onisitsinawa, eh atowatc ima koni enabidinik anishnabe tebwetimowini, ehja gabwitc anishnabek. Pokwegadenik ehjs tebwetic.

Mi oma ehja mojjigingadek maneh anishnabe eh-nendik, ehja kendik kidja animodik eja kishkitok, maneh wabishkeyek koni ka kijigabidik kegoni, mamowi ogimanidagin shoniani ka kijigabidik. mamowi ogimanidagin shoniani ka kijigabidik. Ka ndendimac oma, kidja abidinik odatsokanya adi win anishnabe ka abijitok apitc ka siniginik, wabiskiyek kagi gwe atok.

11 Kagi odja ishkwasik mamowi ka anotc inabidjicigadek.

Ke ojibigetc oma odanmodan ka odja pamendik anishnaben eja kishkitonjin, atsokawini, eja kishkitowatc miya kegoni kidji inabijitowatc, kidja midji inabijitowatc dish, kidji keknawabidjikadenik mamowi kimodowini. Kawin wedi ki-ojotchigadesinin kidja abwamowatc koni kidja animodimowatc keija mamendimowatc anishnabe ehja inabijitok odinakonigewinya, ninwek nig odapinananan kidja pigidinimac ka widokazowatc kidja abijitowatc odinehwiya, kidja abidinik dish anishnabek ehja tebwetic. Awedi anishnabe Cherokee kabiodisetc, ogi oshibiyagwa miya ehgi todimowatc apitc ka odapinik anishnabe eja enabijitok kegoni, kinoweh kinagoni eh-manedjigeyatc ehja mishkweziyatc

win¹, ododapinawan awin agwa ka mishkwizindjin anishnaben kidja pikanendagozindjin. Misowatc gotc ikidinanok odimatawin, mizinigan wedi kago ojitchigadek ikidomigin eh tebwetimowatc anishnabe ehja kendik koni ehja tebwetimowatc, wabishkiyek oga midja abidjitonawa misowatc gotc agwa inendimowatc anotc eh todimowatc. Kotabidin oma kidja nisitik, kidja kisha abak apitc anotc ijadabinanonik. Kodik anotc ka ijdabinanok, miya kegi ijinagokbin, odagi pontinawa ka inendimowatc kidja kishka kodigini kidja migadik ogonen ima ke tebbe-tcigadenik. Kiyabitic odinendanawa ka kishkitondjin agwa eh nisitimindjin ehja kishkitowatc eh ojitowatc kegoni, kawin ogakendisnawa anishnaben

¹ Keene, Adrienne. "Whose Culture Is It, Anyway?" *The New York Times*, *The New York Times*, 4 Aug. 2015, www.nytimes.com/roomfordebate/2015/08/04/whose-culture-is-it-anyhow/the-benefits-of-cultural-sharing-are-usually-one-sided.

eh kotabidink odikidowin mamowi odinakonigewin, ojitowatc kegoni. Kan odtebwetsin anishnaben ehja kishkitondjin, tapbis-hkotec nigimowin ikweyok ka nigimtadowat, eh abidjiticigadenik kinamowsini kidji kinamowaginitc gotc agwendik, adidik gotc enegizitc. Actic anotec odinendanawa, agwa kanisitimowatc anishnabe odistcigewin agwa eh tebwemigink.pikan odijinikadanawa.

Weni dish, maneh odinendanawa wabishkiyek eh minaginidjin anishnaben kidji ija kishkitondjin. Ka ijabiyak dish Lou-Ann ka ijinkazitc, ki ikado anishnabek pinigotc Anotec ehgi ija nisitik , kidja manotec abijitigadenik agwa mankatc kidja gwedjimaginiyatc.

Ehja atcigadek dish weni anishnabe ka ija kishkiton, kawin onisitawin kidja kendimowatc pinigotc, Dylan Robinson ka iijbegetc dish, anishnabek odokonanawa odianawa ke inabijitcigadenik kendimowini ehja kishkitowatc kegoni ojitowatc. Anishnabe odostowiniya, ejagabwimigin nik odikidowinawa, ehja kishkitowatc, onigimowinya mamowi oniminya, togoni ima atsokani ejagabwitc anishnabek, miya gotc mizininigin ka ijanagok, anish ehja tebwetimoway omishkimya koni keh ija widimowaginiyatc tebwetimowini. Acitc weni ka todimowatc anishnabek, odianawa ehja tebwetimowatc madiziwini, ogokomisyan, ojomsimin acitc ehja madiziyatc. Midish weni miya Ka ijinkadenik eja kishkitowatc koni nigimoni, nangodin manendagoni ehja tebwetik ehja kishkitok ka kendik, kido oja manendagoni ehja madizitc. Megwatc shonia abididik, onitowatc dish, kawin miya inabidjiticigadesini odikidowin ehja kendik, tedigo actic kotadendagoni anishnabe ehja abididik odebwetimowin kegoni ojitok ke inabididik.

Ka ikidowatc Robinson mamowi Makay, tapishkot ki ikadok ehgi panima miya ehgi kidinjin agwa ka anishnabewinjin, mamowi kagi atcigadenik dish anishnabe keh tebwetic, apitc weshkitc nitim *ka ojitchigadek anishnabe ke ijagabwetc*, kitchi ogima omizininiginikak, ogimanodagin mamowi mekodawkinah actic ka kinamagendjin kagi ojitowatc. Awik weni kamosakidik, eh mikimaginik ehja tebwetik, kina awik omosehkidan kewinwa.

Kidojjigabwimigiton, kidja mamowi odimamidiyatc apitc anishnabe atok khja kishkitok.

Kawin awik oda kishka minjasin anishnabe ehja kendik. Christi Belcourt, Carmen Robertson mamowi Lucinda Turner ododjibiginiya kidomigini, niwabidanana adi enabijitowatc pejik awin ehndiminjin koni ehndinanonik Kodigini disk kegoni, ododjibiginiyawa ikidomigini ehgi ndikendimowatc eh kekinabidjigadenik ododimitawinya ejinaktowatc. Wedi pikan ka inatagok, kotabidin kidja inendagok kidja atowik kidja kinendagot ehja kishitok.

Christi Belcourt enendik omizininiginikak, kigi kendantanan egi animinik kidja akosdok kagi ojibigadenik anotec ka inendinanonik, kagi ojitok kidja adwetc abiganshini okitkimik. Acitc dish, kigikendantanan kidja mamowi odimtamayik, ka ojitcigadenik koki omizininigin, koni odikidowin kawin neta miya kidji ijinagonik anish win miya kidja ikiditc ehndidik. Christi actic ki ikado omizininiginikak anishnaben agwa miya kinabijitowatc winwa tibinweh.

Carmen Robertson actic ki ikado ehgi kimodnanonik ka ojitcigadenik, koni Norval Morrisseau ka ijinkasinjin. Odatsokan omizininiginikak egi kitcha nidinimowatc mamowi Carlton University kinamagemigwamik, kidja animodagonik Morrisseau omizininigan kagi tijjik nisomdin acitc nanin tisobon minigik ehgi tijjik kidja ojitok, minigik ka madizitc. Ogimikan ododimitawin kak agoneni kagi odja ojibegetc, kjagi inendik.

Lucinda Turner omizininigan ka inendik ka odja kimodinanonik anishnabe ehja kendik koni ehja kishkitok, ka ija tebwetic, kegoni ka pigosendimowatc kegoni, kina awesh kija atcigadenni. Ikido actic omizininiginikak agwa kidja keknotchigadenik acitc kitchi ogmanodagin kidja meshkodonik omizininiginikak kewin.

Kidja minjodiziyak eja ndendimak, ehja tebwetamac odja, anishnabe odikidowin

Maneh tisobon, Anishnabe ogi kishkiton kidja atchigadenik ogimanodaginika omizinigan, kidja nditwaginiyadc kwehwinwa, adi keh ija nditowajin anishnaben eh nendiminjin, pepkan anishnabe ehnegizinjin ka inendik ka tibenmadjin. Anish kinoweh, inendagoni ehgi ojitowadc agwa kidja nditchigadenik anishnabe ehja tebwetic keh ija madiziyadc, eja kishkitowadc kegoni, weminjigadeni odikidowiniyawa. Nijin mizinigan ikidomigini kidja ojitowadc megwadc nogom, Kitchi ogonodaginik omigwam, ka ija kinendasowadc, nijin gotch Steven Loft mamowi Jennelle Doyle, ikadok kidja animodimowadc eh animendagonik kitchi ogmanodagin ehnaibijitok ogitoc omigwam miziniginikak, ka ija kinendasowadc. Ka mamowi odimtamadiyadc anishnaben odja mamowi ka widokagodjin, ogodjik ka odisendjin ka ija odimtawat dish, ogi atonawa odimtawini kidja mamowi odimtawadc anishnaben mamowi, kidja mino widja odimtamidowadc, kidja nditadowadc acitc kidja tebwetadiyadc.

13

Kidja ojitowadc mamowi kidja pigidinigeyadc Ehja kishkitowadc pepkan anishnabe eh negiitc, Loft ikido ehkitcha kijibidehnik ehja widokwaginijin anishnaben kagwewidokwajin, ehja kijikimowajin anishnaben ka widokwajin, pikan eh ijinagonik eh ji enendik ehja minjowadjin anishnaben ehja kendiminjin, odinendanawa wewenda kidja todwajin anishnaben.

Omizinigan Doyle kagi ojitok, nditin mamowi kija nodimowadc, omizinigwamikak Mamowi ka ija kinendjigadek miziniginin, ikadok ima adi keh odja atowadc ima anishnabe odikidowin mamowi odebwetimowin, adi keh ija mamowisidowadc anishnabe omidinendjigan mamowi wabishke ehndendik. Ejhja kendimowadc. Kidja todimowadc weni, nijin panima adabijitonawa ehja kendiminjin anishnaben, obisheshman, ominan dish anishnaben kiji

kenendimadizinjin kehwin. Ka kotendagok dish, nijin ka ma tijikigadek, anishnabe otebwetimowin odja, omah kagwedjimawan, owidokwawan, kan obikanshimasin kama widokwadjin anishnaben.

Megwadc Loft mamowi Doyle, kina kegoni megwadc ehma kweksenik, Carey omizinigin odanmodan, (meshkodjisehni witckewini) ogipiyodanawa megwadc eh ma wijigabetowadjin anishnaben agwa ka anishnabewadc. Odanimodan keh ija atowadc wabwani ka ijinkadimowadc, kidji ikidowadc eh kijigamidiyadc, kagi kijibashkamigik okitkimik, Canada ka ijinkadek, 2014 nash 2019, atsokidadiyok kagi bi kinamagiziyadc mekode migwamik ka bi ijiyebizowadc, ki atcigadeni mizinigini migwamik, mizonaziwinin mamowi ojibigini, Canadian Museum for Human Rights ka ijinkadenik (CMHR). Oditonawa iji kidja kishka animodimowadc agoneni ihi ka ndendimowadc, Jenifnfer Nepinak ka ijinkazitc, odanmodan an ketodimowadc wabwani kagi atowadc mizinigin migwamik CMHR. Odanimodanawa apitc kidja nijin wijidigabwetadiyadc odi nigan, kidja mino widji tijikemidiyadc, kidja widjigabwediyadc megwadc sinigik, anishnabe mamowi wabishkiyek.

Omizinbiyanawa Kwakwaka'wakw eh nisitimowadc ikidomiginik ka kipiyojigadenik ketewini, Newman owabidan wabwankak kidja kinendjigadek kidji ikidomgit dish tebwetimowini, kawin dish ijinak-sinon kidja adawenanok koni kidja kispinjigadek wabwan, anish kidja kindimowadc kidja widja-odimtadiyadc. Oma miziniginikak, ogi mizinadanawa kidja kidja kiska abidinik apitc kegoni gwedeyadc, nijin kidja ija kijigabidimowadc. Keh ijiyebik dish, Newman Forges, oshkewini ima tigonu kido kidja animodimowadc, kidja witckemidiwadc tcigoji odimtawini mamowi anishnaben, mikeh inabidik wedi wabwan kagi kinendjigadek mizinigan migwamik.



|| *In recent years, Indigenous Peoples have been championing the development of major changes at Canadian cultural institutions that encourage these institutions to reframe and reconsider their responsibilities to First Nations, Métis, and Inuit in Canada, whose cultures and knowledges they often hold in trust.* ||

-Tony Belcourt, Heather Igloliorte and Dylan Robinson

Kidja mamowi gweshtowik maamowi kidja odimtayik mamowi kitchi- ogimanodagin opimehna.

Anishnabe ka ija tijiketc, ogimanodagin mamowi ka minjamowatc kitcha odimtawini, onisidiwinanawa eh kotendagonik kidja kinendjigadek wewenda wedi wabwan kagi atowatc ima, kidja mikowenmadjin kewin anishnaben adi ehja madizinjin. Kida atcigadeni ima adi ehtodik win anishnabe apitc kegoni wi inakonigetc. Odakishkitonawa acitc wewenit kidji ingijigadenik, nijin gotc awik kidja odizit anishnabek koni kishpinjigeyini.

Kagi ojítowatc gwendik mizinigini, Tony Belcourt, Blandina Makkik, Patricia Adje mamowi kagi widokazitc, Jane Anderson, James Francis mamowi Māui Hudson, odanmodanawa an kaijítowatc koni adi ejinagonik aji kinendaswini megwatc anishnabe mamowi ogimanodagin. Ojibigan, Anishnabe midinendjigan amaowi pepkan inegiziwin, mamowi ka ijinkadenik, mizinadeni aneh ijinagonik win anishnabe ehja kipiyanizitc koni adi ehja kishkitok, koni ehijanogonik win odinakonigewin.

Wewenda ijitcigenanok koni kidja tebwetimin, kidja kipiyanidim dish anishnabe ka kipiiodik. Mizinigin wedi, ka ijinkadimowatc, odanmodanawa oma eh inakonigewatc weni mamowi Australia shonia adwesitcigan, adi keh odja nigishkimowatc kewinwa tapishkot kidji ijinagok anishnabe pidigezinanaginik. Ka ishkwā kijigabidimowatc koki omiziniginiwa, ka ijinkadenik, kagi ojítowatc gwendik amtcigojik, ka kijigabidimowatc ka ija odimtananonik, kegon kaija kijendimowatc kegoni ka mitca ojítowatc, mamowi kodigini kegoni, ogi mamowi ojítowatc inkonigwini mizinigini, keh ijagabweyatc apitc mamowi odimtamidiyatc.

Odoshtonawa eh pitendagonik anishnabe odoshtcigan

Sage Paul omizinigan eh kidomiginik, eh wikodendik nigan apitc anishnaben nditwadjin eh ijagabwemiginik madiziwini ka akozishkagwik. Paul omizinigin, odanmodan ejagabwemiginik ka ojítowatc kidja wabidiyatc odaymonya keh adaweyatc, odanamendanawa agwa eh minobidenik anishnabe adawechnik, Christi Belcourt ogi kijigabidan anesenik ka mojjingadenik. Ogi anmodanawa Toronto ka ijwatc kidja asawadjin agonehnin keh pitcokoneyawadjin, keh mizinanaginitc. Oskiyeni ka ojsidowatc, kamodja kitawendik ogimijan agwa awin kidja onikanaginindjin ka aninabegizindjin miyah, kan neta kidji win odja eh ja kishkitok anish wi abijitok odinishnabe onakinigwin koni ehja tebwetic. Sage Paul kagi pi-animodik, nanibwimigini ehja tebwetic actic mizinadeni adi ehodja minomadizitc oma. Bejigon kegat, Igloorte's omizinigin ikidomgini, , ka ijinkadenik, animodagon ima Inuit ka inegizitc anishnabe, kidja ojítowatc kidja ma – kinamag, wadji wendin anishnaben, kina gotch anishnabek. Tapishkot An ketodimik kidja manehya-ik anishnabe ka miyodok weni kija kishkitok . Nogom nagoziyo gwendik eh manehyatc anishnabek, ogi twishkanawa kidja ojsidowatc kidja minjodiziwatc ehja kishkitowatc, Igloirte ogi kikadan ka ikidinanonik, agwa kidji tibinmowaginiyat anishnabe kegoni ayak kidji ikiditc win ehja tibendasitc. Anne Laija Utsi ki-odisehmigin wedi mizinigin, kagi odja inendik weni kidja ojibiyak, kidja gwedjiman *Disney's Frozen II* kakijigabik kidja ojibiyah atsokani, Sámi people ka ijinkanawadji kodigin anishnaben. Keh mizinsetowatc, kan nehta tebwe ka ijokonehyat ogi mizinatsinawa anish ogi mizinanawan eh-inenmagininjin anishnaben, ki ankonotomagehyok Sámi people ka inaginiyatc anishnabek. Kidja nisitowadjin, mehe yok weni ka abidjitowatc kidji kiski ikidowatc ehgi wabidiyajin anishnaben kina kegoni kidja minosenik ishpin widokowadjin wendin ka i-nehgizinjin, kidja mamowi widja odimtadi.

Nakishkatoowin

Ooma publication mowshoukounam dret akouta kishkayhtamowin akwa la veu ishi awnkourazhee akwa pishkawpahtam oohin li art, en ka ishi pimaatishihk kishchiitayimoowin, akwa artistic prachik ouschi Lii Pramyii Nawsyoon Li moond. Oohin kishkayhtamowina akwa kishkayhstemowina en pawr oota ki peeki-shkwatam lee deu oohin li vayritee nakishkakaywin akwa moonayihikewin avek kipachi-awpachihtawin ouschi li art, ka ishi pimaatishihk kishchiitayimoowin, akwa artistic prachik, akwa meena awtist oohin apahchihchikana akwa li ripoons awn navawn aen peekishkwachikatayk oohin moonayihikewin.

Shawpou ooma publication, natounikatayw awn navawn en pawr shinishtostumuhk ouschi oohin li troub akwa moonayihikewin ouschi ka ishi pimaatishihk kipachi-awpachihtawin ita alawntour, li piyee, mishiway itay, akwa tooroon not grawn piyee la level. Niyanawn si baen na swetee aykwawnima ooma kishkayhtamowin akwa aen nistwayr en pawr didawn ooma publication ka awnkourazhee peekishkwaywin akwa ooma toul tawn oushistawin ouschi kaw-atoushkaymakuhk li ripoons aen awnkourazhee akwa pishkawpashtam Lii Pramyii Nawsyoon li art, ka ishi pimaatishihk kishchiitayimoowin, akwa artistic prachik. Niyanawn meena si baen na swetee aykwawnima ooma louvrazh ka weechihiwayw aen kishshinahamakayhk ooma li piblik akwa ooma Aen zhawnd Canada akwa tooroon not grawn piyee li art milieu ouschi kipachi-awpachihtawin akwa soon li damaazh ooma social, ka ishi pimaatishihk akwa manawchischikaywin ayimiihiwewin. Didawn niyaanawn la veu, ooma publication akwawnima awtiht ouschi aenportaan koucheewin ka kanawah-paashchikaatek *kaykwawy ka toochikaatek akwa kaykwawy kiyawpit ka toochikaatek.*

Themes akwa En pawr Itaystamowin

Oohin aen narchik didawn ooma tout sort dafayr aen peekishkwachikatayk aen larzh paahkaan ouschi li troub akwa itaystamowin. Maykwawt ki mamawinawak awntsoor saenk yakashkow themes, nishkawinaynawn aykwawnima mischayt oohin kishkayhtamowina en pawr aen ki weestamwak kiyawpit nawut payyek ouschi oohin itwaywina akwa meena li troub awaastay ouschi oohin saenk thematic mamawinatowin. Oohin saenk themes aykwawnihi oohin:

1. Oohin aen Ishchikatayk akwa En risk ouschi Kipachi-awpachihtawin akwa Waanapachihtawin
2. Aen paminiyay Katawa awpachihtawin, En partineuz weechayhtowin, akwa Ka tipayituhk Miyikosiwin didawn ooma Li art En tayr
3. Tipaychikayiw akwa Wiiya-ikoo tipaymishouwin shawpou kiyawan Li art, Ka ishi pimaatishihk Kishchiitayimoowin, akwa Artistic Prachik

4. Natounikaywin didawn Lii Pramyii Nawsyoon-neekawneewin akwa Li gouvanimaw-weechihiwaywin Pishkawpashtamowin akwa Awn nagrimawn
5. Ooshistawin aen Aenportaan Li noombr in Lii Pramyii Nawsyoon Li art Neekawneewin.

Aenportaan meena, oohin oushpayhikaywin ka astayk didawn ooma kaw-kiishitaahk wawpastahiwayw ka weechihiwaywak wiya ikou kishkayhtamowin akwa wawpastahiwaywin, souwawn aymashnipayikayhk ouschi tout nakachistowin aen atoushkastam didwan soon ispray seksyoon ouschi artistic akwa ka ishi pimaatishihk prochikee. Aywawnima ooma pikwawna akwa wiya ikou michiminikouwuk ka ishi pimaatishihk akwa artistic prachik akwa aen kishkayhtamowin ouschi kipachi-awpachihtawin akwa waanapachihtawin aykwawnima ouschi iyikohk ispray la valeur. Ishi aykwawnima mischayt Lii Pramyii Nawsyoon li art ay-ishchikatayk

aykwawnihi shoohkashtayw ishi paahkaan aen ay-ishchikatayk ouschi ka ishi pimaatishihk kishkayistamowin, amihayshtoutawin, la michinn, si la lway wiyasiwatumowin, akwa la famee akwa a lawntour kaayash ouschi, aykwawnima si pa posib (akwa namoo akawwachikatayw) aen sipawree wiya ikou ka ki kawkishkayhtahk ouschi niyanawn louvrazh aen wawpastamahk waanapachihtawin akwa kipachi-awpachihtawin.

Akwa meena aenportaan aen waapahchikatayk aykwawnima ooma aen nistwayr akwa kishkayhtamowin oki authors aan paar e-oushchikawtayk mischetinwa la veu didawn toul tawn peekishkwaywin ishi awnkourazhee akwa pishkawpahtam Lii Pramyii Nawsyoon li art, ka ishi pimaatishihk kishchiitayimowin, akwa artistic prachik. Avek ooma yakashkow ka ishi pimaatishihk paahkaan shawpou Naawsyoon akwa a lawntour, aykwawnima aen si pa posib pour a tout sort dafayr oushpayhikaywin ouschi ooma kil sort aen ki si sartaen didwan ay-itaystamowiin, keema mitouni kwayesh didawn ka kochiwahpachikatayk waanapachihtawin akwa kipachi-awpachihtawin. Niyanawn si baen na swetee aykwawnima ooma kishkayhtamowin en pawr oota mawshkout neekawnaywin ishi kiyawpit peekishkwatamowin aykwawnima mayshkout awnkourazhee ooma oushistawin neu paaminikaywin akwa apahchihchikana. Kaw-ishi ooma kiyawpit piikishkwewin, akwanawnima ki aenportaan aen payhtamahk kootaaka ashi wawpahchikayhk akwa kishkayhtamowin ouschi waanapachihtawin akwa kipachi-awpachihtawin, aen oushistawhk apahchihchikana akwa paaminikaywin pour awnkourazhee wiiya-ikoo tipaymishouwin didawn ooma li art, akwa itaystam neu awn nagrimawn pour peekishkwachikatayw li tawn'd kayawsh akwa toul tawn mayiitotatakewin.

Ooma maykwaat awn partawn li moud ouschi naayihtumowin ishpi ooma La vayritee akwa Naayihtumowin Piihkishkwayshtamaakewin, didawn aykwawnima li art mamowwiitowuk, aen tawd d'larzhawn opaminikaywak, akwa kishshinahamakaywin a l'ikol ki natoonamwuk weechihwaywin akwa chiwawpahtamihk Lii Pramyii Nawsyoon art akwa kishkayistamowin, ki itochikemakan didawn paminikaywin ishi Lii Pramyii Nawsyoon aen kakaykinamihk. Maykwawt mischayt la sawns akwa nistawinumowin pour Lii Pramyii Nawsyoon lee portray kawshoupaykakem keepaynawkwun ouschi ooma, akwa meena kamawchipayihtawk ka ishpaayihk itay namoo-Lii Pramyii Nawsyoon lee portray kawshoupaykakem akwa mamowwiitowuk ki natoonamwuk aen "ashtahk" Lii Pramyii Nawsyoon aen nistwayr, art, itashinikataywin, akwa kootaaka ka ishi pimaatishihk kishchiitayimowin noohpoo

la paarmisyoon akwa weehtamawkaywin. Ooma ki souwawn itochikemakan ishi misnistawinumowin kaykwawy aen takwashta waanapachihtawin. Akwa mawna, ouschi Li Western la veu, pikou dret akouta paray kaw-oushihtawh artworks, ouhpimaen ashtayw ka awpachistawhk kay-ishchikatayk, "la mayaenr" keema "en mayaynr," nishtoostumowin ishi kipachi-awpachihtawin. Pour mischayt Lii Pramyii Nawsyoon li moond, ispray ay-ishchikatayk aen kawpaminikatayk ouschi ka nakatamaahk lii drway, keema ayowak nahayhtawinawkwun mamaawinitowin avek alawntour stewardship.

Didawn kootaaka kaykwawy, ooma piihtikwaywin ouschi Lii Pramyii Nawsyoon ka ishi pimaatishihk kishchiitayimowin— aen nistwayr, en sawnsoon, kishkayistamowin— kaw-mawhmaykihk ouschi anthropologists akwa ethnographers didawn mashnipayowin akwa kalektee didawn museums akwa l'ikol ishi kiyawpit nawut kishkayhtamowin, aykwawnima neekawneew ishi nashpawchistawin aykwawnihi lii drway aen awpachistahk ooma louvrazh ki aashtawayhikatayw. Ooma wawhiyuw ouschi nakatoohkaywin, ishi ooma ka nakatamaahk lii drway ouschi Lii Pramyii Nawsyoon Li moond akwa ka ishi pimaatishihk kishchiitayimowin ki veu gawnyee, maykwawt shinishoostumuhk ouschi alawntour stewardship akwa kawpaminuhk lii lway di piyii ouschi ka ishi pimaatishihk prochikee kiyawpit for. Maykwawt oohin aen system ouschi Lii Pramyii Nawsyoon la lway (awshkuw shinihkwatayw "Lii Pramyii Nawsyoon si la lway wiyasiwatumowin" keema "nakaayashkumowin la lway") namoo wiya nishtoostoochikatayw ouschi namoo-Lii Pramyii Nawsyoon li piblik, pakitinamwuk oohin da bor kapamihiwayhk pour Lii Pramyii Nawsyoon li moond didawn aen kishkayhtakwahk ka ishi pimaatishihk lii drway akwa meena paaminikaywin pour meeshahikaywin ishpi oohin lii drway ki peekounikayw.

Ooma tout sort dafayr ouschi aen narchik peekishkwachikatayw yakashkow paahkaan ka ashi wawpahchikayhk aykwawnima aen ashtahk mishchayt art ay-ishchikatayk akwa ka ishi pimaatishihk kishchiitayimowin ouschi shawpou Lii Pramyii Nawsyoon alawntour akwa avek paahkaan actors akwa stakeholders ouschi pikawna aen mamowwiitowuk akwa li gouvanimaw aen tawd d'arzhawn opaminikaywak. Niyanawn chi atoushkatamahk en pawr akwa ka mowshoukoupitamahk oohin aen nistwayr ka pakitinamahk kaw-ashi wawpahchikayhk ouschi apahchihchikana akwa li ripoons aykwawnihi ki awshay keema ka ki oushistawhk aen peekishkwachikatayk ooma moonayihikewin ka ki peekishkwachikatekihk ouschi ka weechihwaywak akwa kootaak.

Aen Ishchikatayk akwa En risk ouschi Kipachi-awpachihtawin akwa Waanapachihtawin

Oki authors ashtahk didawn ooma tout sort dafayr peekishkwachikatayk ooma peekounikaywin ishi wiya soon akwa kootaaka Lii Pramyii Nawsyoon Lii moond li art, ka ishi pimaatishihk kishchiitayimoowin, akwa artistic prachik aen apawchistawk paahkaan ay-itwewin avek katawa awpachihtawin, kipachi-awpachihtawin, waanapachihtawin, kimoutiwin, akwa li voulaez. Ooma publication namoo wiya natoonam aen apihkoona keema i veu maegree ooma ay-itwewin ka awpachistaw la diskripsyoon ouschi oohin paahkaan ay-ishchikatayk ishi peekounikaywin; mawak, niyanawn nakishkamoowin aykwawnima aen ki pakitinamahk ishi weechihwaywak aan paar wiyawow soon kishkayhtamowin didawn soon la lway, akwa aen awpachistawhk oohin ay-itwewina aykwawnihi aenportaan ishi wiyawow. Kaw-ishi Cherokee scholar Dr. Adrienne Keene oushpayhikayt, "katawa awpachihtawin namoo wiya ouschi aen wayshchishik "dawhtawmoowin" ouschi ka ki ishi pimaatishihk enn seksyoon keema aen parau ka ki ishi pimaatishihk mayshkoutoonikaywin— mawka kiyawpit nawut keemoochihiwaywin, mayiitotatakewin aykwawnima la fors ita ka ashtayk aen system ouschi la pouwayr,"¹ kishkaymowin ouschi kaykwawy ay-ishpayik ishpi li maambr ouschi aen kischi aykishchiitaymoowin nahiyokohk ouschi aykwawniki soon aykishchiitaymoowin aykwawnima paray li praynsipaal la bonch ki kinwaysh kakwaatakihtaw. Mawka kiyawm ouschi ooma ispray ay-itwewin kaw-awpachistawhk, ooma oushpayhikaywin didawn ooma la parol aen gjscheetayimitouwin ouschi nakatoohkewin pour ishpi lii drway ouschi Lii Pramyii Nawsyoon lee portray kawshoupaykakem akwa kishkayistamowin michiminikaywak ki chikounikawtayw ouschi kootaakak li moond, mamowwiitowuk, akwa mamowwiitowuk avek keema noohpoo itaystamowin aen itootahk. Ooma si li bout la pwaent ouschi oochihtow toomowin aykwawnima aenportaan ishi waapamikaashoowin, ishi si pa rawr keehkawtouwin pakwatem kipachi-awpachihtawin aykwawnihi sartaen oushistaw itootumowin itwaywin ouschi katawa awpachihtawin namoo wiya atoushkaymakun. Kootaak nashpatistumowin ouschi katawa awpachihtawin ouschipayin aen nashpawchistawin aykwawnima *pikou* e-oushchikawtayw ouschi oochihtow toomowin aen awpachistaw keema kawhkeehwawmi oushtawhk noohpoo ooma awn nagrimawn ouschi artist keema li

moond. Meena kiyawpit aen ishpaayihk itay lee portray kawshoupaykakem awpachistaw kaykwawy (nash)patistumowin aen ki pikou "en mayaynr" keema "la mayaenr" ouschi Lii Pramyii Nawsyoon art aen oushtawhk soon louvrazh, noohpoo kishkayistam aykwawnima Lii Pramyii Nawsyoon ka nakatamaahk lii drway souwawn paminikayw ouschi awpachistawin en sort itashinihikataywina akwa en mayaynr. Kakaypatishiwin ouschi ka ishi awpachistaw Lii Pramyii Nawsyoon artistic "en mayaynr" (tapishkoot aykwawnima ka awpachistahk didawn La gorzh Nakamouwin keema formline itashinihikataywin) aen takwashta aen artwork la pwaents ishi ooma kiyawpit ayndawayishchikayhk kishshinahamakaywin ishi li piblik ouschi oohi mamaawinitowin awntor deu Lii Pramyii Nawsyoon lii drway akwa ka ishi pimaatishihk prochikee. Mawak kootaak meena nashpawchistawin aen ishpaayihk ouschi ooma mitouni itoowahk ouschi Lii Pramyii Nawsyoon art aykwawnima "folk art". Kiyawpit nawut ouschi ooma, awn partawn li mouds ouschi aypayweekit Aen zhawnd Canada ki nishtoostum Lii Pramyii Nawsyoon art aykwawnima aen weechihwaywin ka nakatamaahk ouschi Aen zhawnd Canada li piblik. Ka ishi Lou-ann Neel mitouni waapahtahm didawn ooma publication, Lii Pramyii Nawsyoon art ki "souwawn nashpatistumowin ouschi kahkiyuw pour awiyek li piblik aen ki 'didawn ooma li piblik realm' – akwa saprawn chi akooshchi astayw chi awpachistahk nou kaykwaw tipahikaywin keema pour ayaen li paarmisyoon."

Didawn ay-itwewin ouschi ooma wahpaashchikaatewin kaykwawy ooma Lii Pramyii Nawsyoon art, aykwawnima meena aenportaan aen kishkishi, ka ishi Dylan Robinson la pwaent didawn soon article, aykwawnima Lii Pramyii Nawsyoon art michiminam atooshkaywin kwawshtayhkamik soon pimawtishiwin ishi art. Lii Pramyii Nawsyoon art, ka ishi pimaatishihk kishchiitayimoowin, akwa artistic prachik, avek en sawnsoon akwa en dawns, ayowak aenportaan touthkaywin ishi li promyee tawn'd kayawsh wawpachikawtaywin (paray ishi aen leevr) ouschi la famee keema alawntour, ishi la michinn, keema ishi si la lway lee zord. Akwa meena, isti art ka ay-ishchikatayk ki awshkuw itaystamwak Lii Pramyii Nawsyoon li moond isti ayowak pimawtishiwin – ishi la parawntee kayawsh ouschi, ishi li moond, akwa pimawtishiwin aykwawnima namoo wiya tapishkoot li moond pimawtishiwin.

¹ Keene, Adrienne. "Whose Culture Is It, Anyhow?" *The New York Times*, *The New York Times*, 4 Aug. 2015, www.nytimes.com/roomfordebate/2015/08/04/whose-culture-is-it-anyhow/the-benefits-of-cultural-sharing-are-usually-one-sided.

Didawn ooma ishi, ooma waanapachihtawin aykwawnima ka itaystakwahk artwork keema en sawnsoon, didawn awtist oohin ka ishpaayihk aen piikoonum kiyawpiti nawut ayowak oohin lee portray kawshoupaykakem lii drway; ka ki tootum epistemic la shikaan pakwatem oohin kootaaka ay-ishchikatayk ooschi kishkayistamowin, keema pakwatem pimawtishiwin. Akouschi, maykwawt larzhawn wunihtawin isti payeek ouschi neekawn ayimiihiwewin ishpi ay-ishchikatayk ouschi Lii Pramyii Nawsyoon ka ishi pimaatishihk kishkayistamowinka awpachistawhk noohpoo pa saartaen awn nagrimawn ouschi li moond li lee portray kawshoupaykakem, akwa meena aenportaan ka ishi pimaatishihk akwa amihayshtoutawin damaazh aykwawnima keepaynawkwun ouschi katawa awpachihtawin ooma Lii Pramyii Nawsyoon artwork, itashinihikataywin, akwa kootaaka ka ishi pimaatishihk kishkayistamowin.

Aen Paminikayk Katawa Awpachihtawin, En partineuz Weechayhtoowin akwa Ka tipayituhk Miyikosiwinin ooma En taysr Li art

Katawa awpachihtawin ouschi Lii Pramyii Nawsyoon art isti mishowayitay. Didawn oohin en pchit istwayr ouschi Christi Belcourt, Carmen Robertson akwa Lucinda Turner, ki wawpastaynaw tawnshi ishi li troub ka peekishkwachikatayk ouschi li moond, ita ka oushchikatayk kaykway, akwa a l'ikol. Avek kootaaka kaykwawy, oohin en pchit istwayr kanawahpaashchikaatew aen jeufarawns awntor deu dret akouta paray kaw-oushihtawh louvrazh akwa ooma katawa awpachihtawin ouschi la mayaenrs akwa itashinihikataywin. Ooma jeufarawns akwawnima kischee aenportaan enn seksyoon didawn tawnishi ishi ka chimawkatayhtamihk ouschi aen miyikiyahk kaw-atoushkaymakuhk pishkawpashtamowin ishi lee portray kawshoupaykakem.

Didawn Christi Belcourt nakatoohkaywin, ki kishkayhtaynaw ouschi soon kwawtakistawin aen kaychikouna ooshchikatewin ouschi websites aykwawnihi kipachi-awpachihtawin soon itashinihikataywina ouschi li bitaen kaw-atawwawkayw mishiway itay. Mawka, kiyanawn meena kishkayhtaynaw ouschi en partineuz weechayhtoowin avek ooma la fasoon ita ka oushchikatayk kaykway kawhkehtawwami aen oushtawhk soon louvrazh didawn ishi aykwawnima namoo wiya pikou kwarik, mawka akwawnima nou kwayesh itootakihk ishi wiya. Christi meena wawpastahwayw ooma

Ka ishi Robinson akwa MacKay la pwaent aen kishkishomiwaywak, katawa awpachihtawin ki souwawn kwawtakistawhk didawn aen aen ishchikatayk ouschi Aen zhawnd Canada aypayweekiw colonialism, avek mishowayitay ka ishi pimaatishihk censorship la fors disseu Lii Pramyii Nawsyoon Li moond awntor deu ishpi tawr nineteenth akwa mid-twentieth sawn zawn awntsoor enn seksyoon 3 ouschi ooma *Lii Pramyii Nawsyoon Act* (souwawn aen kishkishomiwayhk isti ooma Potlatch Ban), mawka meena ouschi missionaries akwa l'igleez, akwa meena shawpou itay kawweekihk l'ikol. Akouschi, ooma n kwawtakistawin aen ayahk li moond ka ishi pimaatishihk prochikee 'oofinikatayw' isti kwawtakistawin isti doubl wunihtawin aykwawnima aen moushtahk intergenerationally.

aen ket kesyoon ouschi kipachi-awpachihtawin awntor deu Lii Pramyii Nawsyoon Li moond wiyawow pikou.

Carmen Robertson la pwaent aykwawnihi oohin "en magazaen isti ishkipayw avek kimmotiwini" ouschi Norval Morrisseau. Soon en pchit istwayr ki weestakam ouschi mitouni kwayesh natoonikewina aen koonploon michiminikatayw ouschi Carleton University aykwawnima ka weestamakayw pour ooma nishtam Morrisseau soon louvrazh ouschi oohin nishtam traantsaen aen naw ouschi soon art atoushkaywin. Ooma aen koonploon meena kanawahpaashchikaatew oohin nakaayashkumowina akwa aykishchiitaymoowin aykwawnima moushistawhk ooma li talaan ouschi soon louvrazh.

Lucinda Turner soon en pchit istwayr geemiyikiw aen nishtoohtamowin didawn ooma li groo ooshchikatewin ouschi nootawpway akwa kimmotiwini Northwest Coast Lii Pramyii Nawsyoon Art, aen seremounee vre vyay akwa li bitaen shawpoo internet, didawn aen souvenir li stor, flea en magazaens akwa li art galleries. Soon en pchit istwayr peekishkwatam ishi ikooyikohk ouschi taapishkoot paray peekounikaywin akwa saprawn chi yaahk pour lii lway di piyii mayshkoohtaashtawin.

Tipaychikayiwn akwa Wiyi-ikoo Tipaymishouwin Shawpou Kiyawin Li art akwa Ka ishi Pimaatishihk Kishkayistamowin

Didawn anoushcheehkay aen naw, Lii Pramyii Nawsyoon Li moond ki weechihiwayw ooma oushistawin ishi kischee aenportaan mayshkoohtaashtawin itay Aen zhawnd Canada ka ishi pimaatishihk a l'ikol aykwawnima awnkourazhee oohin a l'ikol aen kanawaapuhtum akwa keehtwawm itaystam soon pishkayimiawin ishi Lii Pramyii Nawsyoon, Michif, akwa Aen Niskimoo didawn Canada, aykwaniiki soon aykishchii-taymoowin akwa kishkayistamowin ki souwawn michiminam didawn ashpayimouwin. Mawka, oohin niikaaniishtamakewina itwaham ishi mitouni shinishtoustamoohiwayhk Lii Pramyii Nawsyoon tipaychikayiwn akwa lii drway ishi wiyi-ikoo kishkayhtamowin isti nakatoohkaywina awina ayow piihtikwaywin ishi akwa la lway-ooshihtawin tipaychikayiwn shawpou kiyawin li art akwa ka ishi pimaatishihk kishchiiitayimoowin. Didawn deu en pchit istwayr ouschi la promyaenr louvrazh maykwaat aen mawchistawak ita Canada Council pour ooma Li art akwa Library akwa Archives Canada, lee deu Steven Loft akwa Jennelle Doyle (et al.) mitouni shinishtoustamoohiwayhk soon ashoutamakaywin ishi peekishkwachikatayk ooma toul tawn ayimiihiwewin ouschi colonial ka ki nakatamakayt Aen zhawnd Canada museums, li art galleries, archives, li university akwa aen tawd d'arzhawn opaminikaywak. Shawpou soon mamaawinitowin louvrazh avek Lii Pramyii Nawsyoon weechihiwaywak akwa soon en partineuz lee deu didawn akwa awnd hor oohin a l'ikol, ki meena mawchistawak neu paaminikaywin aykwawnima ka natounahk aen oushistahk neu mamaawinitowin oushistawin ishi rispek, reciprocity, akwa ashpayimouwin.

Didawn "Ooushtaw, Knowing akwa En pawr: Ooma Li art akwa Aykishchiiitaymoowin ouschi Lii Pramyii Nawsyoon, Aen Niskimoo akwa Michif Li moond," Loft mitouni weehstam tawnshi ishi kischee mawschee-makun ouschi aen si pa rawr nakishkamoowin ishi li art aen tawd d'arzhawn tayhkay kiyawpit nawut Lii Pramyii Nawsyoon-neekawnaywin

paaminikaywin ki namoo wiya pikou awnkourazhee aen kwayshkoochinaakoohtawin didawn tawnshi ishi ooma Canada Council pour Li art itaystam soon pishkayimiawin ishi Lii Pramyii Nawsyoon lee portray kawshoupaykakem, mawka meena kwayshihkaymou pour kahkiyuw li tayraen aen itaystahk tawnshi ishi aen ki nawut paaminikaw ooma naawsyoon-ishi-naawsyoon mamaawinitowin.

Didawn ooma en pchit istwayr ouschi Doyle et al. ooma "Natouhta, Payhta Kiyawin La lway" aen koonploon ita Library akwa Archives Canada, ka ki kochiwahpatahiwayhk tawnshi ishi ooma a l'ikol tapishkoot itwaham aen kawmiyokistaw nawut soon pishkayimiawin ishi Lii Pramyii Nawsyoon Li moond akwa michiminam ooma paray ishitout-awtowin ouschi Lii Pramyii Nawsyoon kishkayistamowin ishi Western kishkayistamowin. Aen toochikatayk ooma, ooma aen koonploon awpachistaw aen par-deu nakishkamoowin aykwawnima lee deu shimanawchistawhk maykwawt kishkayistamowin (shawpou ooma pour aryaen digitization ouschi Lii Pramyii Nawsyoon la lawng akwa aykishchiiitaymoowin audiovisual tapashinahikataywin) akwa oushistaw kaashkihtowin didawn alawntour aen oushistahk akwa chikanawayhtahk wiya soon archives. Aenportaan, lee deu neu paaminikaywin ita oohin behemoth ka ishi pimaatishihk mamowwiitowuk ki neekawnayhtakwan ishi shoohkayhtakwan, nishtoohtakwun, akwa toul tawn Lii Pramyii Nawsyoon weehtamawkaywin akwa en partineuz weechayhtowin.

Maykwawt Loft akwa Doyle (et. al.) peekishkwatam ooma maykwaat oushistawin, a l'ikol-larzh mayshkoohtaashtawin, Carey Newman soon en pchit istwayr, "Mayshkoohtaashtawin Mamaawinitowina," itaystam aen payyek mawka mishi nakatoohkatewin ishi natamowihk Lii Pramyii Nawsyoon tipaychikayiwn didawn aen namoo-Lii Pramyii Nawsyoon a l'ikol. Wiya la diskripsyoon ouschi ooma paaminikaywin

ishí li maaarshiihkayk aen ayiwaypiwin pour Ooma Timwaen en Kouvar, aen li groo sculptural louvrazh aykwawnima ou wayaezh mishíway itay Canada awntor deu 2014-2019, en pawr akwa mowshookoonam Lii Pramyii Nawsyoon kishkayhtamowin ouschi ita kawweekihk l'íkol shawpou la fors mimwayr kaykwuy, aen portray, la parol akwa kootaaka bonn mimwawyr kishkishowin, didawn ooma Aen zhawnd Canada Museum pour Human lii drway (CMHR). Pakitinam ooma la veu ishi ayowin itehkay loot bor ooma aen li maaarshiihkayk, Jennefer Nepinak soon la diskripsyoon ooma paaminikaywin ouschi li maaarshiihkayk pour ooma nakaatookkatum ouschi Ooma Timwaen en Kouvar ita CMHR. Ki kiihkahtootam aykwawnima ooma awn nagrimawn weechiwayw ishi aen la fors ka kochiwahpatahiwayhk tawnshi ishi aen ki ay-ishchikawtayk neu mamaawinitowin didawn ooma neekawnaywin aen ishi geepayshiwihk Lii Pramyii Nawsyoon nakaayashkumowina akwa western si la lway aen nidee maamawi mishtahi akwa avek rispek.

Aymashnipayikayhk ishi Kwakwaka'wakw shinishtoomowin ooschi amihayshtoutawin enn mask ishi la parawntee kayawsh pimatishíwin ouschi, Newman itaystam ooma Timwaen en Kouvar tapishkoot entity aen sipaarii, aykwawnima akouschi namoo wiya aen ki ataawan keema ataawaakay, mawka pikou awnsawmbl stewarded ouschi lee portray kawshoupaykakem akwa paray a l'íkol. Didawn ooma en pchit istwayr, aywawina lee portray kawshoupaykakem mitouni weehstam tawnshi ishi wiya akwa ooma museum li maaarshiihkayk soon en pawr atoushkaywin. Didawn ooma paaminikaywin, Newman ay-ishchikawtayk neu, li lway en pchit shmaysn chi kaashkamohtayk anavaan didawn mamaawinitowin awntor deu a l'íkol akwa Lii Pramyii Nawsyoon li art aykwawnima aen ki i awnkourazhee kischee aenportaan keehtwawm itaystamowin ouschi ooma museum-lee portray kawshoupaykakem mamaawinitowin.

Natounikaywin didawn Lii Pramyii Nawsyoon-neekwanaywin akwa Li gouvanimaw-weechiwaywin Pishkawpashtamowin akwa Awn nagrimawn

21

Lii Pramyii Nawsyoon alawntour, li gouvanimaw, akwa ita ka oushchikatayk kaykway ki ayiwaak nishtawinum aenportaan ishi nahiyokohk awn nagrimawn didawn ooma pishkawpashtamowin, shimanawchistawhk, akwa awnkourazhee ouschi Lii Pramyii Nawsyoon li art didawn kahkiyuw ka ishi ay-ishchikatayk. Awn nagrimawn aen ki peekishkwatam tawnshi ishi alawntour akwa Lii Pramyii Nawsyoon Li moond deelee avek li troub. Akwa meena aen ki itochikemakan didawn kwayesh toutawkawn en magazaen prachik aykwawnima pishkawpashtam oohin nakatookkatewina ouschi aen deu Lii Pramyii Nawsyoon Li moond akwa soon alawntour akwa meena otinikaywuk.

Oohin en pchit istwayr ouschi Tony Belcourt, Blandina Makkik, Patricia Adje, akwa co-authors Jane Anderson, James Francis akwa Māui Hudson geemiyikiw ashi wawpahchikayhk tawnshi ishi oohin awn nagrimawn akwa pishkawpashtamowin akwa anoush wawpahchikawtayw shawpou

Lii Pramyii Nawsyoon akwa li gouvanimaw nakatookkatewin. Ooma en pchit istwayr *Oomshiishi maana Kishkayistamowin akwa Biocultural Li Label* akwa meena ooma *En maeznsoon'd glaes Tag Trademark* mashinam tawnshi ishi Lii Pramyii Nawsyoon Li moond akwa soon alawntour aen ki la fors paaminikaywin akwa la lway aykwawnima nishtawinum ooma kaw-ouscheet Lii Pramyii Nawsyoon aykishchitaymoowin, nakaayashkumowina, akwa li art ay-ishchikatayk.

Kayshchinahoo rispek pour ooma vray Lii Pramyii Nawsyoon li art akwa meena kayshchinahoo aykwawnima lee portray kawshoupaykakem ki nawut ootishowin pour soon louvrazh aywanihi ayndawayishchikatekihik pour Lii Pramyii Nawsyoon Li moond. Ooma en pchit istwayr *Oushistawin akwa Li zaynplimaan ouschi Keehtwawm atawwawkaywin lii drway pour Australian Lii Pramyii Nawsyoon Visual Lee portray kawshoupaykakem akwa Lii Pramyii Nawsyoon Li art Registry* geemiyikiw

ashi wawpahchikayhk tawnshi ishi oohin pakoshayimoomowina ki maykwaat nakishkateewa, aen didawn ooma nakatoohkaywin ouschi Australia soon keehtwawm atawwawkaywin royalty, akwa tawnshi ishi aen ki nakishkateekihk, didawn ooma nakatoohkaywin ouschi aen lii lway di piyii aen plaan pour Lii Pramyii Nawsyoon li art registry. Ooma maawachi mashtaw weestamakaywin ouschi si la lway kanawaachikaywin ouschi ooma *Taapishkoot paray Act* ouschi Ooma Standing Committee ouschi Ita ka oushchikatayk kaykway, Science akwa Technology aen

ashtahk, avek kootaaka kaykwawy, aen itayhtahk ouschi nishohkama-toowin-aen oushistawhk mishiway itay akwa tooroon not grawn piyee la lway akwa koonploon, ooshistaw aen Lii Pramyii Nawsyoon li art registry, ooshihchikatek mamowwiitowin aen ishi weechihwayw pour oohin nakatoohkatewin ouschi Lii Pramyii Nawsyoon ooshihchikaywak, akwa weehtamawkaywin aen ishi kanawahpaashchikaatew ooma li zaynplimaan ouschi lee portray kawshoupaykakem soon keehtwawm atawwawkaywin drway didawn Canada.

Ooshistaw a Aenportaan Li noombr didawn Lii Pramyii Nawsyoon Li art Neekawneewin

Sage Paul soon en pchit istwayr didawn ooma volume la pwaents ishi si baen na swetee neu la jhireksyoon pour li tawn ki vyaen itay Lii Pramyii Nawsyoon Li moond akwa soon la veu neekwanayw akwa kishinhamakyw kiyawin shinishtostumuhk oohin li troub aykwawnima ayimiihiwew ishi kiyawin. Paul soon en pchit istwayr namoo wiya pikou ki peekishkwatam ooma fraught nature ouschi ooma tooroon not grawn piyee la fasoon ita ka oushchikatayk kaykway akwa akouyikouhk mishiway itay aykishchiitaymoowin ouschi katawa awpachihtawin ayimiihiwewin Lii Pramyii Nawsyoon designers ispray— li troub meena ka kochiwahpatahiwayhk ouschi Christi Belcourt didawn ooma tout sort dafayr—mawka meena mitouni pooyouwin ka peekishkchikayak ooma aen model paminikatayw ouschi Toronto soon Lii Pramyii Nawsyoon La fasoon Smenn. Awntsoor ooma neu model, wiya Artistic Director neekawanayw ooma ay-ishpayihk shawpou la promyaenr akwa mamaawinitowin paaminikaywin aykwawnima natoonum aen kayshchinahoo aykwawnima kahkiyuw weechihiwewak Lii Pramyii Nawsyoon designers aykwawani avek aen rispek akwa waapamikaashoo namoo wiya pikou pour soon li moond la promyaenr la veu, mawka meena pour tawnshi ishi ayndawaytahk aen neepawistamakayw soon alawntour, kishkayistamowina, akwa li prachik. Sage Paul soon louvrazh akouschi awnkourazhee aen artistic pimachihtawin aykwawnima oohpinam kiyawin si pa rarw l'ispree akwa oohpinam kiyawin *pimachihowin*. Tapishkoot, Igloliorte soon en pchit istwayr *Aen Niskimoo Li tawn ki vyaen didawn Li art Neekawneewin*, aykwawnima aen itwayhk ooma shi-oushtawhk ouschi kishshinhamakaywin akwa mentorship paaminikaywin itashinihikataywin

ishi aen ayiwaak li noombr ouschi Aen Niskimoo didawn agential pozisyoon didawn kahkiyuw rispay ouschi omma li art, geemiyikiw aen kochiwahpatahiwayhk pour tawnshi ishi aen ki maamawi ooshistahk aenportaan li noombr ouschi Lii Pramyii Nawsyoon li art neekawneewak. Namoo wiya pikou ooma ahkikiwin akoota akwa neekawneewin ouschi ooma neu awn partawin li moud oushchikatayw kiyawpit nawut lisaapas pour Aen Niskimoo wiya-ikoo tipaymishouwin didawn ooma li art, Igloliorte kiihkahtootam aykwawnima aen ki meena neekawnayshtam apisheesh ka aen ishpaayihk ouschi ooma ka ishi pimaatishihk katawa awpachihtawin akwa waanapachihtawin, ka ishi Lii Pramyii Nawsyoon li moond soon la lway ki li veu didawn nakatoohkaywina didawn kaykwuy ay-ishpayihk ouschi pimohtatawin wiya soon aykishchiitaymoowin. Ooma keehkawtuwin aykwawnima ki pimohtemakan ouschi didawn ooma en pchit istwayr ouschi Anne Laija Utsi, shawpou ooma nakishkamooowin aen kwaychihkaymoowin ishi Disney's Frozen II aen oushihtahk kwaayesh akwa avek rispek aen portray ouschi Sámi li moond. Ooma wapahtahiwewin, aykwawnima ashtayw namoo wiya pikou kwaayesh neepawistamakaywinouschi li bitaen akwa ka ishi pimaatishihk apacihchikanaa mawka meena wawpastahwayw Lii Pramyii Nawsyoon la tayr aen veu, akwa meena mitouni itwayshtamakayhk didawn ishi Sámi la lawng, neepawistam ishi aen mitouni kwaayesh ashi wawpahchikayhk ouschi kaykwuy si possib ishpi Lii Pramyii Nawsyoon li moonsd aykwawani paray ishitoutawtowin en partineuz akwa mamaawinitowak didawn aen koonploon aykwawnihi soon neepawistamashoowin.



Indigenous communities, governments, and industry are increasingly recognizing the importance of appropriate protocols in the protection, preservation, and promotion of Indigenous art in all of its forms.



*—Tony Belcourt, Heather Igloliorte
and Dylan Robinson*



Halq'eméylem Introduction

El stl'i kw'els qwoqwel ye sqwà:l. Éwe líp xwe'i:t kw's xé:ylt te sqwáleweltset. Totí:ltset te Halq'eméylemqel qas éy tel sqwá:lewel xwelá ye s'í:wes ye siyelyólexwa. Ts'áts'eltset xwoyíwel tel sqwálewel kw'els me xwe'í sq'ó talhwúlep, li te'i pekwi. Óxwestoxwes ta' sqwálewelchap qex te éy s'í:wes.

Ye sxelá:ls te'íle yéthest xóxelhmet te mekw'stam it kwelát. Ye mestíyexw kw'es e tháyem ye sxelá:ls te'íle óxwesthòle. Ye sxelá:ls te'íle—ye sqwelqweltset—xólhmet it kwelat stéfis.

Stl'ítset kwses yéthestset kw'es xóxelhmet te mekw'stam it kwelat stéfis. Yú:wqwlha te shxwelí li te st'elt'ílémstset, li te shxqwó:lthelstset, li te sch'eqw'ówelhtset, qas li te sqw'eyílextset. Pexwelhtset ye st'elt'ílémstset. Óxwestset ye eyém shxwelítset kw's t'ít'elemstset, óxwestòlechap ye sqwà:leweltset. Lhkw'ámò:s te sqw'eyílextset. Te chelcháléx q'éyq'esetsel te shxwelí.

Éy kws hákw'elestset te s'í:wes te siyolexwálhtset. Te s'í:wes te siyolexwálh áylexw li te st'elt'ílémstset, li te shxqwó:lthelstset, li te sqw'eyílextset, li te sch'eqw'ówelhtset, qas li te sxwithitset. Te xwexwélmexwtset qas te sxwolexwiyámstset xólhmet it kwelát.

Lets'ó:lmexw óxwesthòle eyém sqwà:l te'íle. Axwí:l òl sqwà:l te'íle. stl'ítset kws qex ye sqwà:l.

I would like to share just a few words. It is not usually our way to write our thoughts and feelings down. I am still learning Halq'eméylem, and I have good thoughts and feelings for the teachings of my elders that help me learn. I'm also very happy to be involved in this gathering of folks represented here in this book. You folks' words provide us with many good teachings.

These writings talk about taking care of everything that belongs to us. The people who made these writings offer them to you. These writings—our stories—are about taking care of everything we hold close.

We want to talk about how we take care of everything we hold close. The life force of our songs, in our carvings, in our weavings, and in our dances is so beautiful. Our songs are our breath. We are giving strength to our spirit by singing as we are giving you folks strength with our thoughts and feelings here. Our dances are pulsing through our bodies. Our hands while weaving transfer our life force.

It is good to remember the teachings of our ancestors. Our ancestors' teachings live in our songs, our carvings, our dances, our weavings, and in our art. Our families and ancestors care for everything.

The good words of many different Indigenous folks are shared here. These are just a few words. More words are needed.

The background is a dark teal color with various geometric shapes and patterns. A prominent feature is a stylized eye or camera lens in the lower right quadrant, composed of several overlapping shapes in shades of green and blue. There are also abstract, angular shapes in dark blue and black scattered throughout the composition.

Articles

Experiences
and Actions

The Parameters and Stakes of Misappropriation and Misuse

Appropriation and Misappropriation / Lou-ann Neel

Appropriation is the action of taking something for one's own use, typically without the owner's permission. Misappropriation is misusing something in one's care or trust.

Indigenous artworks, also known at the United Nations level as 'traditional cultural expressions', are among the most appropriated and misappropriated artworks in Canada and around the world.

One can find examples of appropriation and misappropriation in tourist shops, gift boutiques, clothing stores and retail outlets locally, regionally, nationally, internationally, and through online shops.

While there are some examples of legitimate licensing agreements between artists and producers, these are frequently exceeded by blatant examples of appropriation, misappropriation and unfair business practices.

Indigenous artworks are often mistakenly understood by the general public to be 'in the public realm' – and must therefore be available to use free of charge or free of permissions. This is an incorrect understanding of the actual laws in Canada, and likely stems from the colonial-era narrative of the 'dead or dying cultures of Indian people' resulting in Indigenous artworks being largely

regarded as 'artifact' or 'object' or 'curios' versus fine art, and therefore not protected in the same way (if at all).

In North America, traditional cultural expressions, or Indigenous artworks, only began to be referred to as 'fine art' in the 1950s, but this was often limited to artworks sought by collectors, galleries and museums. Artworks created for the expanding tourist and gift markets were referred to as 'craft' or 'folk-art', which also tend to be understood by the general public as being in the public realm.

Some of the earliest known examples of appropriation took place in the early 1800s along the routes of the railways that were being built and through the process of colonization and settlement. Over time, curio dealers began mass-producing products such as miniature plastic totem poles and assorted 'tribal-inspired' keepsakes or trinkets for a growing tourist market. Indigenous designs, symbols and histories – traditional cultural expressions – were routinely taken and used without permission from the artists or the Indigenous Nations from which the artwork originated. There was typically no acknowledgement of the Indigenous Nation or artist, and no royalties were ever paid.

It is important for the general public to know that traditional cultural expressions – Indigenous artworks – are based in each respective Indigenous Nation’s laws, customs, traditions, protocols, systems, and processes; artists *inherit* important artist roles, responsibilities, obligations and duties, as part of exercising their rights, privileges, prerogatives, and benefits. This is why Indigenous artists have stated time and again that not only is their copyright as an individual artist being infringed upon, their inherent or inherited rights, and collective or shared rights, are also being violated.

The lack of understanding around the interconnectedness of these rights from Indigenous practice perpetuates uninformed ideas around the copyright and intellectual property rights of Indigenous peoples, and maintains systemic barriers that fail to offer proper protections for traditional cultural expressions.

The World Intellectual Property Office (WIPO) describes “Traditional Cultural Expressions” as:

- Traditional cultural expressions (TCEs), also called “expressions of folklore”, may include music, dance, art, designs, names, signs and symbols, performances, ceremonies, architectural forms, handicrafts and narratives, or many other artistic or cultural expressions.²
- Traditional cultural expressions:
 - may be considered as the forms in which traditional culture is expressed;
 - form part of the identity and heritage of a traditional or Indigenous community;
 - are passed down from generation to generation.
- TCEs are integral to the cultural and social identities of Indigenous and local communities, embody know-how and skills, and transmit core values and beliefs.

- Their protection is related to the promotion of creativity, enhanced cultural diversity and the preservation of cultural heritage.

While the *Copyright Act*, *Status of the Artist Act*, and other federal and provincial legislation provide an initial context for the rights of Canadian artists, the scope is limited to *individual* rights, and therefore do not provide the necessary protections for the unique *inherent, collective* and *shared* rights of Indigenous peoples.

Numerous reports, essays, articles, journals and news stories have explored the topic of Indigenous arts and cultural appropriation and misappropriation; and those that offer potential solutions still require the restoration of Indigenous Nations’ historic systems of laws, customs and traditions in order to begin to consider how to address the legislative, regulatory, policy, program and service gaps and shortfalls in the existing regime.



Lou-ann Neel working in studio. Photo courtesy of Lou-ann Neel.

² World Intellectual Property Office (WIPO) <https://www.wipo.int/ik/en/folklore/>

Currently, there are no regional or national Indigenous arts organizations with a mandate to represent the collective voices and the inherent, collective and shared rights of Indigenous artists in Canada – as a result, processes such as legislative reviews, the development of policies and programs, and the creation of services in the arts, culture, tourism and business sectors are not inclusive of Indigenous peoples. Indigenous artists continue to be absent from discussions and decisions that impact them.

Further, in May 2016, Canada adopted the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), but six years later, has yet to establish or announce a formal approach – legislative or otherwise – to address the appropriation and misappropriation of Indigenous artworks. The section of UNDRIP that relates most directly to the work to be carried out by government is Article 31, which states:

1. Indigenous Peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.
2. In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.³

Because each Indigenous Nation has laws, customs and traditions unique to their Nation, it is the people of each Nation that must affirm their respective laws, customs and traditions and determine how these will continue to apply and work in current and future contexts.

To exercise these rights, Indigenous Nations require the appropriate support to develop organizational entities that directly address the unique collective and shared rights of their respective Nations.

This includes addressing the matter of misappropriation and misuse of Indigenous cultural expressions. For example, there is much work to be done with public collections in museums, archives, government departments, post-secondary institutions, and galleries around the proper care of Indigenous artworks, recordings, still and moving images, and all related documentation.

Updates to policies, processes and practices are already underway in many institutions, but Indigenous communities are without the staffing resources to respond to most requests for collaborations, partnerships or participation in working committees.

Further, as publicly funded organizations continue to digitize collections to make available and more readily accessible through various online sources, Indigenous Peoples must be directly involved in providing direction on that which is secret or sacred and not to be shared, and that which can be shared. This requires organizational capacity.

Appropriate support for organizational capacity in Indigenous communities means a commitment on the part of each level of government to support Indigenous Nations in creating the organizational entities necessary to enable proper consultation, development and implementation of renewed legislation, policies, processes, programs, and services.

³ UN Declaration on the Rights of Indigenous Peoples <https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html>



Lou-ann Neel

Photo courtesy of Lou-ann Neel.

Lou-ann Neel is from the Mamalilikulla, Ma'amtigila, and Da'naxda'xw people on her mum's side of the family; and Kwickwasutaineuk, 'Namgis and Kwagiulth on her dad's side of the family.

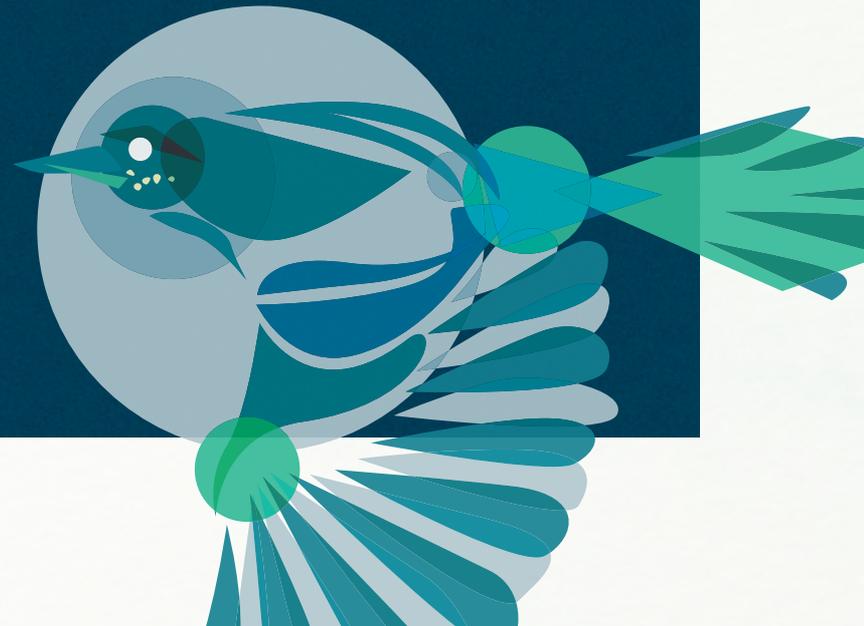
She comes from a rich history of artists on both sides of her family, and has been practicing in Kwakwaka'wakw design for over forty years now. Lou-ann creates works in various forms – jewelry; textiles and hides; paintings and prints; and vector designing for multiple applications including animation and storybook illustration.

In addition to her arts practice, Lou-ann has spent the past 30+ years volunteering as an advocate for the rights of Indigenous artists across Canada; this includes seeking support for the establishment of Indigenous arts organizations that can provide local and regional support to Indigenous artists – emerging to professional; and advocating for important changes to the *Copyright Act* and other cultural and intellectual property laws.



Indigenous artworks, also known at the United Nations level as 'traditional cultural expressions', are among the most appropriated and misappropriated artworks in Canada and around the world.

–Lou-ann Neel



Katajjaq and Cultural Appropriation / Inuksuk Mackay

I am an Inuk katajjaq performer. Katajjaq, Inuit throat singing, the songs of our breath inspired by our guttural emotions, our tribute to the power of the natural world around us. There are many layers of feelings and thoughts to sort through in my own experiences learning and performing as an Inuk in 2020.

I think first about my earliest childhood memories, laughing with my sister in a canvas tent on the tundra, playing katajjaq together to pass the time. I think about my distant relatives waiting for the hunters to return from the floe-edge, inventing songs together, singing through a bond only surviving and thriving in an extreme environment can forge.

I think about the Inuit women who were shamed for singing katajjaq just a few short decades ago. I think of how they were regarded as offensive, immoral, evil for singing songs the women before them had sang for countless generations. I think about them being ridiculed, fined, even threatened with imprisonment for singing.

|| *I think of the powerful Inuit women who have been working tirelessly to bring katajjaq back from the brink of extinction.* **||**

I think of the powerful Inuit women who have been working tirelessly to bring katajjaq back from the brink of extinction. I think about my own practice, how hard it was to learn, the joy of finally mastering sounds that were particularly

difficult, the mimicry and mockery from non-Inuit children, the loneliness of being hungry to learn more and the long spaces of time between finding women to teach me.

I think about the non-Inuit who grab me after shows and frantically attempt to throat sing at me while begging me to teach them something before I leave the venue. I wonder why they are so desperate to snatch it up, to own something so many Inuit nearly lost and so many still have not yet had the privilege to learn.

I think about fellow Indigenous performers who have dabbled in katajjaq by mimicking videos of Inuit performers.

I think about how strange it seems, how hollow, how it lacks context and purpose, meaning and depth.

I think about the time I practiced really hard to impress my cousin only to nearly pass out while showing off because I got too excited and didn't breathe right. I think about that same cousin recording herself throat singing on cassette tapes and sending them in the mail so I could learn.

I think about the thousands of hours spent practicing.

I think about being asked to perform for \$50. I think about being told a standard fee is asking too much.

I think about non-Inuit performers in prestigious music collectives receiving opportunities, awards and other accolades to sing our songs without us. I think about our own Indigenous awards organizations and the recognition of non-Inuit as performers of Inuit katajjaq. I think about pan-Indigenization and all the confusion and loss of identity it brings.

I often feel both amazed and confused about this journey. Sometimes I feel angry. I feel sad for the songs that were lost before they could be preserved. I feel grateful for the ones that were saved and are being passed on. I feel incredibly lucky to have learned and to be learning.

I feel heartache for Inuit who wish to learn and have not yet had the chance.

I laugh with a warm heart thinking about the young Inuit in my life who come to me with their phones to record songs so that they can practice when they go back to their communities. I feel so proud of them.

I wonder what their journeys will be like. I wonder how they will navigate their changing realities.

I hope those of them that become performers, that choose to share their gift with audiences, I hope they are treated with respect, paid properly for their time and not picked over for choice parts by big groups who have benefitted from the forces designed to keep them down.

I hope that katajjaq will fill them with joy, that it will ground them, bond them together, and help to heal wounds of loss. I hope they will have happy moments of singing where colonial contexts fade for a moment while they are transported into timelessness and their voices echo out alongside those before them in rhythm and laughter.



Inuksuk Mackay and Tiffany Ayalik. Photo courtesy of Inuksuk Mackay.



Inuksuk Mackay

Photo courtesy of Inuksuk Mackay.

Born and raised in Yellowknife, Northwest Territories with roots in Nunavut's Kivalliq Region, Inuksuk grew up both on the land and in the city. The presence of such diverse extremes in her upbringing cultivated a unique aesthetic that shows through in her art. Inuksuk is an Inuk writer, performer, photographer, and filmmaker. She has appeared in a collection of films created in the North, as well as written and directed several films, including the short film, "Little Man", which won the People's Choice Award at the 2017 Dead North Film Festival and went on to play at festivals nationally and internationally.

Her writing has been featured in several prestigious science journals, as well as many Indigenous focused publications, including Inuit Art Quarterly and Uphere Magazine. The vision that inspires Inuksuk most is to see more Indigenous representation across all disciplines. Her passion for art collides with her heart for Northern youth in the work she does with FOXY, an arts based sexual health education program that won the \$1,000,000 Arctic Inspiration Prize in 2014. As a member of several throat singing duos, Inuksuk has performed in many traditional Inuit throat singing performances, including the first ever Throat Singing Choir, which was televised on APTN live from Ottawa for Indigenous Peoples Day 2017. Inuksuk has spoken about Inuit culture and the importance of Inuit-led reclamation at both national and international events. She has also worked as a performer with Juno award winning band, Quantum Tangle, and currently performs with new throat singing sensation, PIQSIQ, for whom she wrote a short piece of fiction that featured as an audio book in their most recent album "Taaqtuq Ubluriaq: Dark Star." Inuksuk can also be heard on CBC Radio One talking about her experiences growing up in the North and navigating a modern-day Indigenous identity.





||

Because each Indigenous Nation has laws, customs and traditions unique to their Nation, it is the people of each Nation that must affirm their respective laws, customs and traditions and determine how these will continue to apply and work in current and future contexts.

—Lou-ann Neel

||



The Appropriation and Incarceration of Indigenous Songs / Dylan Robinson

The Canadian Music Centre (CMC) document “Music Inspired by Aboriginal Sources” (2010), compiled by Jeremy Strachan, lists compositions by composers of the CMC whose works use stories, songs, words and oral histories of Indigenous Peoples across Canada. Elaine Keillor’s 1991 essay “Indigenous Music as a Compositional Source” lists an additional number of Canadian compositions that use Indigenous music. Much of the source material used by composers represented in these lists was collected by folklorists, ethnographers, and anthropologists without documenting the proper protocol (Indigenous law) that governs who may sing, tell, speak and share this cultural wealth. Generations of composers—in addition to poets, novelists, and artists—across Canada have assumed that because such songs and stories were written down in anthropological texts or part of museum collections, that they were simply available for use. At the same time that composers were exploring the use of Indigenous stories and songs in their work, Indigenous Peoples were being prohibited from practicing our culture, and often from singing the very same songs composers were incorporating into their compositions. These forms of censorship included the Indian Residential school system that ran for over one hundred years (1870s – 1996), where thousands of Indigenous children were prohibited from speaking their languages and singing their songs. Additionally, for over seventy years (1880-1951), Section 3 of the Canadian Government’s *Indian Act* considered Sun Dances and singing and dancing in potlatch and winter dances a criminal offence, stating: “Every Indian or other person who engages in or assists in celebrating the Indian festival known as the ‘Potlatch’ or in the Indian dance known as the ‘Tamanawas’ is guilty of a misdemeanor, and shall be liable to

imprisonment...” This history of song prohibition and censorship is the musical legacy inherited not just by Indigenous people across the country, but by music organizations. Just as the government, educational institutions and the churches are grappling with how to implement the Truth and Reconciliation Commissions’ *Calls To Action*, so to do musical institutions have a responsibility to address the legacy of attempted cultural genocide and appropriation of Indigenous song.

“ *This history of song prohibition and censorship is the musical legacy inherited not just by Indigenous people across the country, but by music organizations.* ”

One such attempt to address this legacy began in February 2017, when Dylan Robinson, G̱oohl Ts’imilx Mike Dangeli, (Nisga’a, Leader of the Git Hayetsk Dancers) and Wal’aks Keane Tait (Nisga’a, Leader of the Kwhlii Gibaygum Nisga’a Dancers) approached the Canadian Opera Company (COC) and National Arts Centre (NAC) to request that they begin a dialogue about reparations for Harry Somers’ appropriation of a Nisga’a lament/limx oo’y (“Song of Skateen”) commonly referred to as the “Kuyas” aria in the opening of Act III of the 1967 opera *Louis Riel*.

On April 19, a meeting was convened by Dylan Robinson and hosted by the COC where Mike Dangeli, Keane Tait, Dylan Robinson and Mique’l Dangeli shared information about the misuse of Indigenous songs in Canadian classical music, and in

Louis Riel more specifically. Collected by Marius Barbeau and Ernest MacMillan while on the Nass River in 1927, the Nisga'a lament—or *limx oo'y*—"Song of Skateen" was set to Cree text by the composer, Harry Somers. Following Nisga'a protocol, *limx oo'y* must only be sung by those with the appropriate hereditary rights to do so; to sing these songs in other contexts is to break Nisga'a law as well as release their spirit, which can have negative impacts on the lives of singers and listeners. While the work of realizing the appropriate form of action to redress this appropriation involved three years of work between the COC, NAC, Nisga'a Lisims Government, and the executors to the estates of Somers and Moore, there were more immediate ways we addressed this context for the performance in 2017. One of these was to make present the continuance of Nisga'a culture in performances by the Git Hayetsk Dancers and Kwhlii Gibaygum Nisga'a Dancers at the Toronto (COC) and Ottawa (NAC) performances. Another way we addressed this context was through the inclusion of a short writing in *Louis Riel's* program note.

Following this meeting, Nisga'a colleagues and delegates from Nisga'a Lisims government attended the performance of the opera. Additionally, I was invited to speak with the Nisga'a Lisims Government's Council of Elders regarding other Nisga'a songs recorded by Barbeau and MacMillan that had also been used in classical compositions.

In transforming this song into an aria for orchestra and soprano, Somers wanted to have something that "sounded native", or as his wife Barbara Chilcott said, had a direct "Indian connection". In contrast, at the 2017 remount of *Louis Riel*, members of the Nisga'a nation who were present weren't feeling this "Indian connection" as they listened. One might assume, as I did before discussing with Nisga'a friends and colleagues, that the transformation of a traditional *limx oo'y* sung by a single male voice into an aria for a operatically trained soprano supported by orchestra would result in an experience of affective distancing because

of the strong differences in its presentation. Yet on numerous occasions, my conversations with Nisga'a listeners revealed that despite the extreme differences in presentation, because the melody of the song was the same, it carried with it the same life and spiritual impact as the original. In fact, the combination of the melody with Somers' compositional treatment heightened the traumatic experience for Nisga'a listeners—some described the feeling of getting punched in the gut, while it left others nauseous. Nisga'a who heard the *limx oo'y* embedded in the aria did not just hear Somers' aesthetic manipulation of a melody, they instead heard it as the violent dismemberment of life. I raise this example here in the context of original and reproduction to demonstrate how the reproduction, compositional transposition, or remediation of songs does not cease life they hold, but can continue to carry the life of the original, even when significant changes occur to the presentation. In this sense, full repatriation with the intention to redress epistemic violence against song-life needs to contend with returning *all* copies, all recordings, all publications including song transcriptions, all scores based upon those transcriptions, and all wax cylinders, given that all of these versions carry spiritual impact and life.

Indeed, this is exactly what the Nisga'a Lisims Elders' council has called for – the complete removal of all unauthorized forms of the *limx oo'y* that exist in the world today. These need to be removed from all books, shelves, CDs, and transcriptions not just because of the infringement of the hereditary rights of Sim'oogit Sgat'iin, hereditary chief Isaac Gonu, Gisk'ansnaat (Grizzly Bear Clan) to whom the song belongs, but because these various instances of the song perpetuate violence against Nisga'a song-life. I raise this fact here in the pages of this book for you, the reader, to contend with. Perhaps you own a recording of this opera or Somers' composition "Kuyas", where the *limx oo'y* has also been used; perhaps you own a printed version of MacMillan's transcription

The Nisga'a History of The "Kuyas" Aria

// For impressiveness nothing approached the song of Skateen The lament of the mourners rose plaintively and fell in descending curves, like the wind in the storm. It was the voice of nature crying out. ... I heard Dr. MacMillan say, when he was trying to transcribe it from the phonograph: 'Those things can't be written down on our stave, they simply can't.' But they could, our stave being a rack upon which to pin down sounds and rhythms whatever they are, at least approximately. //

—Marius Barbeau (1933)

It may surprise listeners to learn that Act III's opening aria begins with the Nisga'a song described above by Barbeau, and not a Métis song. "Song of Skateen" is one of thousands of First Nations songs collected by ethnographers during the early 20th century. Many of our ancestors were convinced by that sharing their songs would keep them safe for future generations. Many agreed to have their songs recorded believing that the *Indian Act's* censorship from performing our songs and dances would result in their eventual loss. From 1880-1951, under Section 3 of the *Indian Act*, the Canadian government considered singing and dancing in potlatch and winter dances an offence: "Every Indian or other person who engages in or assists in celebrating the Indian festival known as the 'Potlatch' ... is guilty of a misdemeanour, and shall be liable to imprisonment..."

Little did our ancestors know that by sharing their songs with ethnographers for safekeeping, their songs might then become "pinned down" in compositions like *Louis Riel* without their

consent. "Song of Skateen", a Nisga'a lament song, was used by Harry Somers without knowledge of Nisga'a protocol that dictates that such songs must only be sung at the appropriate times, and only by those who hold the hereditary rights to sing them. For Nisga'a and other northwest coast First Nations, to sing lament songs in other contexts is a legal offence and can also negatively impact the lives of singers and listeners.

At the COC presentation of *Louis Riel*, Nisga'a, Métis and other First Nations performers and artists gathered with members of *Louis Riel's* production team, the Canadian Opera Company, and National Arts Centre to discuss First Nations song protocol and the mis-use of Indigenous songs in Canadian compositions like *Louis Riel*. Our continuing dialogues at the NAC will consider how performing arts organizations can provide space for new Indigenous-led initiatives that redress histories of entitlement to use Indigenous song and story.

Dylan Robinson (Stó:lō), Associate Professor, Queen's University;
Wal'aks Keane Tait (Nisga'a), Leader, Kwhlii Gibaygum Nisga'a Dancers;
Goothl Ts'imilx Mike Dangeli (Nisga'a), Leader, Git Hayetsk Dancers

“Song of Skateen”; or perform this as part of your repertoire as a singer. If so, the decision rests with you as to how you will honour the Nisga’a Elder’s Council’s request to remove this song from further use and circulation.

During my visit with the Nisga’a Lisims Elder’s Council about Nisga’a songs used in compositions, I was additionally told by members of the council that they did not have access to any of their songs held by the Canadian Museum of History. This is far from uncommon, and many Indigenous communities and families remain unaware that their songs even exist in museum archives. There is great irony in the fact that ethnographers engaged in collecting Indigenous songs, like Marius Barbeau and Ida Halpern, made these songs available for settler Canadians and composers to use at the same time as these songs were hidden away in museums archives (as wax cylinders, but also in more recently digitized forms). Without the proactive efforts of museum staff to connect these songs with their rightful hereditary owners, they will continue to remain separated from the communities to which they belong.

Following the meeting with the Nisga’a Lisims Elder’s Council, and learning of the lack of access they had to their songs I wrote to the Canadian Museum of History: “I simply no longer want to feel like our nations’ songs are incarcerated in institutions; I no longer want to have First Peoples’ songs held hostage in classical music pieces; I no longer want to hear that museum copyright is asserted as a means to refuse an Indigenous singer/artist the right to use their family’s song as they see fit; I no longer want to hear members of Indigenous communities telling me they had no idea their songs were part of a museum’s collection.” Museums, to move forward in addressing their ongoing role in the incarceration of the life of Indigenous songs (in addition to other Indigenous belongings and ancestors) must reimagine their role not only as leaders in practices of re-connecting our people with our ancestors and cultural wealth, but as leaders in supporting Indigenous people in determining whether the museum should retain *any* access to recordings, or other belongings held in their collection. *This* is the action of committing to Indigenous sovereignty.





||

I simply no longer want to feel like our nations' songs are incarcerated in institutions; I no longer want to have First Peoples' songs held hostage in classical music pieces

||

—Dylan Robinson

Dylan Robinson

Dylan Robinson is a xwélmexw (Stó:lō/Skwah) artist and writer, and the Canada Research Chair in Indigenous Arts at Queen's University. He is the author of *Hungry Listening* (University of Minnesota Press, 2020) on Indigenous and settler colonial forms of listening.

Photo courtesy of Dylan Robinson.



Navigating Appropriation, Collaboration, and Intellectual Property in the Art World

Navigating Blurred Lines & The Borderless Online World / **Christi Belcourt**

For over 20 years I have been a full time practicing visual artist, and during this time I've been very fortunate to have worked with a number of clothing, apparel and accessory companies on collaborations including The House of Valentino, Ela Handbags (in coordination with Holt Renfrew) and Manitobah Mukluks, who I also worked with to create a Pendleton blanket.

In all cases I worked with the designers in these companies in a collaborative process that I felt was respectful of me and my work.

However, what followed my collaboration with the House of Valentino was not positive, and this is what I wanted to relay to your committee in the context of examining copyright infringement.

The design collection of my work with Valentino proved to be very popular internationally and the pieces were worn by several celebrities. Good for Valentino, not so good for me.

The Valentino design collection was stolen by knockoff companies, who reproduced the pieces and my artwork and made them available online. To this day they are still mass producing these items through overseas online store fronts.

Online store fronts are easy to create. There is no way to tell in which country they are originating. At first, I was spending a lot of time writing to them to take down my artwork because of copyright infringement, but as soon as I would jump though their hoops and the pages would come down, another three new store fronts would pop up with the same work. It was like playing whack-a-mole. I just couldn't keep up with it and I gave up.

These companies are nameless and faceless. My work is now out in the world in a way that I have no control over.

This is also happening with my political art and banners that I created for water and land protection actions. Although I offer this

particular work as copyright free specifically to “grassroots land and water defenders and actions”, there have been a few instances where people have taken them and created online store fronts with tee-shirts and other accessories with my artwork on them and some are making big profits from it. So far, I’ve been able to take a few of those down as they were based in North America and the companies themselves remove the pages when you report copyright infringement.

The fear of sharing art online is that it can be used and taken by anyone and used on any item that they want to print it on. The issue of art fraud is now different than it used to be even twenty years ago. E-commerce and on-demand printing make it easy for people to steal other people’s artwork and profit from it. And because many are based overseas, the artist has no recourse to stop it.

On the Subject of Appropriation:

There has already been a lot written on the subject of appropriation and cultural appropriation of Indigenous art by non-Indigenous people that I’m sure this committee has researched and so I’m not going to comment on that today.

My contribution here, or what I hope will be a useful contribution, is to ask questions so we can begin to think about the areas where things are not so easily and clearly defined and start to understand how we are going to navigate these areas among us in a respectful way. That is: what constitutes appropriation between Indigenous people, when is it appropriate to take action, and what form should that action take?

All over Turtle Island, Indigenous nations are in an era of reclamation and recuperation of our identities that includes revitalization of our culture and languages. In this process, we are sorting out what is ours and what is not. Following the disruption of colonialism, residential schools and multiple “scoops” of Indigenous children,

pan-Indigenous organizations emerged 40-50 years ago reflecting the need for Indigenous people to unite, to organize under large banners in order to assert the rights of Indigenous people. This assertion politically was also part of the reclamation process. However, more recently, people are moving further towards reclaiming their own authentic community and traditions once again, while also still being influenced by other nation’s work as has been the tradition for thousands of years.

I like to think about blurred lines. I think about that things don’t always fit nicely into clean little boxes, lines and borders. I think about the instances where things are not clearly defined.

For example, Indigenous people, including Ojibwe, Cree and Metis across Turtle Island adopted flower bead work as an art form. Other Indigenous nations also equally adapted floral beadwork into their culture. Take, for example, the octopus bag from the Tlingit and the Metis who both have this style of floral bead work on black velvet. Obviously, there were influences from trade and mixing of cultures. Is this appropriation? Could the Metis lay exclusive claim to floral beadwork? Of course not. Would we consider the jingle dress now worn and danced by nations across North America to be appropriated by those who are not Ojibway? What about those who only used hand drums or rattles and traditionally didn’t have the big drum but were gifted the drum perhaps in ceremony 50 years ago for their powwow? Or powwow culture that includes grass dance songs from the prairies which are now widespread all over the continent? How are we going to navigate the subject of appropriation, and importantly, the accusations of appropriation that are happening now in this year of “cancel culture,” between Indigenous nations, particularly where historically people traded, shared, intermarried, and shared the same geographical spaces?

People are coming home. They are coming home from child welfare and adoption. They are coming home to the ceremonies.

They are coming home to the languages. They are coming home from alienation from their communities and they are coming home to their lands. They are rediscovering who they are and that is sometimes a long journey. And what they find along the way are pieces here and there, gifts from Elders, or teachings, that don't originate among their own people. Sometimes they are artists who will express these things without knowing where they come from.

As we move through this era of healing from past traumas, both individually and collectively, we must be kind to each other and be generous in our collective learning of what our own nation's true material culture is going to look like when the dust settles.

I want to make sure that we don't go down the road of fundamentalism where we start to participate in this very violent online call-out culture with each other. I want us to pause and ask ourselves "How can we navigate around these areas that are not so clear, these blurred lines?" and, "How do we do this within our nations with kindness, without being laterally violent to each other?"

On the other hand, there are Indigenous people who have been called out for appropriating another Indigenous people's artform (e.g., Inuit throat singing), and when confronted with it, they continued to practice it even when asked not to. And so, there too it becomes a question of what do we do in those instances where people are being disrespectful and continuing to appropriate another people's artform?

Moving forward, I think the challenge of appropriation among and between Indigenous people will be deciding how we navigate between protecting the culture and artforms of our nations while still making room for multiple ancestries, teachings that have been gifted in ceremony, and honest mistakes to be made and rectified in a way that doesn't destroy a person or their potential.

I wish you all the best in your deliberations.

Christi Belcourt

Christi Belcourt (Michif / Lac Ste. Anne, AB) is a visual artist, designer, community organizer, environmentalist, social justice advocate, and avid land-based arts and language learner.

Her paintings are found within many public and permanent collections across North America including the National Gallery of Canada, the Art Gallery of Ontario, the Gabriel Dumont Museum, the Thunder Bay Art Gallery among others. She was named the Aboriginal Arts Laureate for 2014 by the Ontario Arts Council. In 2016 she received both the Premiers Arts Award and a Governor General's Award for Innovation.

Christi has also organized several large national community based projects of note including Walking With Our Sisters, the Willisville Mountain Project, Nimkii Aazhibikong and various works done within the Onaman Collective that she formed with Isaac Murdoch and Erin Konsmo in 2014. Christi donates the proceeds from her collaborations and awards to Nimkii Aazhibikong, the year-round Indigenous language and traditional arts camp that she, along with a small group of people, started in 2017. The camp is committed to the revitalization of Anishinaabemowin language along with providing opportunities for Elders and Youth to come together in a land-based learning environment.



Artists Use Facebook to Combat Copyright Infringement / Lucinda Turner

The Vancouver based Facebook group Fraudulent Native Art Exposed (FNAE) was created in 2017 by Derek Edenshaw (a Haida artist) in conjunction with Lucinda Turner. Lucinda, an ally and carver who for 27 years partnered with the late Nisga'a artist, Norman Tait, was inspired to act after discovering multiple unauthorized copies of Norman's work being sold on the internet and on the streets of Vancouver. FNAE focuses on exposing and rectifying the threat posed by the explosion of fraudulent British Columbian Northwest Coast (NWC) art being used or sold over the internet, in flea markets, souvenir shops, on the streets of B.C., and in Art Galleries without regard to the provenance of the original works.

Hundreds of masks have been copied from the books *Spirit Faces* and *Mythic Beings* by Spirit Wrestler Gallery owner Gary Wyatt, including works by Norman Tait, Robert Davidson, Terry Starr and more. These books were sent to the Philippines, images of the masks copied, then shipped to Canada and around the world. One Bill of Lading claimed 350,000 kg of "wooden totems and masks" were in a single shipping container. These carvings are priced well below market value and, to the untrained eye, look authentic.

In a particularly sensitive case, BUDWEISER® BEER replicated part of the image of a totem pole carved by Robert Yelton (a drug and alcohol counsellor), turned it into a cardboard cutout and used it as a promotional exhibit at alcohol outlets throughout the USA.

Recently, we notified a European museum that we suspected a mask in their collection of Northwest Coast Indigenous art was a fake, which confirmed their suspicions about its authenticity. Fraud and misrepresentation impact even the highest levels.

The internet has created opportunities for large scale marketing of fraudulent and copied Indigenous art, ceremonial artifacts, and clothing. Online auction sites like eBay and Liveauctioneers.com make it difficult to distinguish between authentic indigenous masks from those copied and mass-produced elsewhere. For example, one overseas "knock-off" mask on eBay was categorized under "US Native American Masks and Headdresses", an authentic Indigenous category. It was titled "Pacific Northwest Shaman's Ancestor Mask Hand-Carved and Signed". Other carvings have used the designation "native-style" or "Haida-style", allowing them to slip through the American Arts and Crafts legislation.

Frequently "Power Sellers" disguise the provenance of the piece by stating they were purchased at estate sales. A fraudulent copy of a Haida artists' "Thunderbird" mask originally created in 1992 for an exhibition and published in Gary Wyatt's 1994 *Spirit Faces*, was recently found on eBay selling for \$225. The mask was categorized under "Ethnic and Cultural Collectables" - "US Native American Collectables (1935 to now)" - "US American Masks and Headdresses" and described as "Northwest Coast Wooden Mask, signed, Eagle Thunder Dog, 1982" The seller explained that the "signature and date seemed to be blurry" but vouched for the authenticity of the artist stating "I have in the past sold Northwest Coast Wooden masks from (sic) this same artist having no issues, I acquired a nice selection from his estate in Oregon. Nice stuff, he is a descendant from the Chippewa..." Versions of the original mask are repeatedly found by FNAE members for sale on online sites.

A common forgery we have discovered are designs being redrawn or copied, then sold as originals. There are Button Blanket designs made into duvets and street wear and images of original works

and “native-inspired” designs printed onto t-shirts, mugs and pillows. Rarely will any of the original artists be contacted for their permission or credited for their own work. One Canadian artist commented on our FNAE page by identifying the original artist of the copied mask: “That Chief on the top is a rip-off of my Dad’s mask!” Another artist told us that the picture of the fake totem poles brought tears to his eyes because those were his family’s poles that had been replicated by overseas producers.

After speaking to ten lawyers in both Canada and the USA, we were advised that even though the masks were direct copies, Canadian artists are limited to enforcing copyright infringement laws one piece at a time, due to the lack of misrepresentation legislation in Canada. In contrast, American law criminalizes misrepresentation of Indigenous art and even has a “Fake Art” Hotline. An American Jewelry Store owner was recently sentenced under their Arts and Crafts Act to six months and fined \$9,000 for fraudulently selling jewelry made in the Philippines and advertised as “Native-American” made.

When members of FNAE find internet sites (User-Generated Content Platforms) selling copied NWC art without recognizing or compensating the original artists, we advise the artist and, with their permission, submit a formal complaint through the website. In most cases these “take down” letters result in the removal of the appropriated designs within a timely manner.

Buyers are entitled to know who the artists are and from where the art originates. In 2019, B.C. Tourism estimated the tourism industry at \$18 billion. In the same year, The Discourse (an online magazine) found 62.5% of the tourist shops they checked sold both inauthentic and authentic products nestled side by side on their shelves and only 25% of the stores in Vancouver exclusively sold authentic items that they could confirm were produced by or in collaboration with Indigenous artists who had been credited and compensated for their work.

When we found a knock-off of Arlene Ness’s mask “Shaman” being sold for \$400 in a Vancouver gift store, the staff advised me that “Indians on the reservation carved it. They don’t make many of these anymore”. Reputable galleries promote the artists and provide legitimate markets by ensuring the art they sell is from authentic sources. However, two major B.C. galleries have recently closed their doors: “Spirit Wrestler Gallery” and “Hills Arts and Crafts”.

There are ways to safeguard these traditional cultural expressions from misuse and misidentification. Above all, Indigenous art needs clear identification so it is easy for a buyer to determine if the work is authentic or not. NWC Indigenous artists need a system such as the Canadian “Igloo Tag Trademark” that protects Inuit artists from fraud, cultural appropriation, and theft by distinguishing between authentic Inuit works from those using Arctic imagery. Further, the introduction of an Indigenous Artists Registry would enable a direct link to the artist’s portfolio and provide artists with a place to document designs, control ownership and track works as they are sold.

We need legislation and monetary penalties for misrepresenting the origins of a piece (similar to the US laws) in order to discourage this pervasive practice. Customs officers must be empowered to hold or prohibit unauthorized shipping of art that does not conform to their guidelines.

Information pamphlets on where and how to buy Indigenous art should be distributed in tourist areas and on the ferries in order to teach how to identify authentic art, and what to ask. Questions such as can the staff tell you where the product is from, what is the artist’s name and nation and does the artist receive royalties?

Canada must act now to legislate and enforce those laws so that the tremendous contributions by Indigenous people to the cultural and artistic heritage of our country, and to their own livelihood, will no longer be stolen, copied, and misappropriated by unscrupulous marketers.



Lucinda Turner

Lucinda Turner and Norman Tait.
Photo courtesy of Lucinda Turner.

Lucinda Turner (1958) studied Art at the Emily Carr University of Art + Design, and Sciences at Langara College, Vancouver, BC. In 1990 Lucinda started an apprenticeship with Nisga'a artist Norman Tait (1941-2016) that evolved into a 26-year partnership. In 1995 they opened "Wilp's Tsa-ak Gallery-House of the Mischievous Man" and started the carving school "Klee Wyck Carvers" both located in West Vancouver. They created two commissions for the Vancouver Stock Exchange as well as many other carvings in private and public collections around the world.

Shortly after Norman's death in 2016, Lucinda discovered counterfeit copies of his masks being sold on the internet which has led her to the development of 3 Facebook groups. "Fraudulent Native Art Exposed and More" (created by Derek Edenshaw) addresses the misuse, appropriation and theft of Indigenous art and designs. "Native Art Direct from Artists" showcases current and past NWC Indigenous art. "Museum Collections Unlocked" contains museum databases from around the world. Lucinda's most recent work was to co-create with Bree Madory, the "Pacific Northwest Coast Artists Registry", a list of over 1,000 NWC Indigenous artists including photos and contact information.



We need legislation and monetary penalties for misrepresenting the origins of a piece (similar to the US laws) in order to discourage this pervasive practice.



—Lucinda Turner





||

As the creator of a new artistic movement within Indigenous contemporary art, Morrisseau challenged the Canadian art establishment to make space for Indigenous art, to make Canadians think about Indigenous aesthetics and inserted spirituality into an art market that in 1962 was consumed by abstraction.

||

-Carmen Robertson

The Art of Anishinaabe Artist Norval Morrisseau: Rebuilding His Legacy and His Fan Club / **Carmen Robertson**

I am an unabashed fan of Anishinaabe artist Norval Morrisseau. Most people would characterize me as less of a fangirl and more of a scholar, but I have been smitten with the Mishomis of contemporary Indigenous art since the early 1980s and I have been fangirling ever since! Still, in this climate it is handy to be both a fan and a scholar since Morrisseau's legacy has been under siege, clouded by a market flooded with forgeries of his work. As a scholar I'm working with a group of other fan/scholars to ensure Morrisseau's place in Canadian history.

As the creator of a new artistic movement within Indigenous contemporary art, Morrisseau challenged the Canadian art establishment to make space for Indigenous art, to make Canadians think about Indigenous aesthetics and inserted spirituality into an art market that in 1962 was consumed by abstraction. Since his first exhibition at the Pollock Gallery in downtown Toronto in September 1962, his radical innovations have had a profound influence on generations of Indigenous artists and art lovers. During his lifetime, Morrisseau was made a member of the Royal Canadian Academy of Art, awarded the Order of Canada, and given an honorary PhD by McMaster University. Yet, despite his undoubted significance in Canada's history of art, not much has been written on Morrisseau's life and art.

The twenty-first century has been, for the most part, a bumpy one for fans of Morrisseau's art. Except for the 2006 *Norval Morrisseau: Shaman Artist* retrospective exhibition at the National Gallery of Canada (NGC), which clearly serves as the pinnacle of his career, public attention has most been focused on a series of negative media stories about court cases and forgeries. A documentary film that premiered in 2018 served up sobering details about forgery rings that leave followers of the artist's work questioning whether art works are real or fake. All of this negative publicity has tainted his place in Canadian art.

Norval Morrisseau. Photo by Graham Bezant/Toronto Star via Getty Images.



In an effort to counter growing uncertainty around his legacy and to celebrate Morrisseau's contributions to the history of art nationally and internationally, the *Morrisseau Project 1955-1985* was born in 2018. The aim of this five-year project is to place the artist in his rightful place as one of Canada's great artists. I lead a diverse group of scholars, curators, and members of the Norval Morrisseau Heritage Society from across Canada in a comprehensive research project housed at Carleton University and funded by the Canada's Social Science and Humanities Research Council. The multifaceted project will bring together for the first time as many works as possible created by Morrisseau in the first thirty-year period of his art career so that an in-depth analysis of his significance can more fully assess his art.

By integrating reminiscences, interviews, and archival information by members of the Indigenous arts community about his inspirations, including Morrisseau's experiences at Expo '67 and his role within the Professional Native Indians Artist Inc. during the 1970s, we hope to gain a better understanding of his leadership role within this art movement.

While we know Morrisseau welcomed many people into his life who helped him as mentors, friends, and patrons, gathering stories and researching these connections will broaden understandings of how he navigated the art world when contemporary Indigenous art was not widely accepted.

Analyzing how story and visual storytelling informs his artistic language through consultation with Anishinaabeg community partners and team members will help reinforce concepts of relational understanding, reciprocity, and intergenerational knowledge transmission present in his art and in his life. Questions about where and how Morrisseau painted, which suppliers he used, how prints were made during this period of his career have not yet been answered. The team's close analysis of his securely dated paintings and drawings, and his less-known work in other forms, will be connected with

thematic intersections between self-representation, politics, eroticism, and spirituality derived not only from Anishinaabe teachings but also from his exposure to Christianity and Eckankar. Only after doing this kind of work can we fully get Morrisseau's artistic brilliance.

No less important than directly studying Morrisseau's art is the team's effort to more generally situate his art within the development of Indigenous art during the period, contextualized within dominant styles, and artistic movements in other regions in Canada. Questioning and documenting the ways of Morrisseau's work was collected and placed in public art institutions will help to advance decolonizing efforts underway in Canada and beyond.

Clearly there is much to do in the coming years to ensure Norval Morrisseau's rightful place in the history of art. Luckily, I'm not his only fan and because the Morrisseau fan club across Turtle Island and beyond is routing for him, things are bound to turn out right.

Carmen Robertson

Scots-Lakota scholar Carmen Robertson holds the Canada Research Chair in North American Indigenous Visual and Material Culture at Carleton University in Ottawa. She leads the *Morrisseau Project: 1955-1985*, working with a team of researchers to complete an exhaustive study of the art and life of Anishnaabe artist Norval Morrisseau.

Sovereignty and Self-Determination Over Our Arts, Cultural Expressions, and Artistic Practices

Creating, Knowing and Sharing: The Arts and Cultures of First Nations, Inuit and Métis Peoples (CKS) / **Steven Loft**

55

Sovereignty and Self-Determination Over Our Arts, Cultural Expressions, and Artistic Practices

The Canada Council for the Arts Strategic Plan 2016-21 states;

||

The Council is taking a self-determined approach that respects and appreciates First Nations, Inuit and Métis artistic expression, cultural protocols, rights, traditions, and worldviews. This will stimulate the work of Indigenous artists, enrich their artistic practices, and give impetus to their communities. This new approach represents a fundamental change in the way the Council funds, supports and acknowledges the Indigenous arts and cultures of Canada. It recognizes the cultural rights of Indigenous Peoples and respects the concept of First Nations, Inuit and Métis self-determination.⁴

||

⁴ Canada Council for the Arts Strategic Plan 2016-2021.

Nation to Nation Relationship

Within colonial structures we must take the position that we are all agents of either stasis or change. For every act of political, social or cultural agency that challenges the status quo, there will always be competing forces of colonial entrenchment/privilege, oppositional paranoia or, simply, inertia. In the case of a Canadian federal bureaucracy such as the Canada Council for the Arts, change can be daunting. It requires not only vision and will, but an ability to share authority and work collaboratively internally and externally in a spirit of respect, reciprocity and trust. To this end, Canada Council for the Arts has embarked on a way forward in building a new relationship with Indigenous Peoples of this land.

The clearest manifestation of this commitment is the creation of *Creating, Knowing and Sharing: The Arts and Cultures of First Nations, Inuit and Métis Peoples* (CKS), an innovative program of Council's New Funding Model.

The Canada Council, through this program, affirms the following guiding principles⁵:

- respect Indigenous worldviews, and the rights of Indigenous Peoples, as articulated in the United Nations Declaration on the Rights of Indigenous Peoples (2007);
- support and uphold the principles of reconciliation, articulated through the report of the Truth and Reconciliation Commission of Canada (2015);
- support artistic activities that respect and encourage First Nations, Inuit and Métis cultural self-determination and the vitality of Indigenous artistic practices and communities;
- recognize the distinct and unique place of First Nations, Inuit and Métis artists in Canada as creators, interpreters, translators and transmitters of an inherent Indigenous cultural continuity, as well as unique contributions made to Canadian cultural identity;

- recognize and support customary and contemporary artistic practices by First Nations, Inuit and Métis artists;
- support and encourage a Canadian arts landscape that is deeply ingrained with perspectives, voices, stories, struggles and aesthetics of the First Nations, Inuit and Métis Peoples of Canada;
- recognize the distinctiveness of the many unique and self-defining First Nations, Inuit and Métis communities in Canada;
- and, recognize a wide variety of artistic and cultural practitioners within First Nations, Inuit and Métis communities.

In this way, we actualize the Council's commitment to Article 31 of the United Nations Declaration on the Rights of Indigenous Peoples, which states:

“ Indigenous Peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions. ”

As the program moves forward it will be vital to continually assess and monitor it based on analytics and measures consistent with these values. By doing so we establish a commitment to uphold customary law and protocol, rights of the holders of Indigenous knowledge and the authority and agency of Indigenous Peoples in maintaining, developing and protecting their culture and heritage.

⁵ Steven Loft, "Creating, Knowing and Sharing: The Arts and Cultures of First Nations, Inuit and Métis Peoples." 2016.

Respecting Indigenous Cultural Rights

In a recent article, Canada Council CEO Simon Brault wrote:

*“We have an obligation and a responsibility to transform ourselves to better support Indigenous artists and communities on their own terms. Our new Indigenous program, *Creating, Knowing and Sharing: The Arts and Culture of the First Nations, Inuit and Métis Peoples*, will take a unique self-determined approach in which staff and other members of Indigenous communities will determine the way the program is developed, implemented, and assessed.”*⁶

By placing this emphasis on cultural self-determination, CKS goes beyond parochial notions of “designated funding” and into the sphere of true transformative social engagement. In developing CKS, it was incredibly important to actualize it within discourses of self-determination and cultural sovereignty. By articulating the program within a rights discourse, we ensure Council’s responsiveness to changing societal, legislative and jurisprudential dynamics as well as changes in Indigenous creative and cultural practice now and into the future.

By actualizing CKS through a politics of Indigenous self-determination, we recognize Indigenous artists as working within spheres of Indigenous cultural action often articulated into nuanced critiques, characterized by poignant social commentary marked by strength, attachment to cultural connectivities and a pervasive sense of agency. Tuscarora scholar Jolene Rickard notes that the, “work of Indigenous artists needs to be understood through the clarifying lens of sovereignty and self-determination, not just in terms of

assimilation, colonization and identity politics.... Sovereignty is the border that shifts Indigenous experience from victimized stance to a strategic one.”⁷

Decolonization

Decolonization is a process of unbinding imperialist concepts of knowledge from Indigenous ones. Decolonization as process takes place at all levels of Indigenous interaction: between ourselves as Indigenous Peoples, and between ourselves and non-Indigenous communities and institutions.

Indigenous knowledge is based on assumptions, the foundations of which are encoded in living memory. Our Elders, our Teachings, our Songs, our Dances, our Stories, and yes, our ART make manifest an epistemology based on Indigenous forms of knowledge transfer, what Gerald Vizenor termed a “storied presence ... a visual reminiscence.”⁸ It is the foundational story, the essence of continuance and the site of resistance and agency, that propels Indigenous culture. It is a resonant and profound stance.

Conciliation/Reconciliation

*“For over a century, the central goals of Canada’s Aboriginal policy were to eliminate Aboriginal governments; ignore Aboriginal rights; terminate the Treaties; and, through a process of assimilation, cause Aboriginal peoples to cease to exist as distinct legal, social, cultural, religious, and racial entities in Canada. The establishment and operation of residential schools were a central element of this policy, which can best be described as “cultural genocide.”*⁹

⁶ Simon Brault, “Shaping a Brighter Future: The Canada Council Transforms for the Next Generation.” *GIA Reader*, Vol 27, No 3 (Fall 2016).

⁷ Jolene Rickard, “Sovereignty: A Line in the Sand,” *Aperture*, no. 139 (Spring 1995): 51.

⁸ Vizenor, Gerald. *Native Liberty: Natural Reason and Cultural Survivance*. Lincoln: University of Nebraska Press, 2009. Accessed September, 2017 <http://muse.jhu.edu/chapter/338369>

⁹ *Final Report of the Truth and Reconciliation Commission of Canada*, 2016.

Conciliation/reconciliation¹⁰ between the Indigenous Peoples of this land and non-Indigenous Canadians is a defining issue for this nation. By fostering critical and creative conversations between internal departments, external partners and artists, scholars, survivors and communities, the Canada Council has committed itself to being a proactive agent of change in the ongoing dialogue of conciliation and reconciliation in this country.

Even before the Final report and Calls to Action of the Truth and Reconciliation Council (TRC) were released, the Council had already embarked on a rethinking of its relationship to Indigenous artists. As part of this exercise, we had begun to explore ways to implement initiatives and strategies for a broader and sustained commitment to conciliation and reconciliation, ingraining them in our overall structure, as well as committing specific resources to dedicated program initiatives. We began by asking ourselves this question; how might artists, scholars, residential school survivors, and members of the Indigenous and general public continue the work of reckoning that must shadow the ongoing impacts of colonization in Canada?

From these discussions came the {RE}CONCILIATION initiative, a partnership between the Canada Council for the Arts, The J W McConnell Family Foundation and The Circle for Philanthropy and Aboriginal Peoples. Over a two-year period this initiative has funded twenty-seven multi-disciplinary, collaborative projects across the country with the aim of engaging artists, survivors, Aboriginal communities and members of the general public in this vital and ongoing dialogue.

Going forward in Canada Council's address of TRC Call to Action 83¹¹, Council must continue to not only support innovative artwork and organizational initiatives that include dissemination and scholarship about the impacts of cultural genocide but also continue, as an organization, to learn about and be responsive to

the challenges and the possibilities of creating new dialogues, initiatives and infrastructures that have as a core principle reconciliation, and conciliation. Moving forward we must remain cognizant of the vital work of conciliation and reconciliation in a range of creation, expression and public engagement strategies to "ensure the path to reconciliation remains a national conversation of relevance to us all."¹²

Conclusion

This is a time of transformation and change for Canada Council and for a country in the process of re-examining its foundational make-up. We have a government that has affirmed the rights of Indigenous Peoples of this land and moved to address the complex and longstanding barriers to a true "nation to nation" relationship.

In this current political climate, the initiatives of the Canada Council are significant, vital and are important markers of the deeper societal change that we know is possible. Where all of this will go, I don't think any of us can predict. But, art and culture can, and must play a role in this evolving narrative. In our communities, in this country, and around the world, Indigenous Peoples will continue to assert their social, political, cultural and inherent rights. And all along the way, accompanying them in their resurgence, and into their future will be the artists.

The Canada Council for the Arts, as the national public arts funder, and the *Creating, Knowing and Sharing: The Arts and Culture of the First Nations, Inuit and Métis Peoples Program* in particular, can and will continue to innovate within that narrative.

¹⁰ Use of these two terms is subjective, and sometimes contested. For our purposes I will use them together to be inclusive of differing viewpoints

¹¹ "We call upon the Canada Council for the Arts to establish, as a funding priority, a strategy for Indigenous and non-Indigenous artists to undertake collaborative projects and produce works that contribute to the reconciliation process." as cited in Call to Action 83 of the TRC Final Report, 2016.

¹² Canada Council Strategic Plan 2016-2021.



Steven Loft

Photo courtesy of Steven Loft.

Steven Loft is a Mohawk of the Six Nations with Jewish heritage. He is currently the Director of the Creating, Knowing and Sharing: The Arts and Cultures of First Nations, Inuit and Métis Peoples program with the Canada Council for the Arts. A curator, scholar, writer and media artist, in 2010 he was named Trudeau National Visiting Fellow at Ryerson University in Toronto. Loft has also held positions as Curator-In-Residence, Indigenous Art at the National Gallery of Canada, Director/Curator of the Urban Shaman Gallery (Winnipeg); Aboriginal Curator at the Art Gallery of Hamilton and Producer and Artistic Director of the Native Indian/Inuit Photographers' Association (Hamilton). He has curated group and solo exhibitions across Canada and internationally; written extensively for magazines, catalogues and arts publications and lectured widely in Canada and internationally. Loft co-edited the books *Transference, Technology, Tradition: Aboriginal Media and New Media Art* (Banff Centre Press, 2005) and *Coded Territories: Indigenous Pathways in New Media* (University of Calgary Press, 2014).



This is a time of transformation and change for Canada Council and for a country in the process of re-examining its foundational make-up. We have a government that has affirmed the rights of Indigenous Peoples of this land and moved to address the complex and longstanding barriers to a true "nation to nation" relationship.



—Steven Loft

Listen, Hear Our Voices: Preserving Indigenous Culture and Language Recordings / **Jennelle Doyle, Delia Chartrand, Angela Code, Taylor Gibson, Michel Gros-Louis, Samara Harp, Lindsey Louis**

Museums, archives, and other institutions who acquire, exhibit, and store documentary heritage material have continually misused and misappropriated Indigenous content. The content acquired is typically from the Western perspective of a Western academic who has studied Indigenous people throughout their career. Library and Archives Canada (LAC) is no exception to this practice, however, through Initiatives such as “*Listen, Hear Our Voices*”, the institution is working to move away from these tendencies. *Listen, Hear Our Voices* offers Library and Archives Canada the opportunity to improve institutional practices surrounding Indigenous materials and the opportunity to assume accountability for the legacy of how the institution has treated Indigenous materials since its formation.

The *Listen, Hear Our Voices* team is comprised of seven Indigenous Archivists based across Canada. This decentralization was a key component to the initiative, as it extended LAC’s services to communities instead of having them come to visit the institution. The qualifications required for this posting differ from all other archivist postings at LAC. We were not required to have a master’s degree in order to qualify; this, we felt, placed a real value on our lived experience as Indigenous people and the local and traditional knowledge each of us possess. We support and uphold the equality of Indigenous and Western knowledge. As Indigenous archivists, we provide the balance between the two ways of knowing and provide a cultural lens into Indigenous worlds across Canada; something that

is new to LAC as an institution. Allowing Western knowledge and Indigenous knowledge to be valued at the same level recognizes that Indigenous knowledge is vital to the continuation of relationship building between the state and Indigenous people.

This initiative has two main components; the first is a free digitization service for Indigenous language and culture audiovisual recordings. This service is available for Indigenous individuals, communities and organizations. There is no mandate to acquire material, as is the standard in archives, and no transfer of copyright, giving the individual, community or organization control over how



Front left : Samara Harp. Starting from left to right : Lindsey Louis; Delia Chartrand; Taylor Gibson; Michel Gros-Louis; Angela Code; Jennelle Doyle. Photo courtesy of Library and Archives Canada.

their materials are to be shared and stored following digitization. LAC does not retain a copy of any material that it digitizes using the free digitization service, which counters the usual role of archives. However, should a client express a need for storage of the digital preservation master file LAC is offering a free deposit storage option - LAC will retain a copy until the client is ready to receive it. Another way in which our project differs is that typically, when LAC digitizes material, there is a requirement for that material to be publicly accessible. This project does not have that requirement, and, once again, allows the client to share their documentary heritage material with the audience of their choosing.

The second goal is a funding program for non-profit Indigenous organizations to help build capacity in First Nations, Inuit and Métis Nation communities. The funding route has the potential to employ community members and create a better local understanding of archives, which is a specialized knowledge set that is conceptually very different from Indigenous worldviews. The funding option was also extremely important for LAC to offer, because documentary heritage materials cannot always be a priority for communities to invest in when there are other, more urgent issues, such as lack of clean water, and lack of housing.

In realizing the connectivity limitations of communities in the North, LAC sent two of the seven Archivists on community visits, along with the Deputy Librarian and Archivist of Canada, to discuss the project and offer assistance or clarification. The communities selected were Iqaluit, Nunavut, Kangiqsujuaq, Nunavik, Kuujuaq, Nunavik, Tuktoyaktuk, Northwest Territories, and Inuvik, Northwest Territories. These visits also meant the beginning of meaningful relationship building and community engagement. What's more, some of the archivists are partnered with local institutions in order to support LAC's relationship building and to support capacity building. For example, one of the regional archivists, located in Manitoba, held a workshop for her community on the basics of Archives, and also travelled to nearby communities during the funding application period in order to assist interested parties in filling out their applications.

All of this work continues to be guided by an Indigenous Advisory Circle (IAC). The IAC are a group of First Nations, Inuit and Métis Nation experts who advise the institution on how the Indigenous Initiatives ought to be carried out, and make changes as the projects move along. The IAC is an integral part of this initiative and the LAC as a whole. In addition to the IAC, LAC established an External Review Committee of even more Indigenous experts to review the funding applications that we received for the first *Listen, Hear Our Voices* call. This ensured that successful applicants were selected by individuals who understand the limitations that exist for Indigenous organizations, or those that are located in isolated areas.

All in all, this project is one piece in a bigger picture for LAC as an institution. Moving forward, we hope to see LAC continue to commit to collaborative work like we have seen with the *Listen, Hear Our Voices* initiative. We also hope that our work on this initiative will serve to inform future projects facilitated by LAC. This collaboration is vital in order to ensure the safety, integrity, proper use, and access to Indigenous material by Indigenous people, no matter where we are located in Canada.





Museums have an opportunity to serve as a catalyst in reframing this understanding. To allow for flexible and fluid partnerships with Indigenous Peoples and communities in our work inclusion has to be step number one of the process to ensure that privilege does not lead.

—Jennefer Nepinak



Changing Relationships / Carey Newman

My name is Carey Newman. My traditional name is Hayalthkin'geme. On my father's side, my ancestors are from the Kwakwaka'wakw and Sto:lo First Nations. On my mother's side, they are English, Irish and Scottish. Growing up, this multitude often made me question my cultural identity, but over time it became clear that my experience growing up as a First Nations person in a country founded by colonialism has had the greatest influence on defining both my artistry and my world view. It is from this place of understanding that I made the *Witness Blanket*. It is also where I write from now.

In the summer of 2017, the impact of more than 4 years of travel had begun to trace its way onto varied surfaces of the *Witness Blanket*. Until then, I regarded each scuff and dent as part of its unique collection of histories; evidence of the many hands that helped to uncrate, install and bless this installation by the ceremonial ways of each traditional territory it visited. Along the way the Blanket gathered experiences, stories, offerings of medicine and new objects, growing figuratively and literally over many stops and uncounted kilometers. Eventually, the weight of it all began to strain ever so slightly on the structure and, with the best interest of the artwork in mind, it became apparent that the time had arrived to call it in from the road.

Even though I knew that the day would inevitably come, with the tour booked well into 2021 I had not yet made plans for a long-term installation. However, I had thought of several possible locations, one of which was the Canadian Museum for Human Rights (CMHR). Besides the allure of the building itself and the opportunity to place residential school history and colonial genocide amongst other global human rights abuses and atrocities, the CMHR sits at the fork of the Red and Assiniboine Rivers in Winnipeg, the cross-roads of

Indigenous trade routes that predate Canada. This makes it a powerful symbolic location for a collection of pieces and stories about the concentric trauma of colonialism to live out its life. This, combined with the relationships formed when CMHR hosted the *Witness Blanket* during the initial tour, made the museum my first call.

“ Growing up, this multitude often made me question my cultural identity, but over time it became clear that my experience growing up as a First Nations person in a country founded by colonialism has had the greatest influence on defining both my artistry and my world view. ”

At our first meeting to discuss the possibility of the CMHR acquiring the *Witness Blanket* for their permanent collection, the only thing that I knew for certain was that I didn't want this to become a normal transaction, where I sold ownership of my artwork as I had done so many times before. From the initial idea, through the collection of pieces and eventual building of the work, my understanding of and relationship with the *Witness Blanket* has changed. As a carver, I have been taught to respect the materials I use, a concept embedded within the traditional teachings of respecting the past, honouring the present and taking responsibility for the future. It is also related to the Kwakwaka'wakw ways of **awi'nakola** – being one with the land, air, waters, heaven and everything within these realms. But as

residential school Survivors and community members entrusted me with their personal keepsakes and memories, I could see that by changing my medium from raw material to gathered objects, and my process from solitary carving to community engaged assemblage, I had taken on a different level of responsibility. Each object had a unique history that carried many meanings and relationships. I was no longer responsible only to the tree I carved, or animal whose body I incorporated into my work; I was responsible to each of the multiple stories held within each piece gathered, to the people who entrusted them to me, and also to the collective truth that together they would represent.

This wasn't something that was mine to own. I was part of a larger narrative, and although I felt ownership of my creative process, I never thought of the *Witness Blanket* as a piece of property. This meant that it was not mine to sell, but in transferring the artwork into the care of the museum, I wanted to ensure that its inherent value was acknowledged. So how do you sell something that isn't yours? You don't. Instead of treating it as an inanimate asset, I took inspiration from the way Kwakwaka'wakw think of our sacred masks as living ancestors – singing them awake from slumber when it is time for ceremony, and asked that we place all the legal rights associated with the agreement upon the *Witness Blanket*, as an entity unto itself. Instead of setting a transaction price, I asked if the museum would invest into the blanket, the same amount of money that went into building it in the first place. This meant that we could do things like pay to restore and conserve the original blanket, make a replica to travel in its place, make freely available the documentary that tells some of the story of the blanket's meaning, creation and inspiration, and eventually establish a legacy project.

I could no more give up responsibility than I could sell the *Witness Blanket*, so instead, we became partners in stewardship. Because we agreed that all rights rest with the Blanket, rather than negotiating to protect and indemnify ourselves from every conceivable contingency, we were able to focus on shared responsibilities. By making



Witness Blanket Ceremony. Photo by Jessica Sigurdson, Canadian Museum of Human Rights.

the small change of focusing responsibility instead of rights, the negotiation became less positional and we developed a collaborative method for making decisions in the best interest of the artwork and the stories it carries. This was an agreement based in relationship, not only with each other, but also with the *Witness Blanket*.

Working together we were able to articulate our visions for the future of the Blanket and our relationships into words and write them onto paper in the form of a legal contract. Yet, once written on paper, language has a way of changing its meaning when read by a different person, in a different context or time. I knew that not all of those who were part of establishing this agreement would



be around to uphold our intentions in the future, so for a solution I turned to my traditions once again. This time taking up the practice of passing our ways through generations by the oral telling and retelling of stories. In ceremonies we call witnesses and pay them to remember and share the things that they saw. So, we agreed that once we came to terms in a written contract, we would enact it through traditional ceremony.

On October 16th, 2019, in a Bighouse named Kumugwe on the K'omoks First Nation, a ceremony was held to uplift the stewardship agreement between me and the Canadian Museum for Human Rights. The words spoken there by me and former CMHR CEO John Young were reflected upon by the witnesses called. We danced, we feasted, and together we now share the responsibility of looking after the *Witness Blanket*.

I am a sculptor of the tangible and intangible. To transform wood, stone and steel, and to arrange and connect the pieces that make up the *Witness Blanket*, my hands and my tools are the same as any. But the tools that shape the intangible are an array of inspirations and ideas that join forces with my labour and the thoughts of others to push against, however imperceptibly, the edges of the realities we know, shaping and reshaping our relationships with the world around us. I am, in turn, transformed by the process itself. In the same way that my people believe we are the land and the land is us, I am both the maker and the medium, a tool that shapes and is reshaped itself by the process of creating and by the reflections and thoughts of others. This is an evolution that continues time over time and it led me to making this agreement in this way.

Relationships can be considered on multiple levels. Like my relationship with my artwork, the significance of this agreement and the relationship that it governs will transform over time. But for the moment, it is an example of a museum and crown corporation, that carries the fraught histories of both institutions, changing their relationship with an artist and a work of art. It is an example of decolonizing a legal process by imagining and approaching things differently. It is the acceptance of differences and finding a way to uplift the good in both perspectives. Hemaas – that is everything. Gilakasla.

Witness Blanket by Carrie Newman.

Photo by Jessica Sigurdson, Canadian Museum of Human Rights.



Carey Newman

Photo by John Threlfall.

Carey Newman, whose traditional name is Hayalthkin'geme, is a multi-disciplinary Indigenous artist, master carver, filmmaker, author and public speaker. Through his father he is Kwakwak'awakw from the Kukwekum, Giiksam, and WaWalaby'ie clans of northern Vancouver Island, and Coast Salish from Cheam of the Sto:lo Nation along the upper Fraser Valley. Through his mother his ancestors are Settlers of English, Irish, and Scottish heritage. In his artistic practice he strives to highlight Indigenous, social, and environmental issues as he examines the impacts of colonialism and capitalism, harnessing the power of material truth to unearth memory and trigger the necessary emotion to drive positive change. He is also interested in engaging with community and incorporating innovative methods derived from traditional teachings and Indigenous worldviews into his process.

Highlights from his career include being selected as the master carver of the Cowichan 2008 Spirit Pole, a journey that saw him travel the province of BC sharing the carving experience of carving a 20' totem with over 11,000 people, a major commission entitled "Dancing Wind" installed at the 2010 Olympic Games, Athlete's Village in Whistler, premiering the documentary he wrote and co-directed at the Vancouver International Film Festival as well as publishing his first book. He also continues to create for and consult with corporations, government agencies, collectors and museums around the world.

Perhaps his most influential work, The Witness Blanket, made of items collected from residential schools, government buildings and churches across Canada, deals with the subject of Truth and Reconciliation. It is now part of the collection at the Canadian Museum for Human Rights.

Carey was awarded the Meritorious Service Medal in 2017 and was named to the Order of British Columbia in 2018 and he is the current Audain Professor of Contemporary Art Practice of the Pacific Northwest at the University of Victoria.

The Witness Blanket / Jennefer Nepinak

My name is Animikiiyashik. I am an Anishinaabe Kwe of the Minegoziibe Anishinaabe First Nation. Makwa Dodem. My identity is embedded in the intricacies of where I come from - a space where land, resources, culture, community, language and politics come together. I come from a long line of strong, kind and loving matriarchs. My grandmother's love and guidance has shaped my worldview and as a result my life's work and purpose is an extension of who I am. Because of who I am and where I come from, I often say that I was born into politics.

The principles of justice, fairness and equity have served as the foundation to my personal constitution for as long as I can remember. So it is no surprise that I chose to become a lawyer by way of western legal training. More importantly, however, I have always been eagerly immersed in traditional learnings with many Elders across Turtle Island throughout my lifetime. The benefit of my experience has helped me to understand and to conduct myself in a way that seeks to ensure that Indigenous ways of knowing and being are applied and honoured within my work. My recent role with the Canadian Museum for Human Rights (CMHR) was an incredible opportunity for me to apply these principles in a way I had never done to that point.

The agreement between the CMHR and artist Carey Newman related to the protection and use of *The Witness Blanket* was a new direction for the Museum. It is an example of the opportunities that exist to create new relationships that can unite Indigenous traditions and western legal concepts. This agreement, which was created through signed document as well as a traditional ceremony at Kumugwe, the K'ómoks First Nation Bighouse on

Vancouver Island, marks the first time in Canadian history that a federal Crown Corporation has ratified a legally binding contract through Indigenous traditions.

The Witness Blanket is a powerful piece of art, made with over 800 items collected from the sites and survivors of Indian residential schools, government offices and churches across Canada. Each piece of the blanket tells a story: of loss, strength, resilience and pride. The braids of hair donated by Carey's sisters, honouring their father and the children who had their hair cut when they arrived at the schools. A child's shoe from Carcross Residential School, wrapped in sweetgrass, surrounded by sage and wrapped in red cloth. A door to the infirmary of St. Michaels Residential School, collected before the school was torn down in 2014.

It is vitally important not only because it shines a light on this dark chapter of Canada's human rights history and the genocide committed by Canada against Indigenous Peoples, but also for the opportunity it offers to advance dialogue and action about genocide and reconciliation. The stories told through the objects help people better understand the impact of residential schools in terms of human realities and consequences; it bears witness to the lived experiences of people who attended residential schools, and the multi-generational legacy of the residential school system.

The relationship that was built between the CMHR and Carey Newman developed out of a shared commitment to honour the stories that are told in the Blanket and preserve those stories for future generations. The agreement between the Museum and Carey Newman is unique because it vests legal rights with the artwork itself as a living entity. The stories that are included in the Blanket were

given to Carey by survivors, and it is this collection of stories – the blanket itself – with which the rights are vested. The agreement does not transfer legal ownership of the *Witness Blanket* to the Museum but creates shared responsibility for its physical and spiritual care and for making decisions in its best interests. The relationship between Carey and the Museum is one of collaboration, built on a strong relationship of shared understanding and respect.

Kwakwaka'wakw traditions and governance and Western contract law were given equal weight in this agreement. The written agreement was signed at an event at the CMHR in April 2019, followed by a ceremony near Carey's traditional territory at Kumugwe in October 2019. The ceremony was facilitated by chief and spiritual leader Wedlidi Speck, head of the Gixsam namima (clan) of the Kwagul people.

“ The Witness Blanket agreement is important because it emphasizes that Indigenous worldviews do not exist solely in the past, separate from the contemporary world. ”

The ceremony included song and dance and the presence of an ancestors' mask, with Carey and Museum president and CEO John Young each stating their purpose and intentions for the stewardship of the *Witness Blanket*. Respected witnesses from the Kwakaka'wakw community, youth, elders and people with connections to the project then reflected on their responsibilities as storykeepers and memory holders. This was followed by a feast in the tradition of potlatch, acknowledging the gift of the agreement and the deep relationship that has been forged.



The *Witness Blanket* agreement is important because it emphasizes that Indigenous worldviews do not exist solely in the past, separate from the contemporary world. Indigenous people have rich, complex and layered processes and systems that are very much in force and utilized today. This experience has created ownership and responsibility, in a good way, for everyone involved in the relationship.

Museums have an opportunity to serve as a catalyst in reframing this understanding. To allow for flexible and fluid partnerships with Indigenous Peoples and communities in our work inclusion has to be step number one of the process to ensure that privilege does not lead. We need to look beyond western frameworks and definitions. Meaningful and respectful exploration of the collaboration processes is the key. We have been confined to historical frameworks that do not always work and we must consider who decides what experiences fall under the larger accepted umbrella of 'understanding'.

The onus is on leadership within institutions to support this tone at the top to further create an internal understanding on how to move forward with these collaborations, in a good way. Further, these relationships require meaningful engagement, time and resources while recognizing the need for diverse approaches and a move away from the 'one size fits all model'. By envisioning and supporting meaningful and respectful partnerships with Indigenous Peoples and communities we can find ourselves in culturally competent spaces. In the end, that is a benefit to us all.



Jennefer J. Nepinak

B.A., LL.B., ICD.D

Photo courtesy of Jennefer Nepinak.

Jennefer is Anishinaabe from Treaty 4 territory and a member of the Minegozhiiibe Anishinaabe Nation (Pine Creek First Nation). Jennefer is fluent in Ojibwe and is a strong and passionate leader firmly rooted in the Indigenous community. Jennefer's approach works to ensure that Indigenous ways of knowing and being are recognized and incorporated in all that she does.

Jennefer is an experienced lawyer and advisor and is currently serving as the Associate Vice President, Indigenous Engagement at the University of Winnipeg. She has over 25 years of political, government and business experience and is skilled at initiating collaborative processes that involve numerous cross sector partners and stakeholders. Her past roles include Senior Advisor, Canadian Museum for Human Rights, Executive Director of the Treaty Relations Commission of Manitoba. She had also held several leadership positions within both federal and provincial government departments, First Nations governments and in house counsel for the West Region Tribal Council.

Jennefer holds a Bachelor of Arts in Sociology and Justice (1997), a Bachelor of Laws (2000), a Certificate in the Directors Education Program (2018) and is in the process of completing a Master's Degree in Indigenous Governance. She also sits on and chairs various boards and committees and is an active member of the Manitoba Law Society.

||

The terminology and definitions of First Nations, Métis, and Inuit do not capture all Indigenous people; they are colonial terms. There is a major challenge in defining who is Indigenous.

||

-Tony Belcourt



Experiments in Indigenous-Led and Government-Supported Protections and Protocols

Indigenous Art Registry / **Tony Belcourt**

In December 2018, a “Collaborative Working Group Meeting” took place in Toronto to consider the idea of developing an Indigenous art registry using blockchain technology. Thirty-two Indigenous artists, curators, academics, and associated professionals attended the meeting, which was facilitated by Ontario College of Art and Design and which was funded by the Department of Canadian Heritage and the Canada Council for the Arts.

The idea for the registry was proposed by G52, a consulting company based in Toronto. I was asked by the company to coordinate a meeting of Indigenous artists to gauge their interest in developing such a registry. A small ad hoc collective of artists was pulled together to plan and coordinate the meeting.

Why an Indigenous Art Registry?

Indigenous art in all of its forms is an integral component of First Nations, Métis and Inuit history, our present and our future.

Indigenous painting, drawing, carving, music, dance, craft, literature, film and oral exchange of traditional knowledge are all highly valued. Unfortunately, they are also among the most misappropriated art forms in Canada and in jurisdictions around the world. Indigenous art has - and continues to be disproportionately vulnerable to fraud, theft and misappropriation.

The creation of art is an economic and social pillar of Indigenous communities, and the value to Indigenous people extends far beyond the simple means of generating income. Indigenous culture endures because of its art and artists.

Yet, many challenges are faced by Indigenous artists, some of whom are isolated in very remote areas without reliable means of communication technology and transportation. Others remain in poverty with limited means to collaborate, promote their work or reach markets.

What Would be the Purpose of an Indigenous Art Registry?

The main goals of a registry would be to:

- promote Indigenous art and artists;
- protect artists and the art market by ensuring authenticity;
- verify the provenance/history of art and artists;
- reduce and eliminate fraud and theft;
- ensure artists are compensated for their work;
- provide a means to sell, trade and collaborate on art; and,
- establish a legacy of Indigenous art and artists.

Key Questions for an Indigenous Art Registry

- Is there a desire from the Indigenous arts community for an Indigenous art registry?
- If so, what should be the key functions of the registry?
- How might the artist verification/registration process work, what would the criteria be and who would be responsible for determining artists and works included?
- How can we best develop and administer the registry, and ensure that it is Indigenous-owned and has Indigenous oversight?
- What are the possible next steps for this project idea?

Identification of Primary Challenges Facing an Indigenous Art Registry

The terminology and definitions of First Nations, Métis, and Inuit do not capture all Indigenous people; they are colonial terms. There is a major challenge in defining who is Indigenous. Self-identification can be effective but there is also a role that the community plays in identification.

Original art vs. art products: Is there a place for both in a registry? How would we deal with fakes and forgeries committed by members of Indigenous communities? How would the registry respect protocols, the integration of traditions, laws and ethics?

Would the Indigenous art registry be inclusive of various Indigenous groups to ensure their respective legal systems are respected and integrated into the registry? How would it ensure it was inclusive of urban and other Indigenous persons who do not affiliate with a specific community?

Existing borders were also imposed on Indigenous communities and they should not define or limit us. Traditional concepts of ownership and value are not always compatible with a market-driven and commodity approach to art. There is a need to determine what the governing organization would look like.

What Should the Project Framework Look Like?

The Indigenous art registry should be designed in a way that will provide access to a registry and protect even the most vulnerable artists; i.e. those in remote areas, with limited access to the internet, those with no formal education and a low income.

Incentivizing artists and other user participation is also key to ensuring the Indigenous art registry is successful. Embedding resale rights into a website interface should also be further researched and discussed.

Creating a database of art is another aspect of the registry that would prove valuable to researchers as well as museums, galleries, academia and public education.

Section(s) of a website could also be used for arts advocacy and policy development such as:

- legislation needed to protect artists (change existing or create new laws);

- address stolen or misappropriated art; and,
- general art news.
- The registry would need a user-friendly interface and the opportunity for artists and communities to set up their own web pages.

Indigenous Art Registry Goals and Objectives

The key goal of the project is to create an Indigenous-owned and controlled, centralized database of Indigenous artists and their works, with the following objectives:

- Create an access point for buyers, curators, and researchers to find consolidated information about Indigenous artists and their work;
- Begin tracking Indigenous artworks, their sales histories, and their market values;
- Foster increased sales, distribution and exhibition of Indigenous art works nationally and internationally;
- Ensure that art identified as “Indigenous” is in fact created by FNIM artists;
- Encourage the payment of royalties on the re-sale of Indigenous artworks by creating a system with the potential for tracking sales;
- Support the protection of copyright and intellectual property by providing access to information about historical and contemporary artworks and the provenance of culturally specific motifs;
- Facilitate exhibition loans; and,
- Protect against fraud and copyright infringement (particularly timely if Artist Resale Right is written into an updated Canadian Copyright Act).

Discussion on Blockchain

Blockchain is a technological way to keep records and certify accuracy and authenticity. Once an item is registered, an impregnable certificate of identification is produced for the artist or owner. Blockchain is now regularly used for money transfer, administering and securing government records, and for commercial enterprises. Reebok shoes, which are often counterfeited, now use blockchain to prevent/identify fraudulent copies.

Reasons for Indigenous art registry to use blockchain are: authentication and proof of provenance, record of sale, and royalties returned to creators. While it is important to consider blockchain as an integral aspect of the registry, the primary initial focus is on who would own it, who decides and what are its benefits. Providing an understanding of the basics of blockchain to the Indigenous community and in particular to Indigenous artists is important.

“ There was broad consensus of the meeting that an Indigenous art registry should be pursued. ”

Where Do We Go From Here?

There was broad consensus of the meeting that an Indigenous art registry should be pursued. A steering committee needs to be established to move forward. Consultation with Indigenous artists and communities must take place before plans and an appropriate organization can be developed to implement and manage the project. The Indigenous art registry was presented to the House of Commons Report of the Standing Committee on Science, Industry and Technology on the Statutory Review of the Copyright Act. Its observations and recommendations are encouraging.

COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

The standing committee on industry, science and technology recognizes that, in many cases, the Act fails to meet the expectations of Indigenous Peoples with respect to the protection, preservation, and dissemination of their cultural expressions. The Committee also recognizes the need to effectively protect traditional arts and cultural expressions in a manner that empowers Indigenous communities, and to ensure that individual Indigenous creators have the same opportunities to fully participate in the Canadian economy as non-Indigenous creators.

Achieving these objectives will require that policymakers approach the matter in creative ways. They could, for example, draw inspiration outside of copyright and intellectual property law and carefully consider how different legal traditions, including Indigenous legal traditions, interact with each other. Such work requires a more focused and extensive consultation process than this statutory review. However, the Committee cannot stress enough the importance of moving forward collaboratively with Indigenous groups and other stakeholders on the matter, and that potential solutions proposed by Indigenous witnesses in this review should serve as a starting point.

The Committee therefore recommends:

Recommendation 5

That the Government of Canada consult with Indigenous groups, experts, and other stakeholders on the protection of traditional arts and cultural expressions in the context of Reconciliation, and that this consultation address the following matters, among others:

- The recognition and effective protection of traditional arts and cultural expressions in Canadian law, within and beyond copyright legislation;
- The participation of Indigenous groups in the development of national and international intellectual property law;
- The development of institutional, regulatory, and technological means to protect traditional arts and cultural expressions, including but not limited to:
- Creating an Indigenous Art Registry;
- Establishing an organization dedicated to protecting and advocating for the interests of Indigenous creators; and
- Granting Indigenous Peoples the authority to manage traditional arts and cultural expressions, notably through the insertion of a non-derogation clause in the Copyright Act.

Recommendation 9

That the Government of Canada consult with provincial and territorial governments, Indigenous groups, and other stakeholders to explore the costs and benefits of Implementing a national artist's resale right, and report on the matter to the House of Commons Standing Committee on Industry, Science and Technology within three years.



Tony Belcourt

Photo courtesy of Tony Belcourt.

Tony Belcourt, O.C., LL.D (Hon.) has a strong reputation as a successful leader and innovative public relations and communications specialist including as a writer, director and producer of film, radio, video and audio productions. His interest in the arts and communications spans more than 5 decades. In 1968 he was Vice-President and Managing Director of Team Products, Alberta and Mackenzie, a cooperative of 500 Indigenous artists and crafts people in those regions. A lifelong advocate for the rights of Indigenous Peoples he has served on many boards including the Métis National Council, the Métis Nation of Ontario Cultural Commission, the Indigenous Commission for Communications Technologies in the Americas and the Ontario College of Art and Design University. Recently he has been active in a proposal to develop an Indigenous Art Registry. Carried by the pipe, he is regarded as a Métis elder.

“ Indigenous art in all of its forms is an integral component of First Nations, Métis and Inuit history, our present and our future. ”

—Tony Belcourt



The Igloo Tag Trademark / **Blandina Makkik**

Inuit art first appeared on Canadian and international markets in the 1950's and rapidly gained popularity with the buying public. With its market success, however, it quickly attracted imitators and counterfeiters. As early as the mid-1950s, mass-produced replicas marketed as "Inuit carvings" started reaching the Canadian marketplace from overseas. Initially, these objects were made of resin compound that copied Inuit themes and style, but over time manufacturers expanded their product lines and presented these fakes as if they were genuinely and authentically Inuit made. Some went so far as to adopt Inuit sounding names, including "artist" biographies, and adding Inuit legends and stories in the accompanying merchandising cards. Many stopped just short of claiming that the "artists" were Inuit, blurring the truth with linguistic license and marketing obscuration.

|| *As early as the mid-1950s, mass-produced replicas marketed as "Inuit carvings" started reaching the Canadian marketplace from overseas. Initially, these objects were made of resin compound that copied Inuit themes and style, but over time manufacturers expanded their product lines and presented these fakes as if they were genuinely and authentically Inuit made.*

When these inexpensive fabrications first appeared, the Canadian government was quick to respond. Having contributed to the collapse of the traditional subsistence economy, the government hoped the sale of Inuit artworks would help towards countering unemployment and poverty in many of the recently established Arctic settlements.

The Department of Indian Affairs and Northern Development, now Crown-Indigenous Relations and Northern Affairs Canada [CIRNA] developed the Canadian Eskimo Art and Design (CEAAD) mark, registering it in 1958 to protect consumers and, subsequently, Inuit artists. The symbol chosen to represent the authenticity of Inuit-made products was a stylized igloo with the words "Eskimo Art", or later "Eskimo Art Esqimau", incorporated in the design of the mark. Thereafter, the mark became universally known as the "Igloo Tag". The Igloo Tag Trademark program was administered through the federal government by way of nine authorized Inuit art distributors, who were formally licensed to use the tag.

In 2014, after several years of consultations across Inuit Nunangat and southern Canada with artists, collectors, dealers and government organizations, the newly created Indigenous Affairs and Northern Affairs Canada Development (INAC, formerly DIAND, now CIRNAC) began the process of transferring the Igloo Tag Trademark to the Inuit Art Foundation (IAF), Canada's Inuit-governed, national organization dedicated to supporting the work of Inuit artists. All trademark and other legal rights to the Igloo Tag Trademark, as well as responsibilities for its administration and enforcement, were transferred to the IAF in July 2017.

The most obvious change to the Igloo Tag undertaken by the IAF has been the debut of an updated version of the mark which changes the language of the tag to say "inuit art", "art inuit" and "art inuit art" respectively.

Previously, the use of Igloo Tag was limited to governments, wholesale distributors and one craft guild. Today there are three license categories under the current Igloo program: an Artist Association or Non-Profit Organization, Inuit Art Retailer and Inuit Art Distributor, which were introduced as a way to license more organizations to use, display and promote the tag and support artists.

The tag helps to protect Inuit artists from fraud, cultural appropriation and theft, while providing buyers and collectors provenance. Licensees are assigned a unique identification number, which is restricted to the license holder, and the Igloo Tag is to only be applied to Inuit art. Upon purchase of artwork from an Inuk artist, authorized licensees affix a physical Igloo tag to the piece. The tag includes the artist's name, community, the title of the work and the year the artwork was made. A number to the bottom-right of the physical tag identifies the license holder.

The past few years have provided an opportunity to reassess the significance of the tag within the changing landscape of contemporary Inuit art. Research undertaken by the IAF, as well as by CIRNAC through their 2017 "Impact of the Inuit Arts Economy" study, has revealed that the tag is widely recognized in the southern marketplace, and the economic impact of the tag remains strong. The 2017 study determined that collectors are willing to pay more for a work with the trademark than one without, by as much as \$117 on average, which generates approximately \$3.5 million a year in additional revenues through the five legacy licensees.

One important objective of the IAF's outreach is to determine if and how the tag can be expanded to include more artistic disciplines. Inuit artists now embrace many disciplines including the

performing arts, literary arts and film and media arts. It is our hope that preliminary conversations with artists and organizations promoting these disciplines show support for a national brand and program to support artists and raise awareness of their work.

The Igloo Tag is widely recognized throughout the art world as a mark of Inuit authenticity and plays a prominent role in protecting Inuit artists, dealers and collectors of Inuit art from its appropriation and unauthorized reproduction. Inuit communities benefit enormously from the sale of genuine, original art. Inuit art appropriation represents not just an economic challenge to Inuit communities engaged in the production of art, but constitutes blatant appropriation of Inuit cultural traditions and practices.

For over sixty years the Igloo Tag has been an important and necessary instrument in countering the misinformation surrounding the marketing of Inuit art. As the Inuit Art Foundation continues to enhance its visibility and works towards expanding its role, the need for broader education about contemporary Inuit art and culture is still great.

Blandina Makkik

Blandina Attaarjuaq Makkik is the Igloo Tag
Coordinator at the Inuit Art Foundation.



||

Inuit art appropriation represents not just an economic challenge to Inuit communities engaged in the production of art, but constitutes blatant appropriation of Inuit cultural traditions and practices.

||

—Blandina Makkik

Development and Implementation of Resale Rights for Australian Indigenous Visual Artists / **Patricia Adjei**

Background

The Resale royalty right comes from the Berne Convention for the Protection of Literary and Artistic works.¹³ This right allows royalties to be paid to visual artists whenever their artworks are resold on the secondary market. The secondary market refers to works being sold a second or subsequent time after its first sale, most commonly through an auction house or an Indigenous art dealer or some galleries. The policy reason behind this right is due to the fact that many visual artists' price of works increase during and after their lifetime so it is a way of providing income for the artists and their families. As you can imagine, Indigenous visual artists in Australia have had record commercial resales of their works and many had not seen any returns on their works. Many advocates in Australia such as the Australia Council for the Arts, National Association for Visual artists, Viscopy, Copyright Agency and the Arts Law Centre of Australia called for the implementation of the Resale Royalty law in Australia to provide future potential income for visual artists from the resale of their artworks.

Implementation of the Resale Royalty Act 2010

On 9 June 2010, the *Resale Royalty Act* in Australia commenced. The law stated that all Australian visual artists receive a 5% royalty when their artworks commercially resales over \$1000 (AUD) for a second or subsequent sale. This right lasts for the lifetime of the artist plus 70 years after they pass away. This law is now enforceable in Australia, and all art market professionals such

as galleries, dealers, wholesalers, and auction houses must pay this resale royalty to the administering agency of this law, the Copyright Agency. The Copyright Agency is the copyright collecting society or rights management organisation that collects and distributes copyright royalties for writers, publishers and visual artists.¹⁴ To be able to implement the new resale royalty right, it was really important to work with art market professionals, so the Copyright Agency established an art market professional advisory committee made up of gallerists, dealers and auction houses from across the country. This way any concerns or issues that arose from these stakeholders could be understood and worked through. In 2010-2011, there was also a visual artists advisory committee, who helped to spread the word through the visual arts community about this new important right for visual artists. The Australian government provided initial support for the implementation of the scheme which included a new information technology system, the advisory committee costs and the travel of the Indigenous engagement manager to remote, regional and urban communities to spread the word about the new law to Indigenous artists. The Copyright Agency takes a small administration fee of around 10-13% of the royalty to cover their costs. A review of the scheme was administered in 2013 whereby all stakeholders in the visual arts industry could comment on the Resale royalty scheme. Some stakeholders were still unhappy with the scheme, but most visual artists are happy to see the scheme is in effect, especially as many Indigenous artists are benefitting from this right.

¹³ Article 14ter of the Berne Convention for the Protection of Literary and Artistic works (1886)

¹⁴ www.copyright.com.au and www.resaleroyalty.org.au Two relevant websites for the Copyright Agency

Effect on Australian Indigenous Visual Artists

As of 2009, there were approximately 12,800 professional visual artists in Australia. Since 31 December 2019, \$8 million (AUD) royalties were paid to Australian visual artists. Over 64% of the artists receiving royalties are Indigenous Australian artists and they have received 38% of the total royalties.¹⁵ It was my role, as the Indigenous engagement manager, from 2011 until 2016, to travel around regional, remote and urban communities in Australia, explaining and registering Indigenous visual artists to the resale royalty scheme. I managed to also meet with the family of Albert Namatjira, Australia's first internationally known Indigenous visual artist, who had never received any copyright royalties for his works as his copyright had been assigned to a publisher by the Northern Territory Government when he passed away in 1959.

|| This was a monumental step for the Namatjira descendants, and it was a great feeling to be able to give them some recognition and economic benefits... ||

After we had these family meetings, we signed up all the grandchildren and great grandchildren of Mr. Namatjira to receive any resale royalties when Albert's paintings resold commercially. This was a monumental step for the Namatjira descendants, and it was a great feeling to be able to give them some recognition and economic benefits for the resale of their grandfather's great works. The Namatjira family was then inspired to fight for the copyright back for their grandfather's estate and eventually, in October 2018, the copyright was assigned to the Namatjira family members which was a huge win!¹⁶ Albert Namatjira lived in poverty and his beautiful watercolour works on paper are now worth over \$20,000

(AUD) on the secondary market in Australia. So, it was a huge step for his family members to receive these resale royalties and they can now reproduce his works to receive copyright royalties.

The benefits that provide economic sustainability for many Indigenous visual artists are great. Many older Indigenous artists who may not be able to make as many works as younger artists see these benefits and when they pass away, it is ongoing income for their families as well. Many of the Indigenous artists who receive these royalties live in the Northern Territory, which has many cases of exploitation as unscrupulous dealers still take advantage of vulnerable artists who may not read or write English and speak many other Aboriginal languages before English as a fourth or fifth language. This new right for Indigenous visual artists means that if they sold their work for a low price in the first instance, if their artworks resale commercially over \$1000 (AUD), then they will receive future royalties from their resales. The scheme has really achieved the outcome of the policy that it set out to do, which is to provide economic sustainability for visual artists who have low incomes and need this additional income.

Conclusion

The resale royalty law in Australia commenced in 2010 and is seen to be a huge win for, particularly Indigenous, visual artists. There was some initial negative media around the introduction of the scheme due to the drop in the Australian secondary market but other factors such as the global financial crisis and the changes to Australian superannuation laws for art investment affected the Australian visual arts market. The resale royalty has brought about more transparency in the visual arts industry and more artists that are aware of the sale of their artworks. The scheme has really achieved the key objective of benefitting Australian visual artists. It will be interesting to see if these rights are introduced in other countries as it has benefitted Indigenous visual artists as it intended to do.

¹⁵ www.resaleroyalty.org.au

¹⁶ <https://www.copyright.com.au/2017/11/namatjira-family-legacy-restored/>



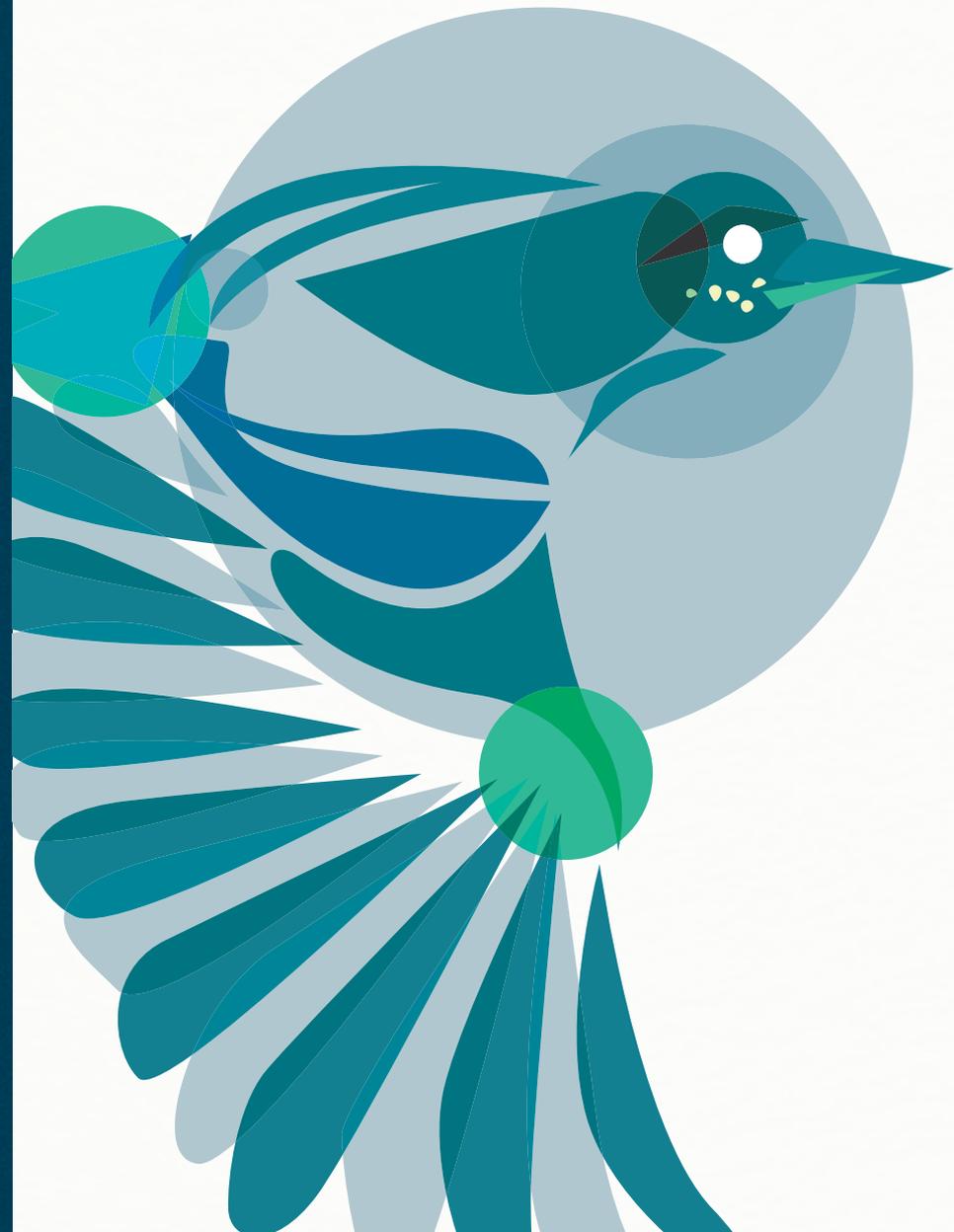
Patricia Adjei

Photo courtesy of Patricia Adjei.
Copyright held by the Australia
Council for the Arts.

Patricia is a Wuthathi, Mabuig Islander and Ghanaian woman from Sydney, Australia. Patricia has Bachelors of Arts and Law from UNSW. She currently works at the Australia Council for the Arts as the First Nations arts and culture director. She previously worked at the Copyright Agency | Viscopy as the Indigenous engagement manager. She is a 2018 Churchill fellowship recipient, investigating the practical application of laws in the USA and Panama that protect Indigenous cultural rights.

She served on the City of Sydney, Aboriginal and Torres Strait Islander advisory panel and has been a Board member of the Contemporary Pacific Arts Festival and the Moogahlin Performing Arts Board.

In 2010, Patricia worked at the World Intellectual Property Organisation (WIPO) in Geneva as the 2010 Indigenous Intellectual Property Law Fellow. This position provided valuable insight into the traditional knowledge division's work that is being done as the Secretariat for the international normative process on the draft international instruments on Traditional knowledge. Patricia has also worked as a lawyer at the Arts Law Centre of Australia and National Indigenous TV. She is also a published author, and has also written several articles and a chapter on Indigenous cultural intellectual property rights.



The Traditional Knowledge and Biocultural Labels System: A Strategy for Recognizing Indigenous Cultural and Intellectual Property Rights / Jane Anderson, James Francis and Māui Hudson

The Penobscot Nation is a federally recognized tribe in the United States with a population of 2,397 whose ancestral territories and waters include, but is not limited to, the entire Penobscot River watershed. Penawahpskewi is the name for Penobscot people, and is a word that connects people to the rocky part of the Penobscot River near Indian Island and Old Town, Maine. Today Penobscot territories consist of 123,000 acres, which include trust land and fee land acquired through the 1980 Maine Indian Claims Settlement Act, reservation lands and 200 islands within the Penobscot River (Newsom et al 2014, Francis 2014, Prins and McBride 2007, McBride and Prins 2009).

Concerns about representational politics, histories of dispossession and the development of self-determination and strategies for the recognition of sovereignty continue to inform Penobscot internal and external policy focus (Ranco 2005, Ranco and Suagee 2007, Loring 2008). Over the last 20 years there have been several incidents that prompted attention to questions about tribal authority, integrity and sovereignty over tribal knowledge, language and history collected and recorded by non-Penobscot people. Distrust of researchers arising from prolonged misrepresentation has had many consequences including deep skepticism of researcher intentions and the deliberate if not also playful obscuring of community traditions (Prins 1998). One incident in 1998 that continues to reverberate at different levels within the community involved the dissolution of a collection of Penobscot material and immaterial

culture that had been held in trust by the researcher, Frank T Siebert, who worked for and with the Nation for over 30 years.

“ Distrust of researchers arising from prolonged misrepresentation has had many consequences including deep skepticism of researcher intentions...”

Siebert's research was focused largely on the Penobscot language and through collaboration and engagement with the community over a 30-year time period, the Penobscot Nation and Siebert had produced an enormous Penobscot language collection. Upon his death however, Siebert's collection and research were inherited by his daughters who were understood in law to be.¹⁷ Siebert had an estranged relationship with his daughters, and they, in turn had no relationship with the Penobscot community. All this material was taken away from Old Town and Indian Island and transferred to institutions in other parts of the country. Ownership of the language research material was legally transferred to the American Philosophical Society in Philadelphia where it currently resides as a collection constituting 41 linear feet. The material culture went first on loan to the University of Pennsylvania Museum of Archaeology and Anthropology, then on loan to the Abbe Museum in Maine and then in 2006 to auction at the behest of one of the daughters.¹⁸

¹⁷ In his time working with and living close to the Penobscot Nation, Siebert did not exhibit great wealth. He lived in a small house that was full and cluttered. After his death, his rare book collection that he had amassed was sold at Sotheby's in two parts. The first sale reached a figure of \$6 million dollars (Lowry 1999), and the second sale making \$12 million (Sotheby's 1999).

¹⁸ "Skinner to sell American Indian art collection" September 24, 2011, <https://www.liveauctioneers.com/news/auctions/upcoming-auctions/skinner-to-sell-american-indian-art-collection-sept-24/>

The Penobscot Nation has no idea where these items now are. The nature of the private auction effectively ‘disappears’ collections, as no public record of sales, and of individual purchases is made. Siebert’s daughters, the staff at the APS and at UPenn Museum had no policies in place that recognized the authority that the Penobscot Nation inherently had over these collections, and as such there was no consultation with the Penobscot Nation as central decision makers over the future of any of this material.

What this incident mobilized was a concern that the Penobscot Nation had no mechanisms to ensure the respectful treatment of Penobscot culture by non-Penobscot people. It also did not have any infrastructure in place for a research permitting process, or processes to secure and protect cultural knowledge. In 2002 the Cultural Historic Preservation Committee was formed. James Francis was the first chairperson of that committee and one of its key functions was to be a supplemental advisory to the new Department of Cultural and Historic Preservation. This led to the decision that the Penobscot Nation needed its own Institutional Review Board to monitor and assess research that involved Penobscot people and knowledge. Through complimentary projects, a ten-member Intellectual Property (IP) Working Group was set up with a representative from a range of tribal departments including the Child Support Agency, Information Technology, Indian Health Services and Tribal Planning. This decision to bring different departments together to deal with questions of intellectual property and research has been the glue for much of the work that the Penobscot Nation is now undertaking.

This project and the engagement that it facilitated led to three further internal tribal developments: the establishment of the Penobscot Tribal Research and Resource Board (PTRRB), the development of several Memorandums of Understanding with institutions that are important to the Penobscot Nation because of the collections that they hold; and the development of the Penobscot Nations’ own set

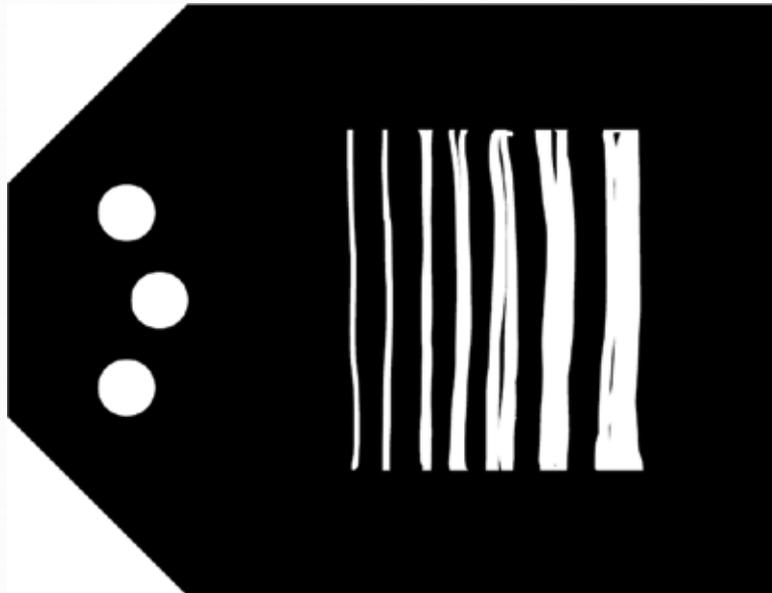
of Traditional Knowledge Labels. The Penobscot Nation’s utilization of the TK Labels is a strategic way of addressing the problem that the Penobscot Nation cannot claim ownership to large collections of Penobscot cultural heritage held in institutions nationally and internationally. With legal ownership of these collections beyond the Penobscot Nation’s control, the only realistic way to recognize the unique nature of Penobscot authority, governance and interests in these collections has been to come at the problem in another, albeit extra legal and educational means – through the TK or Traditional Knowledge Labels system developed by Local Contexts in 2012.

The implementation of the TK Labels at the community level allows the Penobscot to obtain two major objectives. First, the Penobscot community uses the TK Labels to prompt community members to share stories about items that are housed in institutions and have been absent from the community for generations. This interaction enhances our ability to tell the stories of our grandparents and other elders that exist with these items within our community. An important component is access to these items. Although the Penobscot Nation has a portal to view some items online, gaining access to digital versions of these, that can be accessed through our own content management system (Penobscot Collections is built on Mukurtu CMS) is critical for this process. Negotiating with institutions for digital copies of cultural heritage items is vital to the sharing at the community level. Secondly, and a product of the community access to the items, is the implementation of the TK Labels at the institutions which house Penobscot cultural heritage items. The TK Labels allow the community voice to be returned to the items that have been silenced on the back shelves of institutions. The process is self-perpetuating. The more the community has access to these items, the more there is say about them. The TK Labels are the mechanism for this community voice, authority and governance at the institution level, and the prompt to share at the community level.

The Traditional Knowledge (TK) and Biocultural (BC) Labels System

The TK Labels

The TK Labels are an extra-legal and educational digital mechanism to re-position Indigenous cultural authority over Indigenous collections. TK Labels are a practical tool to enable Native, First Nations, Aboriginal, Metis and Indigenous communities to define the circulation routes and access obligations for digital cultural heritage items and collections. They also help institutions address the uncomfortable histories in their collections' provenance. Importantly, the TK Labels are aimed at enabling relationships between Indigenous and non-Indigenous rights holders by correcting and providing more information about materials to help those who want to use the materials outside of the communities make better decisions about re-use and circulation.



The TK Labels system has two objectives. Firstly, to enhance and legitimize locally based decision-making and Indigenous governance frameworks for determining ownership, access, and culturally appropriate conditions for sharing historical and contemporary collections of cultural heritage. Secondly, to promote a new classificatory, curatorial, and display paradigm and workflow for museums, libraries, and archives that hold extensive Native/First Nations collections by recognizing inherent Indigenous authority in these materials and their representation.

With the bulk of Indigenous cultural heritage material either legally owned by non-Indigenous Peoples through copyright law, or existing in the public domain, the TK Labels are an alternative means for conveying ongoing relationships and authorities around cultural heritage materials – including, importantly their proper use, guidelines for action, or responsible stewardship and re-use. The TK Labels can be used within tribal institutions and online projects as well as within libraries, museums, and archives to add missing or excluded rules and governance conditions to already existing catalog records, as well as providing additional context, and define responsible re-use of the materials. The TK Labels can be used to include information that might be considered 'missing' (for instance the name of community from where it derives), what conditions of use are deemed appropriate (for instance if the material has gendered or initiate restrictions associated with it), whether correct protocols for vetting materials have been followed (for instance many tribes now have tribal policies and agreements for conducting research on tribal lands), and importantly, how to contact the relevant family, clan or community to arrange appropriate permissions.

There are currently 18 TK Labels that have been developed through collaboration and engagement with Indigenous communities in the US, Canada, and Australia. Each of the TK Labels has a unique icon

Biocultural Provenance Label (BC P). Copyright for the image is held by Local Contexts.

and accompanying explanation. In all local contexts where the TK Labels are being used, the icon remains the same, but the text can be customized to reflect local values, definitions and governance. Keeping the icons stable produces a visual standard for all institutions. This means for instance, that the Penobscot TK Labels, can be used for Penobscot cultural materials in national and international institutions in the US, Canada, France and the UK.

The TK Labels enable Indigenous communities to include important access protocols about cultural heritage that currently resides in cultural institutions. The TK Labels open a space for a different dialogue with collecting institutions about access and the extra-legal and cultural forms of ownership and authority that have been haunting these collections. Importantly, the Labels are also a vehicle for providing a new set of procedural workflows that emphasize vetting content, collaborative curation, ethical management and engaged sustained outreach practices. The TK Labels are a tool that productively engages with the historical exclusion of Indigenous Peoples from controlling cultural representation, reconsideration of the authority and ownership of collections themselves and the urgent need for change.

The Biocultural Label Initiative

If the TK Labels were designed to address the erasure of Indigenous names, authority and governance over historical collections of cultural heritage currently within cultural institutions, the Biocultural (BC) Label Initiative take these issues of proper provenance, transparency in research engagements and integrity in research into the realm of future resources, specifically genetic resources on Indigenous lands and waters. The Biocultural Labels Initiative anticipates transforming practice by focusing on how to practically encode Indigenous provenance information and cultural responsibilities into research data – data that is collected as part of research practices happening

within Indigenous contexts today, particularly in the sciences. As a digital data ethics strategy the Biocultural Labels make visible the provenance and ethics of collections; outline community expectations and consents about appropriate use of the collections; connect data to people and environments, thereby maintaining relationships to data over time and enhancing the capacity for Indigenous control of Indigenous data. This initiative provides a practical application of Indigenous data sovereignty principles to issues of access and benefit-sharing for genetic resources.

As the TK Labels provide a conduit for enriching relationships between Indigenous communities and cultural heritage institutions, the Biocultural Labels support relationships between Indigenous communities and scientific organisations. These relationships aren't always mutually exclusive because cultural items held in museums are often also the subject of scientific investigations. Use of the Labels ensures Indigenous communities are involved in discussions about research as well as future data use. Indigenous communities' aspirations for greater control of Indigenous data cover both traditional knowledge and scientific information associated with their people, lands, waters and territories. In tandem, the TK labels and the BC labels create transparency about local Indigenous rights and cultural responsibilities as Indigenous data are embedded in national institutions and traverse global digital infrastructures.

Relevant Digital Links

Penobscot Collections: <https://penobscot-collections.com/>

TK and Biocultural Labels: <https://localcontexts.org/>

ENRICH: <https://www.enrich-hub.org/>



Jane Anderson

Photo courtesy of Jane Anderson.

Jane Anderson is an Associate Professor at New York University. Jane has a Ph.D. in Law from the Law School at University of New South Wales in Australia. Her work is focused on the settler-colonial lives of intellectual property law and the protection of Indigenous/traditional knowledge resources and cultural heritage. For the last 20 years she has been working for and with Native, First Nation and Aboriginal communities to access, control, and regain ownership of Indigenous cultural and intellectual property collections within universities, libraries, museums and archives. With the Penobscot Nation in Maine, Jane runs training for Tribes on IP law, policy and support for tribal decision making on research conducted on Indigenous lands and waters. Jane is the co-creator of the TK (Traditional Knowledge) Label and Notice System - a strategic intervention for recognizing and transforming Indigenous rights within digital infrastructures. With Māui Hudson, she is co-creator of the Biocultural Labels Initiative. Jane is also the co-founder of ENRICH (Equity for Indigenous Research and Innovation Coordinating Hub) focused on research, policy development and implementing digital tools for Indigenous data sovereignty and governance



James Francis

Photo courtesy of James Francis.

James Eric Francis Sr. is Penobscot Nation's Director of Cultural and Historic Preservation, Tribal Historian, and Chair of Penobscot Tribal Rights and Resource Protection Board. As a historian James studies the relationship between Maine Native Americans and the landscape. Prior to working at the Penobscot Nation, James worked for the Wabanaki Studies Commission helping implement the new Maine Native American Studies Law into Maine schools. James co-produced a film, *Invisible*, which examines racism experienced by Native Americans in Maine and the Canadian Maritimes. James is the on the Co-Chair of the Abbe Museum's Board of Trustees, and Co-Director of Local Context an initiative to support Native, First Nations, Aboriginal, and Indigenous communities in the management of their intellectual property and cultural heritage. James also serves on the UMaine's Hudson Museum Advisory Board. James is a historical researcher, photographer, filmmaker, painter, and graphics artist.



Māui Hudson

Photo courtesy of Māui Hudson.

Māui Hudson is from the Whakatōhea nation in Aotearoa and is an Associate Professor and Director of Te Kotahi Research Institute at the University of Waikato. He is an interdisciplinary researcher who focuses on the application of Indigenous Knowledge to decision-making across a range of contemporary contexts including new technologies, data and innovation. He has co-authored a number of ethical guidelines including Te Ara Tika: Guidelines on Māori Research Ethics, a framework for researchers and ethics committee members; Te Mata Ira Guidelines on Genomic Research with Māori; and He Tangata Kei Tua Guidelines on Biobanking with Māori. Māui supports Māori to engage in the research sector as a co-convenor of SING Aotearoa, the New Zealand chapter of the Summer Internship for Indigenous Genomics, and Te Ahu o Rehua, a Network for Cross Cultural Ocean Knowledge connecting expertise across the fields of climate change, marine science, voyaging and non-instrument navigation. Māui also advocates for Māori rights and interests in data through Te Mana Raraunga: Māori Data Sovereignty Network and the Global Indigenous Data Alliance. Alongside Jane Anderson is a co-founder of ENRICH, a joint initiative between the University of Waikato and New York University, and a co-developer of the Biocultural Labels Initiative.

Use of the Labels ensures Indigenous communities are involved in discussions about research as well as future data use. Indigenous communities' aspirations for greater control of Indigenous data cover both traditional knowledge and scientific information associated with their people, lands, waters and territories. In tandem, the TK labels and the BC labels create transparency about local Indigenous rights and cultural responsibilities as Indigenous data are embedded in national institutions and traverse global digital infrastructures.

—Jane Anderson, James Francis and Māui Hudson





|| Indigenous art in all of its forms is an integral component of First Nations, Métis and Inuit history, our present and our future. Indigenous painting, drawing, carving, music, dance, craft, literature, film and oral exchange of traditional knowledge are all highly valued. ||

-Tony Belcourt

Creating a Critical Mass in Indigenous Arts Leadership

Indigenous Fashion Week Toronto / Sage Paul

I am the Artistic Director at Indigenous Fashion Week Toronto, as well as a practicing artist in fashion and costume for artistic presentation, film, theatre and dance. While I predominantly anchor my practice in the arts, my work puts me at the intersection of art, culture, fashion and economy. In my 15 plus years of working professionally in the arts, at different times, as an administrator, programmer and artist, I have worked with hundreds of Indigenous artists across

Art is a deeply-rooted form of expression and innately makes up an aspect of a unique culture. Because of that, art and culture are vast, complex, ancestral and evolutionary.

artistic disciplines who each hold a distinct artistic vision and a multifaceted connection to their positioning, ancestry and culture. Art is a deeply-rooted form of expression and innately makes up an aspect of a unique culture. Because of that, art and culture are vast, complex, ancestral and evolutionary. I have experienced and been witness to

incredible creation, progress and celebration in Indigenous arts and culture. However, everything exists on a spectrum and there is a flip side to those exciting achievements. Through my work I continue to experience and witness the impacts caused by the misuse, lack of understanding and theft of Indigenous culture for gain. In other words, cultural appropriation and its symptoms continue to act as a barrier in the success, advancement and representation of Indigenous people and our art and culture.

When most people think of cultural appropriation in fashion, craft and textiles, they are either tired of the topic or they are aware of this most common offense of cultural appropriation: the inaccurate telling of history and the misuse or theft of Indigenous imagery and symbolism. A non-Indigenous designer is inspired by Indigenous culture and creates a collection of Indigenous-inspired fashion based on no consultation or collaboration, little or no research and common stereotypes. This collection is founded on clumsy good intentions or the prospect of creating something "new" and salable. Often the defense for a collection like this is the designer was inspired by the beauty of Indigenous culture and was actually honouring it. For example,

in 2015 a collection called “D-Squaw” by Canadian fashion house D-Squared defined its collection as “The enchantment of Canadian Indian tribes. The confident attitude of the British aristocracy. In a captivating play on contrasts: an ode to America’s native tribes meets the noble spirit of Old Europe.” The collection of clothing was scattered with geometric shapes, fur, embroidery and delicately woven designs inspired by Indigenous cultures over top British military-esque tailoring. There are a number of issues that come from that description. Firstly, the use of “D-Squaw” is a play on the derogatory and racist slur against Indigenous women, “Squaw”. Using racist slurs has very dangerous impacts that sustain and perpetuate hate, violence and ignorance. It is especially concerning to see the ignorant use of a racial slur against Indigenous women meanwhile, Indigenous women face some of the highest rates of abuse and violence and are at risk of going missing or being murdered. Secondly, the description for this collection romanticizes and mythologizes the true events and current realities of the colonization of Indigenous Peoples by colonizers like the British. Finally, the skills and techniques used in the fashion collection to illustrate Indigenous culture erase and homogenize the symbolism, craft and importance of the hundreds of unique Indigenous cultures across North America and the millennia worth of knowledge held in those skills. These types of projects perpetuate an entitlement to exploit and steal from Indigenous Peoples to gain profit.

That overt type of cultural appropriation happens less and less as it becomes more widely known as being inauthentic, offensive, racist or grounds to foster racism. Today, when it comes to the creation of works by or about Indigenous and other diverse peoples, cultural appropriation is taboo and often at the forefront when considering the creation of cultural work. This perspective might be gaining popularity as it becomes more common practice to meet societal expectations for diversity and inclusivity across industries. Many

organizations and companies are being held accountable to ensure the authenticity and integrity of the cultural work they create or are inspired by. However, most of these diversity initiatives are either only optical or one-sided. When one sees a seemingly “Indigenous” or “diverse” project, it is important to ask, “what happened behind the scenes of this project? What happened in the exchange of the collaboration or relationship?”. Currently, the most widely accepted way of holding creators accountable to accurate representation is through proof, such as showing diverse faces in a marketing campaign or checking the diversity box on a form. These tactics do not answer the above questions, nor do they prove that the Indigenous inclusion wasn’t merely a show or whether the Indigenous creator had agency in decision making.

For example, an Indigenous designer is hired on to an “Indigenous themed” project with a non-Indigenous leader. However, the leader has narrowed the job title to “Indigenous designer” and the job description outlines the responsibility to act as a consultant and not actually as a lead designer in a key creative role. In this scenario, the leader checks off the fact they have hired an Indigenous designer (but likely has also hired a key designer), they report the Indigenous designer has consulted on the project and declares the project as diverse and inclusive. In this case, the Indigenous designer has been exploited to support the leader’s vision in order to seal the project as “authentic” and “diverse”. There is no guarantee that the recommendations by the Indigenous designer would be enacted. In the end, the project is stamped to be culturally accurate from the outside, but internally the exchange and power in the relationship was not balanced. Inviting an Indigenous person onto a project while not giving them any or equal agency on the project is a symptom of cultural appropriation. The leader in this scenario lacked the understanding, experience and trust to work, communicate or collaborate with individuals outside of their mainstream frameworks (which are often covertly colonial).

There are a few reasons why a collaborator would not trust an Indigenous designer to carry out a leadership role including reasons like stereotypes and racism, a lack of understanding for how to plan to work between many cultural approaches, simply not knowing any Indigenous designers who have the industry experience required to carry out the project or because they sustain historically oppressive practices, which today is "covert colonialism". When it comes to fashion or art or commerce, there is a connection to the historical oppression and exclusion of Indigenous Peoples and the cheap commodification of our art and culture. Pre-colonization, Indigenous art and culture was mostly utilitarian seen in fashion, pottery, architecture and nature, and was created with purpose and meaning, carrying an immense amount of value. Since colonization cultural, monetary and functional value of Indigenous-made works has been reduced to digestible and kitschy commodities or tokens. This impacts Indigenous artists today by having only token spaces to present or retail their work in, competing with a market of inauthentic Indigenous-inspired works, stereotypes or goods at much lower costs, or being forced to create works within Euro-centric standards to be recognized as a legitimate artist. For example, walking through a major art gallery, one might see paintings depicting Indigenous culture, a painting by one of a handful of idolized Indigenous visual artists or a special but temporary exhibition of contemporary Indigenous art. As one exits the gallery through the gift shop, a few prints of those paintings or some inexpensive trinkets made in China, like a piece of jewelry, can be purchased. Similarly, one could walk through a shopping mall and find inexpensive non-Indigenous-made Indigenous-inspired trinkets, jewelry and clothing. These examples are inauthentic or limited representations of Indigenous art in mainstream spaces presented to large audiences and another symptom of cultural appropriation. Utilitarian Indigenous-made art has little visibility in artistic institutions, nor has it been reliably acquired for retail in a way that contributes to a thriving Indigenous economy due to sustained historical practices and the subsequent perception of value.

Cultural appropriation has serious impacts on Indigenous people and communities through the theft and commodification of our art, poor perception of the worth or value of our art, misrepresentation of our image, mythologizing of history, breeding of



racism, denial of leadership and decision-making or total exclusion, and continuation of impoverished economies. However, tools and solutions to combat cultural appropriation do exist and will continue to emerge. For them to work we must foster space, enforce policy and braid culture.

“ Inviting an Indigenous person onto a project while not giving them any or equal agency on the project is a symptom of cultural appropriation. ”

Fostering space for Indigenous arts and culture can take many forms, such as engaging an organization to lead a department in an institution, collaborating with an Indigenous artist, designer or collective as an equal, or inviting Indigenous artists or designers to contribute to policy and operations. An important and vital aspect of collaboration on any project is creating space for Indigenous leadership. For example, our team at Indigenous Fashion Week Toronto approached the Harbourfront Centre about presenting our festival in their venue. We work with the Harbourfront Centre as a partner and not as hired employees. Through this partnership we have had the autonomy and opportunity to build a festival that presents Indigenous fashion in artistic, educational and retail formats that positively impact the representation, visibility and understanding of Indigenous culture. In this relationship, the Harbourfront Centre has offered their expertise in producing our major festival, ensuring our autonomy in the production and programming of the festival and advocating for our work at an executive level. In having space by and for Indigenous artists and designers in fashion, craft and textiles, we are provided the capacity to engage further partnerships that support, foster

and promote Indigenous artists and their work such as through partnerships with Simon's department store, the Art Gallery of Ontario and Nuit Blanche. Our festival and partnerships like these have had great impacts on the artists we work with. We have seen artists go on to present at the Tate Museum in London, UK and other major art galleries, sustain full-time online retail businesses, and launch leading businesses in the fashion industry.

While Indigenous creators and leaders like us are taking the initiative to establish spaces like Indigenous Fashion Week Toronto, there is a responsibility by non-Indigenous leaders to enforce by-laws to protect Indigenous culture, art and communities. In February 2020, the New York City Commission on Human Rights enacted their responsibility by coming to a settlement with Prada in regard to Prada's 2018 retail and marketing campaign "Pradamalia", which included small toys resembling black face. As a result of enforcing zero tolerance against racism and cultural appropriation, the New York-based staff and Milan-based executives of Prada will be undergoing cultural training and Prada is ordered to provide the diversity makeup of their staff for six years. Two other excellent examples for how the protection of Indigenous arts and culture can be enforced is the *Indian Arts and Craft Act*, which is a truth-in-advertising law that prohibits misrepresentation of Indigenous products in the United States. It is illegal to offer or display for sale or sell any art or craft that falsely suggests it is Indigenous-made, is an Indigenous product, or the product of a particular Nation of Indigenous Peoples or organization. The Navajo nation was protected under this law and trademark when Urban Outfitters used the Navajo nation's name to sell a pair of "Navajo Hipster Panties", which had nothing to do with the Indigenous nation. The World Intellectual Property Organization (WIPO) has also created "Protect and Promote Your Culture: A Practical Guide to Intellectual Property for Indigenous Peoples and Local Communities" which outlines how western intellectual property law can protect

Indigenous culture. WIPO has taken steps to share knowledge and engage Indigenous communities to support Indigenous creators with the tools to continue to create work while also protecting it.

Providing resources, knowledge and training to Indigenous and non-Indigenous people is vital in ensuring the protection of Indigenous-made works and Indigenous culture. However, the most important part of creating meaningful and respectful Indigenous-made works, cultural works or fostering diverse relationships is being aware of and engaging *how we work together*. A publication called "Towards Braiding" by Elwood Jimmy and Vanessa Andreotti has coined the philosophy of "braiding" for professional and institutional relationships. Braiding is a philosophy and guideline for navigating Indigenous and non-Indigenous relationships that invites all collaborators to lead and work together without erasing each other's ways of knowing, cultural values or methods for realization. The goal is to braid relationships that don't tokenize or exploit Indigenous inclusion and rather contribute to strong working relationships through shared processes and experiences. This can become a challenging task, as established sets of rules and methods will have to evolve, grow and adapt to include new ways of working.

|| *It is illegal to offer or display for sale or sell any art or craft that falsely suggests it is Indigenous-made, is an Indigenous product, or the product of a particular Nation of Indigenous Peoples or organization.* **||**

An example of this is a project between Indigenous Fashion Week Toronto and the Canadian department store Simon's. The way Indigenous artists and designers are creating and selling their work

is very different to how Simon's typical fashion wholesaler is creating and selling their work. Indigenous artists are mostly creating at a small scale and with small teams or a team of one. They are typically creating designs using practices and imagery from or based on generations of cultural knowledge. There are certain works designers or artists that will create specifically for family, ceremony, or anyone and it is at the artists discretion to follow cultural and familial protocols for where and how their work is presented or sold. Finally, there is a strong Indigenous market that supports the "slow fashion" model of production, honours the meaning of the works, understands who the work is for, and understands the great value of these works as art and culture. On the other side, typically, a mainstream wholesaler is producing on-trend garments with large teams and with the intentions to make great profits. Their audiences are typically self-driven and unaware of the practices or intentions of the mainstream wholesaler's work. Working as a facilitator and liaison in the process, Indigenous Fashion Week Toronto partnered with Simon's and a curated group of eight Indigenous artists and designers to embellish a capsule collection designed by Simon's, to be sold at the Simon's department store. In this collaboration, the goal was to ensure all collaborators were heard and provided the necessary resources to succeed. Instead of Simon's expecting Indigenous Fashion Week Toronto and the curated designers and artists of the project to deliver how wholesalers typically would, Indigenous Fashion Week Toronto and Simon's entered a partnership in a thoughtful and reciprocal way, having flexibility and accommodation along the way. Considerations included actions around: ensuring creative freedom for the artists, creating adequate and realistic timelines and payment schedules, managing and negotiating risks for all collaborators, and leading the narrative in and execution of all PR and promotions. This collection has yet to go to market at the time of this publication, however we anticipate the project will be successful for how consumers and audiences receive the collection, based on the quality and variety of work from the artists and response from media.

Historically and into today cultural appropriation has clearly created barriers and oppression against Indigenous people through inaccurate telling of history and the misuse or theft of Indigenous imagery and symbolism, tokenized diverse faces in marketing campaign or as a checkmark on the diversity box of a form or sustained historically oppressive practices. While hearing an Indigenous person continue to flag those realities is often processed as menial complaints, it is important to acknowledge where we have been to get to where we want to go. Encouraging diverse cultures to work together is political. It is important to make decisions that apply to all those in our communities and that includes fostering spaces for new perspectives, enforcing policy and guidelines that protect people, and meaningfully braiding cultures. I was taught to know that what I do today will impact individuals living seven generations from now. To envision a thriving future of interconnection in a global society, we must work together and trust each other as equal collaborators where we have the best interests for all those involved, as a whole.

Sage Paul working in studio.

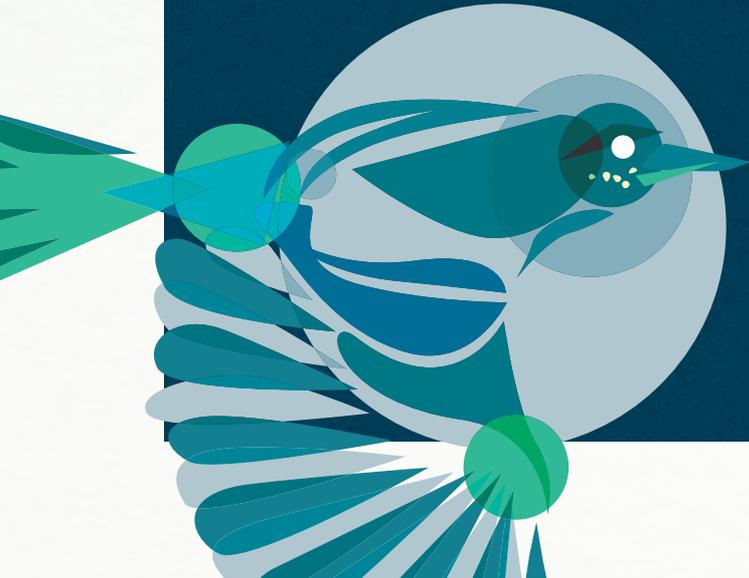
Photo by Richard Lautens/Toronto Star via Getty Images.



Sage Paul

Sage Paul is an urban Denesuliné tskwe from Toronto and a member of English River First Nation. Sage is an award-winning artist & designer and a recognized leader of Indigenous fashion, craft and textiles. Her work centres family, sovereignty and resistance for balance. Sage is also the founding Artistic Director of Indigenous Fashion Week Toronto. Some of Sage's art and design has shown at the Art Gallery of Ontario's First Thursday, Harbourfront Centre, The Centre for Craft, Creativity and Design (North Carolina, USA), and a curated program at Western Canada Fashion Week by Ociciwan Contemporary Art Collective. She has designed costumes for Kent Monkman, Darlene Naponse, Danis Goulet and more. Sage speaks about Indigenous fashion including engagements at Canada House (London, UK), The Walrus Magazine, Ryerson University, Toronto Women's Fashion Week and South Africa Fashion Week. Most recently, Sage presented her collection "Giving Life" at Festival de Mode & Design (Montreal) and Ohtaapiahki Fashion Week (Calgary). Sage received the Design Exchange RBC Emerging Designer Award (2017) and was recognized as a Woman of Influence (2018), a Change Maker by the Toronto Star (2018), a Toronto "cool girl" by Vogue (2018), and was honoured by the Ontario Minister of the Status of Women as a trailblazing woman who is transforming Ontario (2017). In 2019, Sage was nominated for the Virginia and Myrtle Cooper Award in Costume Design and the Indigenous Arts Award, both at the Ontario Arts Council. Sage sits on the Ryerson School of Fashion Advisory Board, sits on the Boards of Directors for Red Pepper Spectacle Arts and Toronto Fringe Festival. Sage has developed and teaches the Indigenous Fashion elective course for George Brown College.

95



“ While Indigenous creators and leaders like us are taking the initiative to establish spaces like Indigenous Fashion Week Toronto, there is a responsibility by non-Indigenous leaders to enforce by-laws to protect Indigenous culture, art and communities. ”

—Sage Paul

||

Historically and into today cultural appropriation has clearly created barriers and oppression against Indigenous people through inaccurate telling of history and the misuse or theft of Indigenous imagery and symbolism...

-Sage Paul

||



A Call to Action: The Inuit Futures in Arts Leadership Project / Heather Igloliorte with Renelita Arluk, Alethea Arnaquq-Baril, Taqralik Partridge, Jessica Kotierk, and Jesse Tungilik

The more empowered Inuit and Inuvialuit are to determine our own futures, the stronger our voices will be in how our visual arts, songs, stories, performances and other artistic practices are protected, shared and circulated within our Inuit communities, across Canada and around the world. The sole purpose of *Inuit Futures in Arts Leadership Project: The Pilimmaksarniq / Pijariuqsarniq Project* is thus to foster, support and increase Inuit and Inuvialuit leadership and participation within all areas of the arts. The project is supported by a 7-year, Social Sciences and Humanities Research Council grant that enables us to train and mentor Inuit and Inuvialuit across both the north and south, supporting emerging scholars and arts professionals to become the next generation of researchers and leaders in our communities and across Canada within academia and the arts. Our partnership began in 2018 with seventeen original partner institutions across the north and south, and it continues to grow, adding new partners and mentors who share our vision. Our ultimate goal is nothing short of Inuit self-determination and sovereignty over our own arts. We want a seat at every table where our culture is at stake.

The *Inuit Futures* project is steered by an all-Inuit / Inuvialuit leadership group composed of project director Dr. Heather Igloliorte (Nunatsiavut; art history / curatorial practice), Renelita Arluk (Inuvialuit region; theatrical playwriting / directing), Alethea Arnaquq-Baril (Nunavut; filmmaking / producing), Taqralik Partridge (Nunavik; visual and performing arts / writing & publishing), Jessica Kotierk (Nunavut;

museology / collections management / archives), and Jesse Tungilik (Nunavut; mixed media arts / arts administration). Together we represent all regions of Inuit Nunangat (the four Inuit regions of Canada) and have expertise in all aspects of this project. Our alliance is both practical and political: we draw on our wide disciplinary and regional networks to contact potential postsecondary students and emerging arts professionals - Ilinniaqtuit (learners) - allowing us to pair them with institutions and mentors according to their studies, talents, interests and aspirations; but collectively we also represent a unity across the provincial and territorial borders that overlay Inuit Nunangat and often prevent us from working together. This allows us to foreground Inuit solidarity in our project instead of working in our regional or disciplinary silos. As Year I cohort member Tom McLeod, an OCAD University student, noted after our second annual gathering, "The best thing the project has done has been to bring the folks that are a part of it together." Concordia University doctoral student Nakasuk Alariaq adds, "I had only ever met one other Inuk university student while I was at [the University of Western Ontario]," she says. "Having so many Inuit university students in the same place at the same time [...] made me feel more confident in myself and the Inuit studies field in general."

The impetus for creating this initiative arose from a troubling paradox that we, the Inuit leadership team of the *Inuit Futures* project, identified as a longstanding issue impacting the entire circumpolar and Canadian arts landscape. While Inuit cultural and

artistic productions of some kind or another can be found in the collections of nearly every one of the over 2300 museums and galleries across Canada—from the tiniest rural house museums to the largest national institutions—rarely, in the entire history of museums and galleries in this country, has an Inuk held a meaningful, long-term position of agency in one of these institutions such as a curator, collections manager, director, or educator. Rarely do these institutions prioritize Inuit audiences and our engagement with our own cultural heritage, and instead assume their audiences are primarily Qallunaat. We have likewise been the subject of countless films, novels, plays, and studies, yet we have seldom had access to the same platforms and resources to become our own filmmakers, playwrights, or novelists, let alone to partake in the plethora of other interesting careers surrounding the arts, such as technicians, designers, collections managers or editors. We want to tell our own stories and lead projects that we dream up, not those imposed upon us. But the barriers to Inuit academic and professional success are many: geographic isolation from the south and from each other, access to education and especially postsecondary institutions, the high cost of virtually everything in our home territories, and the history and ongoing legacies of Arctic colonization, to name a few. Of course, Inuit have always, and continue to, succeed in the arts industry despite these great challenges. We stand on the shoulders of those Inuit who blazed trails in the art world, like writer Minnie Audla Freeman; magazine editor, columnist, and illustrator Alootook Ipellie; curator July Papatsie; filmmaker and producer Zacharias Kunuk: the list goes on and on. They kicked a door open that had been shut to Inuit, and it is our responsibility to keep that door open as wide as we can for more Inuit to come through, so that they can also make and hold space for those that will come after them. Concordia University student and member of our first cohort of Ilinniaqtuit, Jason Sikoak, underscores this shared goal, stating in his profile on our website, "[*Inuit Futures*]

is helping me and I, in turn, want to help other people once I'm through the program." Nicole Luke, a Master of Arts student and aspiring architect who joined us in Year II of the project, echoes Sikoak, saying, "I hope one day I can be a mentor for other Inuit."

We work towards these goals by creating opportunities for Inuit to gain the skills, knowledge and experience they need to step into positions where we can create, direct and steward our own culture, in ways that more closely align with Inuit knowledge, worldviews and ways of learning. Our project is designed to be flexible and adaptive in order to address the challenges of professional development and research training in both the north and south, and tailored to the way that Inuit learn "through observation, mentoring, practice, and effort," or Pilimmaksarniq/Pijariuqsarniq, which is a tenant of Inuit Qaujimajatuqangit, our living knowledge and system of values.

// *We want to tell our own stories and lead projects that we dream up, not those imposed upon us.* //

Our partner institutions, including universities and a wide variety of arts institutions both big and small, are located throughout Inuit Nunangat as well as in southern Canadian cities with large Inuit populations.

Together, we carefully consider how best to integrate Ilinniaqtuit into the smaller organizations, where the work of supervising a new trainee can be overwhelming if an organization is temporarily understaffed or overburdened with administrative responsibilities, as northern, Indigenous-led arts organizations often are. We work with our partners to find the best timing and fit for meaningful mentorship to occur that benefits both trainer and trainee.

Likewise, we do not simply drop Ilinniaqtuit into larger institutional partner organizations where they either sink or swim in the status quo. As a leadership collective, we have all had disastrous experiences in academia and the arts (and we share our past horror stories with our current students, so they hopefully do not find themselves in the same situations in the future). We have all experienced being exploited as the token Inuk to make Qallunaat organizations eligible for grants and funding, or to check a box in a final report; we have all worked with and for those who speak like they are allies but act only in their own self-interest; we all have stories about gatekeepers and/or those who condescend or are openly racist, including the racism of lower expectations.

We know that for Inuit to succeed, we need to collectively change many aspects of institutional cultures and organizational structures, thereby creating better, more welcoming, more culturally aware environments that will support Inuit to succeed. We want these placements to be transformative – for both the trainee and the institution. One strategy we collectively employ towards this end is through our annual gatherings, which foreground Inuit speakers and leaders but enable our other many partners and mentors, who may be Qallunaat or Indigenous colleagues from other institutions, to bear witness to Inuit institutional experience and knowledge. As second year participant Simeonie Kisa-Knickelbein reflected, “It’s amazing to be able to ask questions to each other and talk to each other without having to over-explain ourselves.” And the development of that Indigenous mentor and peer-network has been invaluable to our collective action. Emily Henderson, who started out as a student on the grant working long distance for the Inuit Art Foundation, and who as a result is now the *Inuit Art Quarterly’s* first full time Inuk editorial staff member, notes, “The support so far has just been incredible. [...] Not only do I have a strong network of mentors I can turn to for help and advice through my own career, but also really strong bonds with a lot of my peers in my program that I’m so excited to grow alongside into the future.”

This work of institutional transformation is already underway with some of our partner institutions, who have committed time and resources to training and mentoring Inuit and Inuvialuit to become leaders within their institutions. Some have already begun the difficult and necessarily uncomfortable work of considering the Eurocentric underpinnings of their institutions and how they can change their policies, processes and work cultures, from how they support artists directly, to their staffing, direction, and boards. But we want more and are working towards it. We want *all* institutions in this country who hold our knowledge, creativity, culture and heritage in trust to consider their responsibilities to Inuit as well, and to follow our lead in matters pertaining to our culture. As Inuit arts administrator and advocate Theresie Tungilik has declared, it is past time for Inuit to take control over their own representation (Buis and Smith, 2011).

These institutions can do so by prioritizing the hiring, training and promotion of Inuit and Inuvialuit; providing them with the tools they need for long-term success; sharing leadership roles and responsibilities as the Inuit within their institutions develop and strengthen their capacities; and crucially, being ready to step sideways, backwards, or even out to make space when an Inuk is ready and able to join or replace them. This is particularly urgent for those organizations that have decision-making authority over the creation and dissemination of Inuit art, and the production of knowledge that surrounds Inuit art. Our call to action is this: will you make public and transparent your plan to foster and develop Inuit talent in positions in which they should lead? Can you make their hiring, training, and promotion a priority, with a concrete plan of action? We are working together towards the future we want. Not just equitable, but empowered and self-determined. And we’re calling on our colleagues and partners to lean into this with us, by leaning out, lifting up, making space, sharing authority, and ceding power.



Heather Igloliorte

Photo of Heather Igloliorte by Lisa Graves.

Heather Igloliorte is the Director of the Inuit Futures in Arts Leadership: The Pilimmaksarniq/ Pijariuqsarniq Project. She began this project because she wanted to see more Inuit in decision-making roles in the arts.

Heather holds the Tier 1 University Research Chair in Circumpolar Indigenous Arts at Concordia University, is an associate professor in the Department of Art History, and co-directs the Indigenous Futures Cluster of the Milieux Institute for Arts, Culture and Technology.

Igloliorte has been a curator of Indigenous art since 2005. She also publishes on critical museum studies, circumpolar and other Indigenous arts, and curatorial practice frequently. Her essay "Curating Inuit Qaujimagatuqangit: Inuit Knowledge in the Qallunaat Art Museum," was awarded the 2017 Distinguished Article of the Year from Art Journal.

She is also the President of the Board of Directors of the Inuit Art Foundation, currently serves as the Co-Chair of the Indigenous Advisory Circle for the Winnipeg Art Gallery, and serves on the Board of Directors for the Native North American Art Studies Association and the Faculty Council of the Otsego Institute for Native American Art History at the Fenimore Art Museum in Cooperstown, New York, among others.



Reneltha Arluk

Photo of Reneltha Arluk courtesy of the Inuit Futures in Arts Leadership Project.

Reneltha Arluk (Theatre and Performance; Inuvialuit Region) is Inuvialuit, Dene and Cree from the Northwest Territories. She is a graduate of the University of Alberta's BFA Acting program and founder of Akpik Theatre, a professional Indigenous Theatre company in the NWT. Akpik Theatre focuses on establishing an authentic Northern Indigenous voice through theatre and storytelling. Raised by her grandparents on the trap-line until school age, this nomadic environment gave Reneltha the skills to become the multi-disciplined artist she is now. Reneltha has taken part in or initiated the creation of Indigenous Theatre across Canada and overseas. Under Akpik Theatre, Reneltha has written, produced, and performed various works focusing on decolonization and using theatre as a tool for reconciliation. This includes Pawâkan Macbeth, a Plains Cree adaptation of Macbeth written by Arluk on Treaty 6 territory. Pawâkan Macbeth was inspired by working with youth and elders on the Frog Lake reserve. Reneltha is the first Inuk and first Indigenous woman to direct at The Stratford Festival. She was awarded the Tyrone Guthrie - Derek F. Mitchell Artistic Director's Award for her direction of The Breathing Hole. Reneltha is Director of Indigenous Arts at BANFF Centre for Arts and Creativity.



Alethea Arnaquq-Baril

Photo of Alethea Arnaquq-Baril by Dorota Lech.

Alethea Arnaquq-Baril (Film and Video; Nunavut) is an Inuit filmmaker from the Canadian arctic where she has been working in film since 2003. Recently she and fellow Inuit producer, Stacey Aglok MacDonald, launched their company Red Marrow Media. Currently they are producers on Nyla Innuksuk's movie *Slash/Back*, where a group of teenage Inuit girls fight off an alien invasion in Pangnirtung.

Alethea directed and produced *Angry Inuk*, a feature documentary that broadcast on CBC, about Inuit coming up with new and provocative ways to deal with international seal hunting controversies. *Angry Inuk* premiered at Hot Docs 2016, taking home the Audience Choice Award, was selected as one of the TIFF Canada's Top Ten for 2016. *Angry Inuk* has continued to win several other prestigious awards since. In 2016, Alethea was presented with the Meritorious Service Cross by the Governor General of Canada, having been nominated for contributions to the arts and the craft of documentary filmmaking. Also in 2016, Alethea was bestowed the "DOC Vanguard Award" by the DOC Institute, for "a keen artistic sensibility and forward-thinking approach to the craft, with the potential to lead the next generation of doc-makers."

For a list of Alethea's other previous work, go to unikkaat.com/projects/



Taqralik Partridge

Photo of Taqralik Partridge by Dean Tomlinson, Art Gallery of Ontario.

Taqralik Partridge (Arts Writing and Editing, Performance and Visual Arts; Nunavik) is a performance artist (spoken word poetry and throat singing) as well as a visual artist and writer from Kuujuaq, Nunavik, now residing in Kautokeino, Norway. Taqralik incorporates throat singing into her live performances; her performance work has been featured on CBC Radio One, and she has toured with the Montreal Symphony Orchestra under Kent Nagano and with Les productions Troublemakers under the direction of Cinematheque Quebecoise composer Gabriel Thibaudeau. Taqralik is the cofounder of the Tusarniq festival. Partridge's writing focuses on both life in the north and in southern urban centres, as well as the experiences of Inuit. Her short story "Igloolik," published in *Maisonneuve* magazine, won first prize in the 2010 Quebec Writing Competition and has been published in Swedish and French; her short story "Fifteen Lakota Visitors," was short-listed for the 2018 CBC Short Story Prize. As a visual artist, her work is currently included in both the touring exhibition *Among All These Tundras*, and the 22nd Biennale of Sydney, Australia, opening in March 2020.

Fluent in French, English, and Inuktitut, and having lived and worked with artists throughout Nunavik, Taqralik brings decades of experience working across the literary and visual arts world to this role.



Jessica Kotierk

Photo of Jessica Kotierk courtesy of the Inuit Futures in Arts Leadership Project.

Jessica Kotierk (Museum Leadership and Archival Practices; Nunavut) is the Curator and Manager of the Nunatta Sunakkutaangit Museum in Iqaluit, Nunavut. Jessica is also one of Canada's very few Inuit archivists, having trained at Fleming College after studying at York University. Originally from Igloolik, Jessica gained valuable skills and knowledge in collections and data management while studying in Toronto and Ottawa, and has experience working at institutions both internationally and within Canada. For example, she has previously worked on the preservation and documentation of the McMichael Art Gallery's Inuit print collection, consulted on Inuit art in Bern, Switzerland, and researched Inuit archeology at the Avataq Cultural Centre in Montreal. Prior to her current role with Nunatta Sunakkutaangit Museum, she also worked for the Nunavut Film Development Corporation. Jessica contributes a wealth of knowledge to the Inuit Futures projects. She advises, "I think that if anybody takes their interests and what they are good at, then they can do that in their work."



Jesse Tungilik

Photo of Jesse Tungilik courtesy of the Inuit Futures in Arts Leadership Project.

Jesse Tungilik (Arts Administration and Collections Management; Nunavut) is an interdisciplinary artist, arts administrator, and Inuit arts advocate, based in Iqaluit, NU. He has worked in many artistic disciplines and in many professional capacities, starting as a ceramic sculptor at the Matchbox Gallery in Kangiqliniq (Rankin Inlet), NU (beginning at just eight years old, and continuing into adulthood) before working in Mathew Nuqingaq's Aayuraa Studio in Iqaluit as a jewelry artist specializing in baleen, muskox horn, ivory, and silver.

Tungilik also works in mixed-media sculpture, with pieces exhibited at the Nunavut Arts Festival, Great Northern Arts Festival, Banff Centre for Arts and Creativity, and the Oceanographic Museum of Monaco, among others; his work can be found in both public and private collections nationally and internationally, such as the Museum Cerny Inuit Collection in Bern, Switzerland.

Tungilik has served as Manager of Cultural Industries for the Government of Nunavut and as the Executive Director of the Nunavut Arts and Craft Association; he is currently an Inuit Community Liaison for the Inuit Art Foundation and serves as the Chairperson for the Board of Directors for Nunatta Sunakkutaangit Museum in Iqaluit, as well as Chairperson of the Nunavut Arts and Crafts Association.





Presidents of the Sámi Parliaments in Norway, Sweden and Finland and Sami Council and the Verddet group during the signing of the agreement with Walt Disney Animation Studios in Oslo in September. From left: Per Olof Nuttí (President Sámi Parliament Sweden), Cecilia Pærsson, Aili Keskitalo (President of Sámi Parliament Norway), Åsa Larsson Blind (President of Sámi Council), Christina Hætta, Anne Lajla Utsi, Veli-Pekka Lehtola, Piia Nuorgam, Karen Anne Buljo and Tiina-Sanila Aikio (President of Sámi Parliament in Finland). Photo courtesy of International Sámi Film Institute.

Frozen Images / Anne Lajla Utsi

There is a long history of the film and television industries appropriating Indigenous stories and narratives. This appropriation has exerted a great deal of influence on the lives of Indigenous Peoples around the world. The single story told by many seems to be "The settler hero, a mythical animal, a shaman, and the Indigenous woman who falls in love with the settler hero." This storyline-or something similar-appears in the films *Pocahontas* and *Dances With Wolves*, and in the television series *Midnight Sun*—among others.

Indigenous Peoples have never had the power of defining ourselves in film and television. It has always been the outside content producers who have had the resources and career possibilities to tell our stories; and they have either romanticized us, or created images that are stereotypical: the 'single story' of Indigenous Peoples. The power of definition follows the money and when we Indigenous Peoples don't have our own strong financing bodies for film and television- invested parties that could support our own storytelling— the stigma created by misrepresentation can continue. We can never become anything else beyond the colonial and stereotypical definition of us as 'mysterious and exotic', if we don't get to tell our own stories.

When I heard that the filmmakers for *Frozen II* were visiting Sápmi in 2016, I thought: "Ok - here we go again..." They met with various Sámi representatives and traveled around many different areas in Sápmi. At the time, I was interviewed by NRK Sápmi, a unit of the Norwegian Broadcasting Corporation that produces Sámi-language news and other programs for broadcast via radio, television, and internet, and I said that we expected Disney would give something back to our people if they wanted to use our culture as inspiration. At the very least, we expected a Sámi dubbed version of the film. To be honest, I thought this would never happen.

The Sámi Parliaments and the Saami Council also learned that the *Frozen II* filmmakers had visited Sápmi, so they wrote a joint letter to the Walt Disney Company and the film's producer Peter Del Vecho inviting them to collaborate with us. The letter emphasized the principle of free prior and informed consent and that the film should be culturally sensitive and appropriate to Sámi culture. They also invited Disney to come back to Sápmi for a meeting. Peter Del Vecho accepted the invitation and he and the filmmakers returned.



This was the beginning of something that sounds like an unbelievable fairytale; not only the story that became the film in the end but also the story of the collaboration between the film's creators and the Sámi people. The Sámi Parliament in Norway brought together a Sámi advisory group, called "Verddet", tasked to work closely with the filmmakers. I was one of the people invited to join this group.

The first meeting between Verddet and Walt Disney Animation Studios (WDAS) was in Oslo. We discussed the Sámi inspiration of the film and it became very clear to us that the story was much more inspired by our culture than we had expected. This raised many challenging questions for us in the Sámi advisory group. For example: did we have the mandate from our people to allow the filmmakers to use specific elements of our culture? After much consideration, we concluded that since the story was so heavily inspired by our culture and WDAS had also entered a very good agreement with our people, we would allow the filmmakers to use culturally specific elements in the story, such as the appearance of the clothing and artifacts, and the concept of the spiritual connection to nature.

The collaboration continued very closely between Verddet and the filmmakers through spring 2019 and we went to visit the Walt Disney Animation Studios in April of that year. The WDAS is located in Burbank, Los Angeles - a long journey for us from Sápmi in the arctic. At this point, the filmmakers presented a rough cut of the film to us. We discussed some of the "Northuldra" (characters in *Frozen II* modelled after Sámi) elements in the story, and we all felt good about the film. We also met the animators, who were working on the film and had detailed discussions with them about clothing and other aesthetic considerations. To meet the animators and all the filmmakers of *Frozen II* and see their dedication and expertise on artwork for the film was fascinating and inspiring.

One might think that a giant company like WDAS is all about commercial interests, but our impression, when working so closely with the filmmakers, was that for them it was all about the story. They were world-class storytellers, and the story was always at the centre of their work. The Verddet group found that the collaboration with the creators of *Frozen II* was truly respectful and professional and the filmmakers always went as far as they could to follow our advice. We felt that they truly wanted to be respectful to Sámi culture and this set a very good foundation of trust for a good collaboration.

The agreement between WDAS and the Sámi people represents an important change for the Sámi and Indigenous film & TV world. This seems like a hopeful step for respectful collaboration between producers (both large and small) and Indigenous Peoples in the future.

As part of the agreement, WDAS dubbed the film to North Sámi language, and the subsequent premiere of this version in all the Sámi regions was filled with small, Sámi Elsa & Anna princesses. One mother told us later that her daughter now thought that she could choose the Sámi language option for all other films: "Just choose the Sámi language on the film, mom!" This little girl's new understanding is somewhat bittersweet. *Frozen II* is one of only two feature films that are dubbed to our language; but hopefully, this collaboration sets an example even for dubbing existing film and television content to Indigenous languages.

The successful collaboration with WDAS came together through the hard work of so many Sámi people, the Sámi political leaders, the Verddet group, the Sámi dubbing team and many more. And even though it was challenging at times, this is something we can truly be proud of.



Anne Lajla Utsi

Photo courtesy of Anne Lajla Utsi.

Anne Lajla Utsi belongs to the Sámi people and lives in Kautokeino in Norway, where she has served as managing director for the International Sámi Film Institute (ISFI) since 2009.

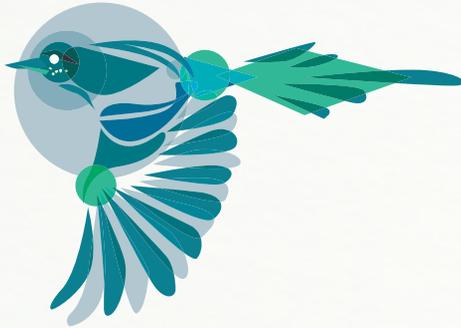
She was one of the founders of the Institute and has a background as a documentary film director. Utsi has through the ISFI guided a new generation of Sámi filmmakers. The International Sámi Film Institute represents a watershed in Sámi film production and the production has increased 46 % in this period, 77 % women directors and producers.

ISFI has initiated the establishment of Arctic Indigenous Film fund, where Utsi is also a member of the board.

Utsi has been working in the film and media industry for 25 years as a film director, film festival manager, journalist and producer. She is a member of the Sámi media program council and has served as an advisor for Walt Disney Animation Studios, in the Sámi cultural expert group working with the filmmakers of *Frozen II*. She is also a member of the Sámi think tank "Jurddabeassi" organized by the Sámi Council. She is a member of The European Film Academy and has also been a Native film advisor for the Berlin Film Festival. Utsi has served on international and national film juries and as mentor in various film labs and workshops. She has built a strong international film network with partners such as the Sundance Film Institute, Canada Media Fund, European Film Academy, Berlin Film Festival, Maoriland Film Hub and many more.



About the Cover



Magpie

The Parameters and Stakes of Misappropriation and Misuse

This section's theme brought to mind the magpie. I see many, especially now as they stand out against the browns and ochres of the land I walk.

Being part of the crow family, magpies have many of the characteristics for being thieves and scavengers. They do it naturally. This relates directly to the colonial establishment and how they too take, without consideration sometimes of the effects on other communities and nations.



Char

Navigating Appropriation, Collaboration and Intellectual Property in the Art World

The idea of navigation, the idea of travelling far distances, as part of their existence is why I chose the char for this theme. I had initially chosen the salmon, but after further contemplation, I changed it to a char, which has a more northern reach than the salmon. Char are also special and important to Inuit specifically, which would be more appropriate in showing inclusivity for this project.



Loon

Sovereignty and Self-Determination Over Our Arts and Cultural Knowledge

The loon is territorial, and fights hard to maintain its claims on behalf of its partner and family. I respect this mentality and can see a similar importance with regards to preserving knowledge and cultural history.

I especially appreciate the "Listen, Hear Our Voices", how like the loon, we want to sing loud to declare our ownership and beliefs.



Wolf

Experiments in Indigenous-Led and Government-Supported Protections and Protocols

This section is all about planning and collaborating. In order to implement what is being suggested here, many people with multiple disciplines would be needed, across the country. I personally believe this collaboration is necessary.

Sustainability, territory, preservation of the community, success, all are achieved by working together. I see these systems in that of a wolf pack.



Buffalo

Creating a Critical Mass in Indigenous Arts Leadership

This last section had a lot of good information from specific industries like fashion and film. It was hard for me to think of an animal that could represent all these ideas. I instead thought about what the entire project was about. To me, it is forward momentum.

Once in the hands of people, the ideas outlined within the book will expand the reach of progressive movement on the topic. I immediately pictured a herd of buffalo. Together, they're an unstoppable force. It's a community that depends on everyone working together.



Shaun Vincent

Métis Graphic Designer,
Cover Artist

Shaun Vincent is a graphic designer, illustrator and Red River Métis based in the historic St. Boniface neighbourhood of Winnipeg, Manitoba. He's also the founder and creative director of Vincent Design Inc., a full-service, creative marketing agency.

Shaun has an advanced diploma in graphic design from Red River College and honed his skills as an in-house designer with two other Winnipeg-based firms before launching Vincent Design. His style blends expertise and artistry with inspiration drawn from nature and traditional knowledge to produce authentic works of enduring strength and quality. With roots firmly planted in his prairie hometown and the Métis community, Shaun is also recognized for his leadership in creating and supporting Indigenous design.



Witness Blanket Ceremony.
Photo by Jessica Sigurdson, Canadian Museum of Human Rights.