

Court File No. 34986

**IN THE SUPREME COURT OF CANADA
(ON APPEAL FROM THE COURT OF APPEAL FOR BRITISH COLUMBIA)**

BETWEEN:

ROGER WILLIAM, on his own behalf and on behalf of all other members of the Xeni Gwet'in First Nations Government and on behalf of all other members of the Tsilhqot'in Nation,

APPELLANTS,

- and -

HER MAJESTY THE QUEEN in right of the Province of British Columbia and the Regional Manager of the Cariboo Forest Region,

RESPONDENTS,

- and -

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PART I – STATEMENT OF FACTS

1. The Intervener, the Office of the Wet’suwet’en Hereditary Chiefs (“OW”) supports the Appellants herein and submits that it is essential that the Courts recognize aboriginal title for there to be true reconciliation of Crown and aboriginal interests.
2. The OW represents the Wet’suwet’en Chiefs¹ in treaty negotiations and in addressing major issues within Wet’suwet’en Territory of common interest to the Wet’suwet’en people. The Wet’suwet’en agreed to enter treaty negotiations with the Crown in 1977. When negotiations failed, they and the Gitksan instituted the *Delgamuukw* legal proceedings in October 1984.²
3. The *Delgamuukw* trial began in May 1987 and was completed on June 30, 1990, after 387 trial days. The March 1991 judgment held that aboriginal title in British Columbia had been extinguished by 1860s colonial laws. Alternatively, the Court held that if the aboriginal rights had not been extinguished, they continued to exist in an area which he described on “Map 5” which incorporated a large portion of Wet’suwet’en territory.³
4. The Wet’suwet’en and Gitksan appealed. The British Columbia Court of Appeal allowed the appeal in June 1993, declaring that the Wet’suwet’en and Gitksan had unextinguished, non-exclusive aboriginal rights, other than ownership or property rights, in the Map 5 area.⁴ After this decision, OW again entered treaty negotiations under the new BC Treaty Process. These negotiations were unsuccessful notwithstanding the Court of Appeal’s decision.⁵ As a result, the OW appealed the Court of Appeal *Delgamuukw* decision to this Court.
5. In *Delgamuukw*, this Court overturned the trial judge’s factual findings because he had given no independent weight to the oral histories which had been used to prove occupation and use of the territory to which aboriginal title was claimed and concluded that, had the trial judge given proper weight to oral history, his conclusions on the requisite degree of occupation to prove “ownership” might have been very different.⁶

¹ The Wet’suwet’en Chiefs are Plaintiffs in *Delgamuukw v. The Queen*, [1997] 3 SCR 1010, [“(Delgamuukw (SCC)”).

² *Canadian Forest Products Inc. v. Sam*, 2011 BCSC 676, paras 25-26 [“Sam (BCSC)”]

³ *Delgamuukw v. British Columbia*, [1991] B.C.J. No. 525 (BCSC), [“Delgamuukw (BCSC)”]

⁴ *Delgamuukw v. British Columbia*, [1993] B.C.J. No. 1395 (BCCA), [“Delgamuukw (BCCA)”]

⁵ *Sam (BCSC)*, para. 25

⁶ *Delgamuukw (SCC)*, para. 107

6. This Court also found that, because the pleadings were not amended to reflect the amalgamation of the individual house claims into a Gitksan and a Wet'suwet'en claim, a new trial was required.⁷ The Court urged the parties to negotiate a resolution rather than have a new trial and affirmed the role of the courts in aiding reconciliation.⁸

7. In its consideration of the trial judge's treatment of the evidence, this Court discussed the adaawk and kungax, the sacred 'official' oral histories of the Gitksan and Wet'suwet'en, respectively, which were offered as proof of the existence of a system of land tenure laws.⁹ This Court also stated that affidavits containing evidence of the territorial holdings of each of the Gitksan and Wet'suwet'en houses were relevant to the existence and nature of their land tenure systems and therefore material to the proof of aboriginal title.¹⁰

8. The existence of a Wet'suwet'en land tenure system and its connection to Wet'suwet'en governance and social structure was noted more recently by the BC Supreme Court:

To fully appreciate the background facts to these applications and to ultimately assess factors of irreparable harm and balance of convenience, it is important to understand the relationship of the Wet'suwet'en to the land, and, in particular, to the lands in question here, known as the Redtop. It is the relationship to particular lands that defines the social structure of Wet'suwet'en society, that places the land as the foundation of cultural identity, and that determines the structure of governance.

The Wet'suwet'en occupation and use of land is organized by the clan and house system upon which the law and essential social structure is ultimately based. The five Wet'suwet'en clans are each composed of several houses, 13 in all. A house is a matrilineage of people related through their mothers. Each house has one or more territories which together comprise the Wet'suwet'en territory. Each house has a chief and a sub-chief who collectively make up the head chiefs of the Wet'suwet'en. Each Wet'suwet'en chief has rights and responsibilities specific to the particular territory over which that chief is given a duty to protect. The rights and responsibilities are confirmed, coordinated, and directed to the common good, in other words, governed, through the feast.

...Importantly, the feast confirms the relationship between each house and its territory and confirms the boundaries of each territory (*Delgamuukw v. British Columbia* 1993 CanLII 4516 (BC CA), (1993), 104 D.L.R.(4th) 470 at 608

⁷ *Delgamuukw* (SCC), paras. 76-77

⁸ *Delgamuukw* (SCC), para. 186

⁹ *Delgamuukw* (SCC), paras. 93-94

¹⁰ *Delgamuukw* (SCC), para. 102. See also para. 148.

(B.C.C.A.) [*Delgamuukw BCCA*]. It operates as a forum in which Wet'suwet'en law is both enacted and upheld....¹¹

9. After this Court's decision in *Delgamuukw*, OW engaged in treaty negotiations a third time, consistent with this Court's urging that they endeavour to negotiate a resolution.¹² However little changed in the Crown's position in regard to the Wet'suwet'en people, their land and resources¹³ and in 16 years the OW and the Crown have failed to negotiate a treaty.

10. In 2001, an Agreement was signed by the Wet'suwet'en Chief, Kelah, with the Ministry of Forests of BC, to protect a small portion of her traditional territory from logging. This Agreement became the subject of litigation when British Columbia subsequently authorized a third party to log the area.¹⁴

11. Since 1997, British Columbia has continued to allocate lands and resources under claim by the Wet'suwet'en to third parties. As a result, and due to the unsustainable cost of negotiations, the Wet'suwet'en again withdrew from the treaty process in 2007.¹⁵

12. In 2009, the Wet'suwet'en filed an Amicus Curiae brief in support of the Petitioner the Hul'qumi'num Treaty Group before the Inter-American Commission on Human Rights ("IACHR").¹⁶ The Amicus Curiae brief summarized the history of the Wet'suwet'en inability to obtain legal protection of their aboriginal rights.¹⁷

PART II – QUESTIONS IN ISSUE

13. Did the BC Court of Appeal err by creating a new test for aboriginal title and failing to consider its logical implications for other First Nations, regardless of their evidence of title? OW submits that it did.

¹¹ *Sam* (BCSC), paras. 14-16. See also paras. 12, 17-18, 128. The order granting the Wet'suwet'en plaintiffs an interlocutory injunction overturned, and the order denying the logging company an interlocutory injunction upheld on appeal, 2013 BCCA 58 [“*Sam* (BCCA)”), but the facts not overturned. See also *Delgamuukw* (BCCA), paras. 535-539, in which Lambert JA. provided further comment on the Gitksan and Wet'suwet'en connection between their house territories, land tenure systems, and social and governance structures.

¹² *Sam* (BCSC), para. 26

¹³ *Sam* (BCSC), para. 26

¹⁴ *Sam* (BCSC), para. 26-31; *Sam* (BCCA)

¹⁵ *Sam* (BCSC), para. 26

¹⁶ Report No 105/09, Petition 592-07, Admissibility Hul'qumi'num Treaty Group, Oct. 30, 2009, [“IACHR Report”]

¹⁷ IACHR Report; fn. 11

14. In this intervention, OW takes no position on the other questions in issue.

PART III – LEGAL ARGUMENT

A. Proof of Aboriginal Title

15. In *Delgamuukw*, this Court rejected the trial judge's analysis of the evidence – in particular, the oral history and anthropological evidence presented by the Wet'suwet'en and Gitksan. Lamer C.J. speaking for himself, Cory, McLachlin and Major JJ. reviewed the findings of the trial judge:

There were several specific claims of the plaintiffs as to their uses of the land before the assertion of sovereignty. [The trial judge] concluded that the appellants' ancestors lived within the territory, but predominantly at the village sites. He accepted, at p. 372, that they harvested the resources of the lands, but that there was only evidence of "commonsense subsistence practices ... entirely compatible with bare occupation for the purposes of subsistence". He was not persuaded that there was any system of governance or uniform custom relating to land outside the villages. He refused to accept that the spiritual beliefs exercised within the territory were necessarily common to all the people or that they were universal practices. He was not persuaded that the present institutions of the plaintiffs' society were recognized by their ancestors. Rather, he found, at p. 373, that "they more likely acted as they did because of survival instincts".... Although McEachern C.J. recognized the social importance of the feast system and the fact that it evolved from earlier practices, he did not accept its role in the management and allocation of lands, particularly after the fur trade....¹⁸ [emphasis added]

16. Lamer C.J. then held:

The trial judge's treatment of the various kinds of oral histories did not satisfy the principles I laid down in *Van der Peet*. These errors are particularly worrisome because oral histories were of critical importance to the appellants' case. They used those histories in an attempt to establish their occupation and use of the disputed territory, an essential requirement for aboriginal title. The trial judge, after refusing to admit, or giving no independent weight to these oral histories, reached the conclusion that the appellants had not demonstrated the requisite degree of occupation for "ownership". Had the trial judge assessed the oral histories correctly, his conclusions on these issues of fact might have been very different.¹⁹ [emphasis added]

¹⁸ *Delgamuukw* (SCC), para. 18

¹⁹ *Delgamuukw* (SCC), para. 107

17. Had the oral histories been given appropriate weight, and had they shown the type of *indicia* referred to in paragraph 18 of *Delgamuukw*, the requisite degree of occupation and use to show “ownership” could have been proven. Clearly, Lamer C.J. recognized that “occupation” of land is a concept not limited to intensive presence at particular sites – it can be a combination of, *inter alia*, use of the resources, recognition and maintenance of borders, exercise of spiritual beliefs, a system of management and allocation of those lands.

18. The oral histories to which Lamer C.J. referred are a central element of the ‘aboriginal perspective’ which this Court has repeatedly emphasized is an essential part of the assessment of the evidence of aboriginal title. Lamer C.J. held, and this Court reaffirmed in *Marshall* that equal weight was to be placed on the ‘aboriginal perspective’ and the common law perspective.²⁰

19. The similarity between the decision of the trial judge in *Delgamuukw*, and the judgment of the BC Court of Appeal in this case are striking. Contrary to the directions of this Court, both decisions gave primacy to Euro-Canadian patterns of occupation (village sites, enclosed fields) over aboriginal patterns of occupation (in this case, semi-nomadic village sites, berry and root crop management areas and regular use of tracts of land for hunting, fishing, trapping, other resource use, spiritual practices). The aboriginal perspective is given less weight than the common law perspective.²¹

20. The BC Court of Appeal’s emphasis on the primacy of Euro-Canadian patterns of occupation, including physical occupation, makes irrelevant both the BC Supreme Court’s comments regarding the connectedness of the Wet’suwet’en land tenure system with Wet’suwet’en social and governance structure, and this Court’s own comments on the Wet’suwet’en land tenure system’s relevance to proof of aboriginal title.²²

21. Just as the trial judge in *Delgamuukw* restricted the possibility of aboriginal title to village sites, and was overturned by this Court, the BC Court of Appeal in this case imposed the same limitations by wrongly describing the criteria required to prove occupation as being where “exclusive occupation of the land is critical to the traditional culture and identity of an

²⁰ *Delgamuukw* (SCC), para. 156; *R. v. Marshall; R v. Bernard*, [2005] 2 SCR 220, para. 70 [“*Marshall*”]

²¹ *William v British Columbia*, 2012 BCCA 285, para. 233, 239 [“*Tsilhqot’in* (BCCA)”]

²² *Delgamuukw* (SCC), para. 102. See also para. 148.

Aboriginal group.”²³

22. The Court of Appeal misdirected itself by interpreting Lamer C.J. as having said that a piece of land had to be of central significance to the distinctive culture of the group claiming title, and that this is a “crucial” part of the test for aboriginal title.²⁴

Although this remains a crucial part of the **test for aboriginal rights, given the occupancy requirement in the test for aboriginal title, I cannot imagine a situation where this requirement would actually serve to limit or preclude a title claim.** The requirement exists for rights short of title because it is necessary to distinguish between those practices which were central to the culture of claimants and those which were more incidental. However, in the case of title, it would seem clear that any land that was occupied pre-sovereignty, and which the parties have maintained a substantial connection with since then, is sufficiently important to be of central significance to the culture of the claimants. As a result, **I do not think it is necessary to include explicitly this element as part of the test for aboriginal title.**²⁵ [emphasis added]

23. Lamer C.J.’s reasons in *Delgamuukw* were the basis for this Court’s decision in *Marshall*.²⁶ In her discussion of *Van der Peet*,²⁷ *Nikal*,²⁸ *Adams*²⁹ and *Côté*,³⁰ McLachlin C.J. pointed out that, **based on the facts in those cases**³¹, the use of certain lands for hunting or fishing purposes gave rise to aboriginal rights to carry out those activities, but not to aboriginal title.³²

24. Aboriginal title was not at issue in those cases, which were criminal prosecutions, and no evidence was adduced to support aboriginal title claims. In his concurring judgment in *Marshall*, also a criminal prosecution, LeBel J. commented that “...the legal issues to be determined in the context of aboriginal rights claims are much larger than the criminal charge itself and the criminal process is inadequate and inappropriate for dealing with such claims.”³³

25. In *Marshall*, McLachlin C.J., reiterating the *dicta* in *Delgamuukw*, and relying in part on

²³ *Tsilhqot'in* (BCCA), paras. 172, 183

²⁴ *Tsilhqot'in* (BCCA), para. 223

²⁵ *Delgamuukw* (SCC), para. 151 [emphasis added]

²⁶ *Marshall*

²⁷ *R. v. Van der Peet*, [1996] 2 SCR 507 (“*Van der Peet*”)

²⁸ *R. v. Nikal*, [1996] 1 SCR 1013

²⁹ *R. v. Adams*, [1996] 3 SCR 101

³⁰ *R. v. Côté*, [1996] 3 SCR 139

³¹ *Marshall*, para. 59

³² *Marshall*, para. 58

³³ *Marshall*, para. 143

the traditional underpinning of title at common law, summarized the requirements for proving aboriginal title this way:

In summary, exclusive possession in the sense of intention and capacity to control is required to establish aboriginal title. Typically, this is established by showing regular occupancy or use of definite tracts of land for hunting, fishing or exploiting resources: *Delgamuukw*, at para. 149. Less intensive uses may give rise to different rights. The requirement of physical occupation must be generously interpreted taking into account both the aboriginal perspective and the perspective of the common law: *Delgamuukw*, at para. 156. These principles apply to nomadic and semi-nomadic aboriginal groups; the right in each case depends on what the evidence establishes.³⁴

26. The essential element to prove aboriginal title is “exclusive possession in the sense of intention and capacity to control” the land. It may be shown in different ways but, as it can be difficult to show evidence of specific acts of exclusion from pre-contact times,³⁵ aboriginal title can be shown through regular use of the land for purposes such as the exploitation of resources.³⁶

27. In all cases, the right depends on the evidence which must be evaluated from the aboriginal perspective.³⁷ The significance of the practice or event to the aboriginal people who seek to establish the right must be respected.³⁸ Failing to give due weight and respect to the aboriginal perspective and legal systems affected is the type of legal error that Finch C.J.B.C. (as he then was) warned against in “*The Duty to Learn: Taking Account of Indigenous Legal Orders in Practice*”³⁹, citing McLachlin J.’s (as she then was) reasons in *Van der Peet*⁴⁰ and Lamer C.J.’s reasons in *Delgamuukw*⁴¹ in his warning.

28. The BC Court of Appeal erred, as did the trial judge in *Delgamuukw*, by not viewing the evidence from the aboriginal perspective, relying instead on Euro-Canadian notions of village sites and enclosed fields as the yardstick against which aboriginal title is to be measured.⁴²

³⁴ *Marshall*, para. 70 (emphasis added)

³⁵ *Marshall*, paras. 64-65

³⁶ *Delgamuukw* (SCC), para. 149; *Marshall*, para. 70

³⁷ *Marshall*, para. 69

³⁸ *Marshall*, para. 69

³⁹ “*The Duty to Learn: Taking Account of Indigenous Legal Orders in Practice*” Continuing Legal Education Society of British Columbia, November, 2012

⁴⁰ *Van der Peet*, para. 263

⁴¹ *Delgamuukw* (SCC), paras. 147-148

⁴² Although this was understandable in the *Delgamuukw* trial judgment in which the evidentiary test for proof of aboriginal title had not yet been articulated by this Court, it is certainly a recognizable legal error in the case of the judgment under appeal as that test has been articulated and restated by this Court in *Delgamuukw* and *Marshall*.

B. Reconciliation

29. The Court below justified its narrow vision of aboriginal title by what it understood as the goal of reconciliation:

..... There is a need to search out a practical compromise that can protect Aboriginal traditions without unnecessarily interfering with Crown sovereignty and with the well-being of all Canadians. ...⁴³

30. Section 35(1) of the *Constitution Act, 1982* is the starting point for reconciliation. That section does not protect “traditions” – it protects “rights”. It imports “some restraint on the exercise of sovereign power”⁴⁴ and “gives a measure of control over government conduct and a strong check on legislative power”⁴⁵ The vision of reconciliation enunciated by the Court of Appeal minimizes both the constitutional protection of aboriginal rights and title envisioned by the framers of the Constitution⁴⁶ and the means of reconciliation which flows from it.

31. OW has been involved at substantial cost to the Wet’suwet’en in both litigation and treaty negotiations for over 35 years.⁴⁷ To date, notwithstanding their efforts and reliance on Canadian law including the *Constitution Act, 1982*, the Wet’suwet’en have no recognized legal protection of their rights, which are no better protected today than they were on November 7, 1977, the day Canada accepted the Wet’suwet’en Declaration of aboriginal title for negotiation.

32. This Court, in *Delgamuukw*, confirmed the role of the courts in aiding in reconciliation. However, this Court’s direction has led to no reconciliation for the Wet’suwet’en. Not a single Canadian court has made a declaration of aboriginal title despite decades of litigation. No progress has been made in the protection of the Intervener’s lands and resources.⁴⁸

33. The Wet’suwet’en have been forced to return to court to protect their aboriginal title and rights of access to resources and to exercise their aboriginal rights on one of the few remaining

⁴³ *Tsilhqot'in* (BCCA), para. 239

⁴⁴ *R v Sparrow*, [1990] 1 SCR 1075, p. 1109 (“Sparrow”]

⁴⁵ *Sparrow*, p. 1110

⁴⁶ *R. v. Marshall*, [1999] 3 SCR 533, para. 6

⁴⁷ IACR Report; fn. 11

⁴⁸ *Sam* (BCSC)

untouched portions of their territory, an area within the Map 5 boundaries⁴⁹ and one which they thought was additionally protected by an agreement signed with British Columbia.⁵⁰

34. This Court in particular has underlined the importance of judicial decisions in achieving reconciliation. As this Court noted in 1991, the James Bay development by Hydro-Quebec was initiated without regard to the rights of the aboriginal peoples who lived in the territory:

It took a number of judicial decisions and notably the *Calder* case in this Court (1973) to prompt a reassessment of the position being taken by government.⁵¹

35. The impact of the *Calder* decision was almost immediate. The Federal Crown agreed to negotiate aboriginal title where there were no treaties, in BC, Quebec and the Territories.⁵²

36. At the same time, the James Bay Cree and Inuit instituted legal proceedings in the Quebec Superior Court, including applying for an interlocutory injunction to stop the building of the hydro-electric project. Judgment granting the injunction was rendered on November 15, 1973.⁵³ The Government of Quebec quickly agreed to negotiate the Cree and Inuit claims, and by November 15, 1974 an Agreement in Principle (“AIP”) was signed by Canada, Quebec, the Cree and the Inuit. Six days later the Quebec Court of Appeal granted Hydro-Quebec’s appeal, overturning the judgment of the Quebec Superior Court.⁵⁴ However, with an AIP in place, negotiations continued and the James Bay and Northern Quebec Agreement (the “JBNQA”), Canada’s first comprehensive land claims agreement, was signed on November 11, 1975.

37. While the JBNQA is one of the most detailed comprehensive land claims agreements ever signed, it was negotiated in two years - a stark contrast to the decades of negotiation the Wet’suwet’en and most other Aboriginal Nations in British Columbia have faced with no resulting treaty or legal protection.

38. Analogous to the impact of *Calder* and the Quebec Superior Court’s injunction to motivate true negotiations towards the JBNQA in 1973, after three years of trial, but before judgment was rendered in *Delgamuukw*, British Columbia agreed for the first time since 1860 to

⁴⁹ Map 5 was the area found by BCCA to include Wet’suwet’en aboriginal rights. *Delgamuukw* (BCCA), paras. 263, 278, 293, 519; *Sam* (BCSC), para. 20

⁵⁰ *Sam* (BCSC), and *Sam* (BCCA)

⁵¹ *Sparrow*, p. 1104; *Calder et al. v. Attorney General of British Columbia*, [1973] S.C.R. 313 [“*Calder*”]

⁵² *Sparrow*, p. 1104

⁵³ *Kanatewat et al v. James Bay Development Corporation*, [1973] Q.J. No. 8

⁵⁴ *Kanatewat et al v. James Bay Development Corporation*, [1974] Q.J. No. 14

negotiate aboriginal title claims and created the BC Claims Task Force whose recommendations would eventually set the foundation for the BC Treaty Commission.

39. OW submits that, until aboriginal title moves from the realm of legal theory to legal reality, and governments are required to restitute or compensate aboriginal peoples with regard to ancestral lands, there will continue to be no effective remedy for the protection of their rights and title. The OW is mindful of this Court's necessary involvement in the route to reconciliation. While the OW has followed this Court's direction and sought reconciliation through good faith negotiations, the failure of those negotiations and continued 'business as usual' Crown conduct regarding Wet'suwet'en territory exemplifies the need for the Court to fulfill its role as contemplated in *Delgamuukw* and issue a declaration of the Appellants' aboriginal title which will reinforce the commitment of the Crown to engage in true reconciliation of Crown-aboriginal interests.

PART IV – COSTS

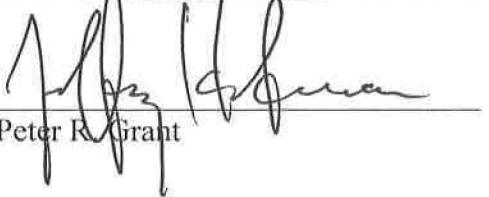
40. The OW does not seek costs, and asks that there be no Order of costs made against this Intervener other than additional disbursements occasioned to the Appellants or Respondents by this Intervention as directed on the Leave Application.

PART V – ORDER SOUGHT

41. These Interveners seek leave to make oral argument not exceeding ten minutes.

42. These Interveners submit that the BC Court of Appeal's decision should be set aside, and that there should be an Order that the Tsilhqot'in have Aboriginal Title over the Proven Title Area.

ALL OF WHICH IS RESPECTFULLY SUBMITTED this 18th day of September, 2013.


f. Peter R. Grant


Diane Soroka

PART VI – TABLE OF AUTHORITIES

CASE LAW	Cited at Paragraph(s)
<i>Canadian Forest Products Inc. v. Sam</i> , 2011 BCSC 676	2, 8, 9, 10, 11, 32, 33
<i>Canadian Forest Products Ltd. v. Sam</i> , 2013 BCCA 58	10, 33
<i>Delgamuukw v. British Columbia</i> , [1991] B.C.J. No. 525	3
<i>Delgamuukw v. British Columbia</i> , [1993] B.C.J. No. 1395	4, 8, 33
<i>Delgamuukw v. The Queen</i> , [1997] 3 SCR 1010	2, 6, 7, 15, 16, 18, 20, 22, 26, 27
<i>Kanatewat et al v. James Bay Development Corporation</i> , [1973] Q.J. No. 8	36
<i>Kanatewat et al v. James Bay Development Corporation</i> , [1974] Q.J. No. 14	36
<i>R. v. Marshall</i> , [1999] 3 SCR 533	30
<i>R. v. Marshall; R v. Bernard</i> , [2005] 2 SCR 220	18, 23, 24, 25, 26, 27
<i>R v Sparrow</i> , [1990] 1 SCR 1075	30, 34, 35
<i>R. v. Van der Peet</i> , [1996] 2 SCR 507	23, 27
<i>William v British Columbia</i> , 2012 BCCA 285	19, 21, 22, 29
TEXTS	Cited at Paragraph(s)
<i>Report No 105/09, Petition 592-07, Admissibility Hul'qumi'num Treaty Group, Oct. 30, 2009</i>	12, 31

“The Duty to Learn: Taking Account of Indigenous Legal Orders in Practice”
Continuing Legal Education Society of British Columbia, November, 2012

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