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Indigenous Environmental Justice, Knowledge and Law

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This article is based on a paper prepared for the convening of Over the Line: A Conversation about Race, Place, and the Environment, coordinated by Ingrid Waldron; it was thus originally delivered in the context of a community of scholars interested and engaged in environmental justice (EJ) as well as anti-racism scholarship and activism.[1] Conversations at the symposium were rich and deep, introducing novel ideas and generating a synergistic energy among those present. While this article builds upon the knowledge, experiences, and perspectives shared at the event, it also aims to introduce a distinct conception of Indigenous environmental justice (IEJ) based on Indigenous legal orders, knowledge systems, and conceptions of justice.

This is not to suggest in any way that the existing EJ scholarship is flawed; in fact, the scholarship and activism around EJ have been central in diagnosing and drawing attention to injustices that occur on a systematic basis everywhere in the world. I argue instead that such discussions can be expanded by acknowledging that concepts of environmental justice, including distinct legal orders informed by Indigenous knowledge systems, *already existed* on Turtle Island for thousands of years prior to the arrival of Europeans. I also suggest that environmental justice framed within Indigenous worldviews, ontologies, and epistemologies may make significant contributions to broader EJ scholarship, particularly in relation to extending justice to other beings and entities in Creation.

The rationale for an exploration of a distinct Indigenous EJ paradigm stems from the view that addressing environmental injustice in any meaningful way must originate from Indigenous peoples themselves. In Canada, at least, solutions conceived by others (usually the state, but not exclusively so) aimed at addressing the so-called "Indian problem" have had devastating consequences. In

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1996, following five years of study, the Royal Commission on Aboriginal Peoples concluded that "the main policy direction, pursued for more than 150 years, first by colonial then by Canadian governments, has been wrong" (RCAP 1996). Two decades later, the 2015 Truth and Reconciliation Commission (TRC) drew similar conclusions, highlighting the colonialism and racism that continue to plague Indigenous aspirations on every conceivable front (Anaya 2014). From an Indigenous point of view, environmental injustice represents an ongoing colonial process. The resulting dispossession from and literal transformation of traditional lands (the environment) have been at work for over five hundred years (Davis and Todd 2017; Whyte 2017a).

Western and colonial laws continue to fail Indigenous peoples (Borrows 2016). It is increasingly clear that current global and national environmental protection regimes are failing as well, with increasing species extinction, water pollution, contamination and scarcity, climate change, etc., all vying for our immediate attention (Barlow 2010). In addition, increasing conflict over the control of lands and resources in Canada further demonstrates that existing environmental regulatory and policy regimes are not working as they should and especially are not resulting in environmental justice (Anaya 2014). Why, then, should we as a global society/community rely on these laws and regulatory frameworks exclusively?

Over the past several decades, Indigenous peoples have called for recognition, on their own terms, of not only Indigenous rights but also Indigenous governance, legal orders, and intellectual traditions to support their own goals, aspirations, and well-being (McGregor 2016). Making this call to address this reality requires reconceptualizing how we think about those goals and aspirations and the foundations that support them, including the realm of environmental justice.

My contribution offers a distinct conception of IEJ based on Indigenous knowledges, legal orders, and concepts of justice. I argue that this work is necessary in order to achieve "justice" as Indigenous peoples understand and experience it. This approach acknowledges ongoing colonialism and emphasizes the need to decolonize in order to advance innovative approaches to IEJ.

In developing this contribution, and highlighting my own Anishinaabek traditions while recognizing the diversity of traditions that exist, I explore four key areas in this article that contribute to and then frame a distinct IEJ process. These are:

1. The importance of Indigenous knowledge systems (IKSs) in situating Indigenous legal orders, knowledge, and conceptions of justice;
2. The scholarship (and subsequent activism) on environmental justice and environmental racism (ER), in terms of both its importance and its limitations in an Indigenous context;

3. The process of Indigenizing and decolonizing the EJ and ER fields first and foremost by acknowledging their distinct characterizations and foundations, which differ in fundamental ways from those of dominant Western conceptualizations;
4. An example of what an IEJ framework (specifically an Anishinaabek one) might look like, when derived using an Anishinaabek logic.

In describing the above, I am not in any way suggesting that I have posed definitive answers (or questions). I wish only to contribute to and expand the ongoing dialogue about EJ and ER in Canada and elsewhere.

Indigenous Knowledge Systems: People, Place, and Knowledge

In tackling this question of conceptualizing an Indigenous EJ framework that is grounded in Indigenous understandings of our roles (as humans) in the world, we hold a responsibility to acknowledge the sources of our collective personal and professional knowledge (Geniusz 2009). Kathy Absolon (2010, 75) refers to this process as the "genealogy" of our knowledge.

Often familial and community sources of knowledge go unacknowledged in our scholarship; frequently they are taken for granted or considered to be not academic (McGregor 2017). Anishinaabek protocol requires that respect be given to those who have shaped and contributed to our knowledge. Whether or not we care to admit it, community, familial, and personal knowledges greatly influence the approach that we take to scholarship. For the Anishinaabek, cultural protocols require us to acknowledge our personal knowledge sources, just as we would cite sources from the scholarly literature.

From these personal-familial-community sources of knowledge, we learn about our relationships, not only to one another but also to other beings and to Creation itself. We remind ourselves of our responsibilities, of our duties, of how we are accountable (because we are held accountable on multiple levels), and of the moral and ethical conduct required to ensure that relationships are maintained. In Anishinaabek knowledge systems, one source of our information is our ancestors, real people who lived their everyday lives; other sources include the places we come from and the land or natural world itself.

From an Anishinaabek perspective, the spirit world and all beings of Creation, including people, have *relationships* and *responsibilities*. Darlene Johnston (2006, 17), an Anishinaabe legal scholar, states: "In Anishnaabeg culture, there is an ongoing relationship between the Dead and the Living; between Ancestors and Descendants." The instructions, laws, and ethics that are conveyed in our knowledge guide us in how to conduct ourselves, and these instructions often come directly from the natural world (water, plants, wind, animals, etc.). We take care to maintain relationships with those in the spirit world. Our rela-

tionships to the land, ancestors, and future generations link our past with our future (Tobias and Richmond 2014). The guidance for maintaining harmonious relationships among beings is often referred to as *natural law.* Our relationship with Creation and its beings was meant to be maintained and enhanced, and the knowledge of the people would ensure this relationship was passed on for generations over thousands of years. The responsibilities one assumed would ensure the continued survival of Creation, and thus of life, over time (McGregor 2013).

Ontologically, an important aspect of Indigenous knowledge systems—Anishinaabek knowledge systems in particular—is that we acknowledge the lands and the waters themselves as relatives and teachers, recognizing that they are a significant source of knowledge (Kimmerer 2013). We learn from them about how to be in the world, and they also form a critical source of law (Borrows 2010; Craft 2014). Anishinaabek sources of knowledge are thousands of years old, even millions or more when you consider some relatives. Over time, we developed our own epistemologies for understanding and relating to these relatives and teachers. Academic scholarship increasingly refers to these teachers/relatives as the "other than human," the "more than human," or the "non-human" (Larsen and Johnson 2017; Nelson 2013). Because such terminology continues to place humanity at the center, Indigenous scholars, such as Robin Kimmerer (2013) and Kyle Whyte (2017a), choose other terms for these beings/entities, such as teachers and relatives.

This issue arises in part from the limitations of language itself: deep or complex meanings frequently do not translate directly from one language to the next, as each language is inextricably linked to the worldviews that it both arose from and gave rise to. Non-Indigenous languages, particularly English, are limited in their ability to express core Indigenous concepts, as these concepts flow from origins or sources of knowledge entirely different from those utilized by non-Indigenous speakers and thinkers. Part of the ongoing challenge, then, is to learn how to engage with these ideas in appropriate ways in both Indigenous and non-Indigenous languages that convey the importance and agency of the relatives and teachers from the past, present, and future. Knowledge shared among people is probably the form with which we are most familiar and comfortable. However, in an Indigenous context, other sources of knowledge and law must also be acknowledged as valid (Castellano 2000).

An Indigenous conceptual framework views relationships—not only with what we see around us but also with all that has come before (our ancestors) and all that comes after (those yet to be born, along with the world we leave for them)—as the *theory* or explanation for *why we do what we do and how we do it*. Practically, we work to realize and *live* these relationships. Marlene Brant Castellano (2008, 384) adds:

> The notion is not that human beings are at the centre of the universe but that our lives are nested in complex relationships. Our words, actions, and even our thoughts have wide-reaching, timeless impacts that cannot be discerned by our physical senses. Conversely, our lives are impacted by forces and events in the larger world, whose origins and intentions are often beyond our knowledge or understanding.

Such worldviews and ontology, in which everything is alive and must be related to as such (Dumont 2006), offer distinct understandings and practices to influence conceptions of law, knowledge, and justice.

Achieving Indigenous environmental justice will require more than simply incorporating Indigenous perspectives into existing EJ theoretical and methodological frameworks (as valuable as these are). Environmental justice scholars must move beyond Indigenizing and decolonizing existing EJ frameworks and instead seek to develop distinct frameworks that are informed by Indigenous intellectual traditions, knowledge systems, and laws. In so doing, we must remember that Indigenous nations themselves are diverse and distinct. There will not be a single IEJ framework to serve all contexts and situations, though there will be commonalities, as evidenced in the various international environmental declarations prepared by Indigenous peoples over the past three decades. I suggest that the IEJ scholarship can be extended even further, to consider the worldviews, philosophies, and knowledges of Indigenous peoples as central tenets in defining Indigenous environmental justice concepts.

Environmental Justice Scholarship

Current conceptions of environmental justice emerged in the United States in the early 1980s in response to a grassroots civil rights initiative aimed at stopping the state of North Carolina from dumping PCBs into Warren County, the district with the highest numbers of African American citizens in the state.[2] Though not the first time hazardous waste had been situated in close proximity to people of color and the poor, the Warren County protests brought national media attention to the issue and "triggered subsequent events that would increase the visibility and momentum of the environmental justice movement" (Mohai, Pellow, and Roberts 2009, 408). Subsequent activism and studies revealed that people of color and poor communities in general face ecological crises to a far greater extent than the general population (Bullard 2001). They consistently bear, for example, a higher burden of exposure to air, water, and soil pollution. The people most affected by these conditions were understandably outraged (though perhaps not surprised) by these findings, and the environmental justice movement was born. Initially, the EJ movement focused generally on people of color and the poor,

and Indigenous peoples soon found a place within it to express their particular concerns. The environmental justice movement was instrumental in influencing broader public policy initiatives, including the development of EJ policy.

In early 1994, President Clinton signed Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (USEPA 2016). This established an interagency working group on environmental justice chaired by the Environmental Protection Agency (EPA) administrator and comprising the heads of eleven departments or agencies and several White House offices. The EPA thus obtained the authority to consider and address environmental justice concerns. EJ undertakings are overseen by the National Environmental Justice Advisory Council, a federal advisory committee to the EPA that provides, among other things, for Tribal and Indigenous membership on the committee. The implementation of the executive order is supported by a number of policies and programs (including funding) geared toward assessing injustices and seeking resolutions for them. Accountability is achieved through annual reports provided by the EPA to the public. In addition, the EJ framework provides guidance for consultation and coordination with Indian tribes (USEPA 2015).

Over the past few decades, EJ scholarship has evolved in response to the growing field in terms of activism and advocacy at all levels, as well as the increasing complexity of EJ issues and concerns (e.g., climate justice). Indigenous ideas on these matters, including the notion that all species have rights, were recognized during the First National People of Colour Environmental Leadership Summit in 1991. While the EJ field or movement at this time indeed recognized that Indigenous peoples had unique concerns and perspectives to offer, it did not possess the tools to express or address those concerns conceptually or theoretically. The need for Indigenous-derived theories and conceptual frameworks in this area was thus established.

EJ and Indigenous Peoples

In Canada, EJ scholars have been sympathetic to the concerns of Indigenous peoples, and rightly so (Scott 2015; Waldron 2015; Wiebe 2016). However, there are some underlying and foundational justice issues that current EJ frameworks simply have not addressed. As described by James Anaya (2014, 19), former United Nations Special Rapporteur on the Rights of Indigenous Peoples, continued environmental colonialism remains at the forefront of these issues:

> One of the most dramatic contradictions indigenous peoples in Canada face is that so many live in abysmal conditions on traditional territories that are full of valuable and plentiful natural resources. These resources are in many cases targeted for extraction and development by non-in-

> digenous interests. While indigenous peoples potentially have much to gain from resource development within their territories, they also face the highest risks to their health, economy, and cultural identity from any associated environmental degradation. Perhaps more importantly, indigenous nations' efforts to protect their long-term interests in lands and resources often fit uneasily into the efforts by private non-indigenous companies, with the backing of the federal and provincial governments, to move forward with resource projects.

Government and industry efforts to obtain access to and control over Indigenous peoples' lands and resources continue largely unabated. As John Borrows (2016, 142) declares, "Colonialism is not only a historic practice, it continues to be acted upon and reinvented in old and new forms to the detriment of Indigenous Peoples." Dispossession and disruption of Indigenous relationships with land have had devastating consequences (Big Canoe and Richmond 2014). Within this context, it is reasonable to assume that continuing to rely on government and other non-Indigenous legal systems to resolve environmental injustices will not serve Indigenous peoples in the manner necessary, and may in fact be to our detriment.

We know from the existing scholarship that environmental (in)justice, as it pertains to Indigenous peoples, involves a unique set of considerations that necessitates the drawing of conceptions of Indigenous sovereignty, law, justice, and governance into the conversation (Westra 2008; Whyte 2011). It requires an examination not only of power relations among peoples (which tend to result in a disproportionate burden being shouldered by less dominant segments of society) but also of the colonial legacy that continues to play out in laws, court cases, and policies that systematically, institutionally, and structurally enable ongoing assaults on Indigenous lands and lives (Whyte 2017a).

In summary, there are unique considerations in relation to the context for Indigenous peoples and environmental justice. Current efforts to respond to this have generally taken the form of either Indigenizing EJ scholarship or decolonizing it.

Indigenizing EJ Scholarship

Attempts to ensure the relevance and applicability of EJ to Indigenous contexts and realities have resulted in what can be thought of as an "Indigenizing" of EJ scholarship by addressing the unique considerations relevant in an Indigenous context. Existing analytical frameworks for examining injustice take various forms, including distributive and procedural justice (Dhillon and Young 2010), corrective justice, and recognition justice (Schlosberg 2004; Whyte 2011). Such frameworks identify, diagnose, analyze, and then seek recourse for environ-

mental injustices being faced by disadvantaged and marginalized groups. While these frameworks remain relevant and important, they do not fully reflect Indigenous experiences and do not emerge out of Indigenous epistemologies.

Criticisms and limitations of EJ efforts have been well documented by Indigenous peoples and other groups (Trainor et al. 2007). Various US Tribes have asserted that their unique legal-political status affords them a set of considerations that are clearly not accommodated in the current EJ framework. Legal scholar Dean Suagee has pointed out the limitations of EJ's application in a Tribal context, noting the misunderstanding of both the source and the nature of Indigenous sovereignty, laws, and governance in the US EJ context. He observes:

> One of the key differences between Indian tribes and other "communities of color" whose interests are championed under the banner of Environmental Justice is that Indian tribes are sovereign governments. Unlike other communities of color, Indian tribes have the power to make and enforce their own laws. (1994, 471)

Jace Weaver (1996, 107) also writes that in contrast to the mainstream EJ discourse, "Discussion of environmental justice from a Native perspective requires an analysis of sovereignty and the legal framework that governs environmental matters in Indian country."

More recently, in relation to climate justice, Whyte critiques the current environmental and climate justice frameworks for failing to acknowledge historical and ongoing colonialism. He emphasizes the need to decolonize such ideas by recognizing and revaluing Indigenous knowledge and the experiences of Indigenous peoples, including the strengthening of relationships among humans and nonhumans, a process he terms "renewing relatives" (2017b, 158). Whyte draws our attention to the fact that Indigenous peoples experience environmental and climate justice racism through an intensification of environmental change imposed on them by colonialism. Moving toward a self-determined future requires reckoning with the continued disruptions of "colonialism, capitalism and industrialization" (Whyte 2017b, 154). From this standpoint, again, Western colonial frameworks of justice cannot address the concerns of Indigenous peoples adequately (Victor 2007).

In light of this situation, the questions "What is Indigenous environmental justice?" and, furthermore, "What does IEJ look like once achieved?" become immediately pertinent. In practical terms, will it be sufficient to adapt current EJ frameworks to accommodate and better reflect the context and experience of Indigenous peoples, or will the development of a novel and uniquely Indigenous framework be required?

I argue that the development of any IEJ policy or framework must ground its foundations in Indigenous knowledges and laws to truly reflect Indigenous

conceptions of what constitutes *justice*. This approach calls into question the legitimacy and applicability of Canadian state mechanisms, as the nation-state has over the centuries clearly failed and continues to fail Indigenous people in Canada (TRC 2015).

In addition to their worldviews, the unique historical, political, and legal status of Indigenous peoples must be recognized in any efforts to meet their goals and aspirations. Aspects of this status include, but are not limited to, the following circumstances:

- Indigenous peoples in Canada, the United States, and elsewhere have a unique set of relationships to the state (including those expressed in treaties, for example) that differs from that of other peoples. This is evident in the United Nations Declaration on the Rights of Indigenous Peoples (UNGA 2007).
- Indigenous peoples continue to increase their control over lands and resources through assertions of sovereignty, self-determination, jurisdiction, and self-governance.
- Historical and ongoing processes of colonization and racial discrimination remain outstanding.
- Current environmental laws are inadequate for protecting disadvantaged and marginalized peoples of color as well as the environment.
- Economic, social, and health disparities remain apparent.
- There is an ongoing lack of recognition and application of Indigenous systems of governance, law, justice, and other knowledges; yet at the same time, Indigenous peoples are asserting these very same systems.

There are a number of Indigenous theoretical and intellectual innovations to draw on for assistance in developing IEJ, such as the recognition of Indigenous knowledge systems in environmental governance and climate justice (Kimmerer 2012; McGregor 2014; Whyte 2013, 2017b), the increasingly distinct modes of Indigenous research inquiry (Craft 2017; Lambert 2014; McGregor 2017), the resurgence of Indigenous legal traditions (Borrows 2002, 2010; Craft 2014; Napoleon 2007), and the distinct ideas of justice (Victor 2007) that recognize that justice extends beyond humanity to include "relationships with the Earth and all living beings" (TRC 2015, 122).

In sum, the existing IEJ scholarship is very much concerned with the documentation of injustices experienced by Indigenous peoples and their environments/homelands/territories. This is critical work with the goal of achieving redress and holding those responsible to account. However, this body of scholarship is largely not theoretically or methodologically grounded in an Indigenous worldview, despite Indigenous peoples' lands and issues often being of central concern. Indigenous peoples have their own worldviews, theories, epistemolo-

gies and methodologies, which can and should inform critical discussion related to IEJ (McGregor 2009).

Indigenous Environmental Justice

Indigenous conceptions of justice will enrich the theoretical grounding and practice of environmental justice through the inclusion of Indigenous legal orders, knowledges, principles, and values held and practiced by Indigenous communities. A major paradigm shift would have to occur within the EJ field. Indigenous epistemologies would need to be foundational in the development of such frameworks rather than merely providing a "perspective" or being included as an add-on to existing EJ formulations. The shortcomings of the latter approach were dramatically illustrated in the implementation of the EPA's Policy for Environmental Justice for working with federally recognized tribes and Indigenous peoples and the resulting spectacular failure of consultations in the Dakota Access Pipeline affair (Whyte 2017a). Clearly, relying on colonial government laws (at every level) has not served Indigenous peoples. The need then arises to develop Indigenous EJ frameworks situated within a context of Indigenous law, governance, and knowledge systems, frameworks that outline the rights and responsibilities of all beings to one another. These systems already exist and have done so for millennia.

Utilizing Indigenous knowledge systems as a framework for analysis, EJ applies to all "relatives" in Creation, not just people. EJ is not just about rights to a safe environment; it includes the duties and responsibilities of people to all beings and, conversely, their responsibilities to people. EJ is regarded as a question of balance and harmony, of reciprocity and respect, among all beings in Creation—not just between humans but among all relatives.

Indigenous legal traditions have particular relevance in this realm. For example, Anishinaabe legal scholar John Borrows (2010, 269) affirms that "Anishinaabek law provides guidance about how to theorize, practice, and order our associations with the Earth, and does so in a way that produces answers that are very different from those found in other sources." In this sense, by grounding conceptions of Indigenous justice (and injustice) in Anishinaabek law, possibilities open up for creativity and innovation in the field. Indigenous laws flow from different sources (from the land, the Creator, the spiritual realm) and are embedded in a place, although laws can be negotiated across nations and large geographic spaces, as seen in nation-to-nation treaties. Indigenous laws convey particular types of relationships with and responsibilities to one another as peoples, the natural world or environment, the ancestors, the spirit world, and future generations (Borrows 2010; Johnston 2006).

As I have indicated, one of the major commonalities of Indigenous perspectives in relation to justice, and a key way in which Indigenous perspectives differ markedly from their non-Indigenous counterparts, involves the conception of

humanity's relationships with "other orders of beings" (King 2013, 5), or what Melissa Nelson (2013, 15) calls the "more-than-human world." Indigenous systems draw on a set of Indigenous metaphysical, ontological, and epistemological assumptions about the place of humanity in the world that describe how people should relate to all of Creation (Borrows 2010; Craft 2017). Moreover, many Anishinaabek characterize the Earth itself as a living entity with feelings, thoughts, and agency (Johnston 2006). Exploration of such concepts will provide a much deeper understanding of environmental injustices facing Indigenous peoples (McGregor 2009) and should lead to viable approaches to addressing them.

Consistent with these worldviews and ontology, Indigenous legal scholar Wenona Victor (2007) suggests that Indigenous peoples need to frame justice issues from their own epistemological standpoint. It is not wise, in her view, to rely on Western colonial frames of justice to address the concerns of Indigenous peoples. One major reason for this is that from an Indigenous point of view, as I have discussed, environmental justice is about inequitable and unjust relationships not just among people but among "all our relations." Injustices encompass assaults not just on the lives of people but on all the other beings that make up the environment (animals, plants, birds, water, etc.) as well. When Indigenous knowledge systems form the basis of conceptions of justice, the consistent thread is that law and justice extend far beyond the realm of humanity, beyond the widely accepted conceptions of peoples and their relationships to environment (McGregor 2009).

Natural Law

By grounding conceptions of Indigenous justice (and injustice) in Anishinaabek law, possibilities open up for innovation in Indigenous conceptions of reconciliation. Anishinaabe activist Winona LaDuke (1997) refers to learning and practicing appropriate conduct as enacting "natural law"—law that is derived directly from observing and understanding the natural world. The instructions, protocols, laws, and ethics that are conveyed in Anishinaabek concepts of justice and law guide humanity in proper conduct, and these instructions often come directly from the natural world (water, plants, wind, animals, etc.).

Inherent in Anishinaabek law are reciprocal responsibilities and obligations that must be met to ensure harmonious relations. With rights come responsibilities. Responsibilities lie at the heart of Anishinaabek legal structure, according to Aimée Craft (2014). Anishinaabek legal obligations and responsibilities consider relationships among all our relations, including the spirit world, the ancestors, those yet to come, and other powerful beings that inhabit the peopled cosmos. These legal considerations are supported by Indigenous knowledge systems (IKSs), which emphasize not just the *practice* of acquiring knowledge and perhaps utilizing it but also the *necessity* of acquiring the knowledge that will ensure

harmonious and just relationships. The Anishinaabek developed laws, protocols, and practices over time to ensure that relationships with other orders of beings remained in balance and that life would continue. In this sense, as knowledge can come directly from Creation, or the natural world, all beings/entities/peoples have responsibilities they must carry out to ensure the continuance of Creation to support life.

The idea of Place/Land/Peopled Landscape is paramount in this theoretical framework (Larsen and Johnson 2017): IKSs and laws are read from the land (Borrows 2010; Kimmerer 2013). The primary sources of Anishinaabek laws are experiences from living in and observing the natural world/Creation (King 2013). Natural law comes from a natural, spiritual place (Craft 2014). Law, then, is all around us, if we know how to read it. In other words, properly understanding and enacting natural law requires vast knowledge of the natural world/environment, the "more-than-human" world, and how it functions in ensuring the continuance of all of Creation.

Anishinaabek EJ would include obligations and responsibilities to all of Creation, including all beings, the ancestors and those yet to come, the spirit world, etc.; it is not limited to the living or the "natural" world as seen through Western eyes (McGregor 2009). Anishinaabek justice would be supported by Anishinaabek conceptions of legal and knowledge systems, which require that people must cooperate with all beings in Creation.

Supporting distinct Indigenous EJ paradigms does not absolve the state of its responsibilities to Indigenous nations. There remains a role for nation-state governments, civil society, academia, and other sectors as Indigenous peoples require the necessary space to recover, renew, regenerate, and revitalize Indigenous legal orders, knowledge, and governance systems. Without question, the state is a major contributor to injustices experienced by Indigenous peoples and the natural world and should be held accountable.

Indigenous legal traditions reflect a set of reciprocal relationships and a coexistence with the natural world (Larsen and Johnson 2017). In this *justice* context, balanced relationships are sought between humans and other entities in the natural world as well as with the ancestors (Johnston 2006) and future generations (McGregor 2015).

Mino-Mnaadmodzawin: An Anishinaabek Expression of Environmental Justice

The Anishinaabek concept of *mino-mnaadmodzawin* (living well, or the good life) is one expression of Indigenous environmental justice. While at a broad scale this concept can be said to be shared by many Indigenous peoples, at the community level there are as many visions of justice as there are Indigenous nations and societies, and their distinct legal, governance, and knowledge frame-

works must be supported and afforded expression. Mino-mnaadmodzawin considers the critical importance of mutually respectful and beneficial relationships not only among peoples but among all our relations, which include all living things as well as entities such as water, rocks, and the Earth itself (McGregor 2016). The concept and practice of mino-mnaadmodzawin contributes to a new ethical standard of conduct that will be required if humans are to begin engaging in appropriate relationships with one another and with all of Creation, thereby establishing a sustainable and just world.

Mino-mnaadmodzawin (sometimes spelled *minobimaatasiiwin*), broadly speaking, is considered to be the overriding goal of the Anishinaabek people, both individually and collectively. Cecile King (2013, 10) describes mino-mnaadmodzawin as the "art of living well[, which] forms the ideal that Anishinaabek strive for." Living well requires maintaining good and balanced relations with one another as humans, as well as with "other than human persons" (Smith 1995, 53). Mino-mnaadmodzawin is supported by Indigenous knowledge systems, legal orders, and especially natural law. It is a holistic concept, involving living on respectful and reciprocal terms with all of Creation on multiple planes (spiritual, intellectual, emotional, and physical) and scales (family, clan, nation, and universe) (Bell 2013). The main idea is that one is continually striving for balance among different entities and across the different levels and scales (LaDuke 1997). Indigenous legal orders or laws, as Craft (2014, 19) points out, were meant "*to allow for good relations* and ultimately for each living being to have mino-biimaadiiziiwin: a good life." Mino-mnaadmodzawin provides a model for what Indigenous environmental justice might look like.

A Living Example: The Mother Earth Water Walks for Water Justice

The ideal of mino-mnaadmodzawin is evident in the Mother Earth Water Walks, inspired and led by Nookmis (grandmother) Josephine Mandamin (McGregor 2015). Nookmis Mandamin's work represents the enactment of realizing and living Anishinaabek laws to seek justice for the well-being of water. The Mother Earth Water Walk movement enables individuals, families, communities, and nations to carry out their responsibilities and live up to their obligations to water and life. On each journey, teachings are shared, ceremonies conducted, and responsibilities enacted. The Water Walks demonstrate a good way for humans to conduct themselves and relate to other beings in Creation.

Since 2003, Josephine and others have undertaken annual walks around the Great Lakes and the Saint Lawrence River, routinely covering distances of over one thousand kilometers. She has led walks on the traditional migration routes of the Anishinaabek from the Atlantic coast to Lake Superior (Benton-Banai 1988). The goal of each walk is to raise awareness about water issues and to try to change the perception of water from that of a resource or commodity to that

of a sacred entity that must be treated accordingly. The beauty of this movement is that it is led by women who are fulfilling their role with respect to caring for water and who are trying to engage as many people as they can in raising awareness of water's spiritual and cultural significance. The walks have since inspired Anishinaabek women in other communities to organize similar events of their own. In many respects this annual journey is a spiritual one, coinciding with the arrival of spring, a time of renewal and rebirth. Mandamin (2005) writes of this experience:

> This journey with the pail of water that we carry is our way of Walking the Talk. We really don't have to say anything. Just seeing us walk is enough to make a person realize that, yes, we are carriers of the water. We are carrying the water for the generations to come. Our great grandchildren and the next generation will be able to say, yes, our grandmothers and grandfathers kept this water for us!
>
> Protection of the water is key to our survival.

The walk has inspired a grassroots movement that includes both Indigenous and non-Indigenous peoples and that will continue to grow as Anisihinaabek people continue to "pick up their bundles" (Mandamin 2012, 14). The walks are a call to consciousness by current generations, a call to enact obligations to ensure that future generations will know the waters as healthy living entities/beings.

Mandamin is not politically motivated per se, and the Water Walks are not an activist movement. They are in fact inspired by prophecy, vision, and a call to act on our responsibilities (Mandamin 2012). Rather than pursuing a political agenda, the Mother Earth Water Walks seek to reestablish reciprocal relationships with the waters through healing journeys. The Walks were born out of love for the waters (Mandamin 2012, 21). The source for enacting Anishinaabek natural law to care for the waters is not a reaction to colonial laws or actions. Loving responsibilities and obligations flow from natural laws and thus are not mandated by governments through legislation, policies, funding, or programs. Instead, knowing our responsibilities gives us power to act (McGregor 2015, 73).

In emphasizing the importance of water, Mandamin hopes to encourage Indigenous and non-Indigenous peoples alike to take responsibility for the care and healing of the waters (Mandamin 2012). Nookmis Josephine did not wait for government permission or react to an act, or funding, or some new strategy to protect the waters; she just started on her walks, exercising her responsibilities to care for water. She has inspired many other communities to take up their responsibilities, and grassroots water walks have sprung up in many communities, supported by people from all walks of life.

Natural law and Anishinaabek knowledge must be acted on once we know what our responsibilities are. It is not enough to talk about or write about it; we are

expected to do something about what we know, which is exactly what Nookmis Josephine has done and continues to do. She enacted Anishinaabek law, embarking on a journey to heal and care for the waters, to seek mino-mnaadmodzawin for the waters. Water justice will be achieved when mino-mnaadmodzawin is realized not only for people but for the waters as well. The work of the Water Walk movement extends the current conception of water justice to include the well-being of the waters, for the sake of not just humanity but all of Creation—past, present, and future.

NOTES

1. The symposium took place at on October 26–27, 2017, at Dalhousie University in Halifax, Nova Scotia. A video of the symposium is available on the website of the ENRICH Project at http://www.enrichproject.org/uncategorized/over-the-line-video-posted/.

2. PCBs (polychlorinated biphenyls) were once widely used in electrical apparatuses and other products. Their production has since been banned in many countries, including the United States, due to their carcinogenic properties and general environmental toxicity.

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