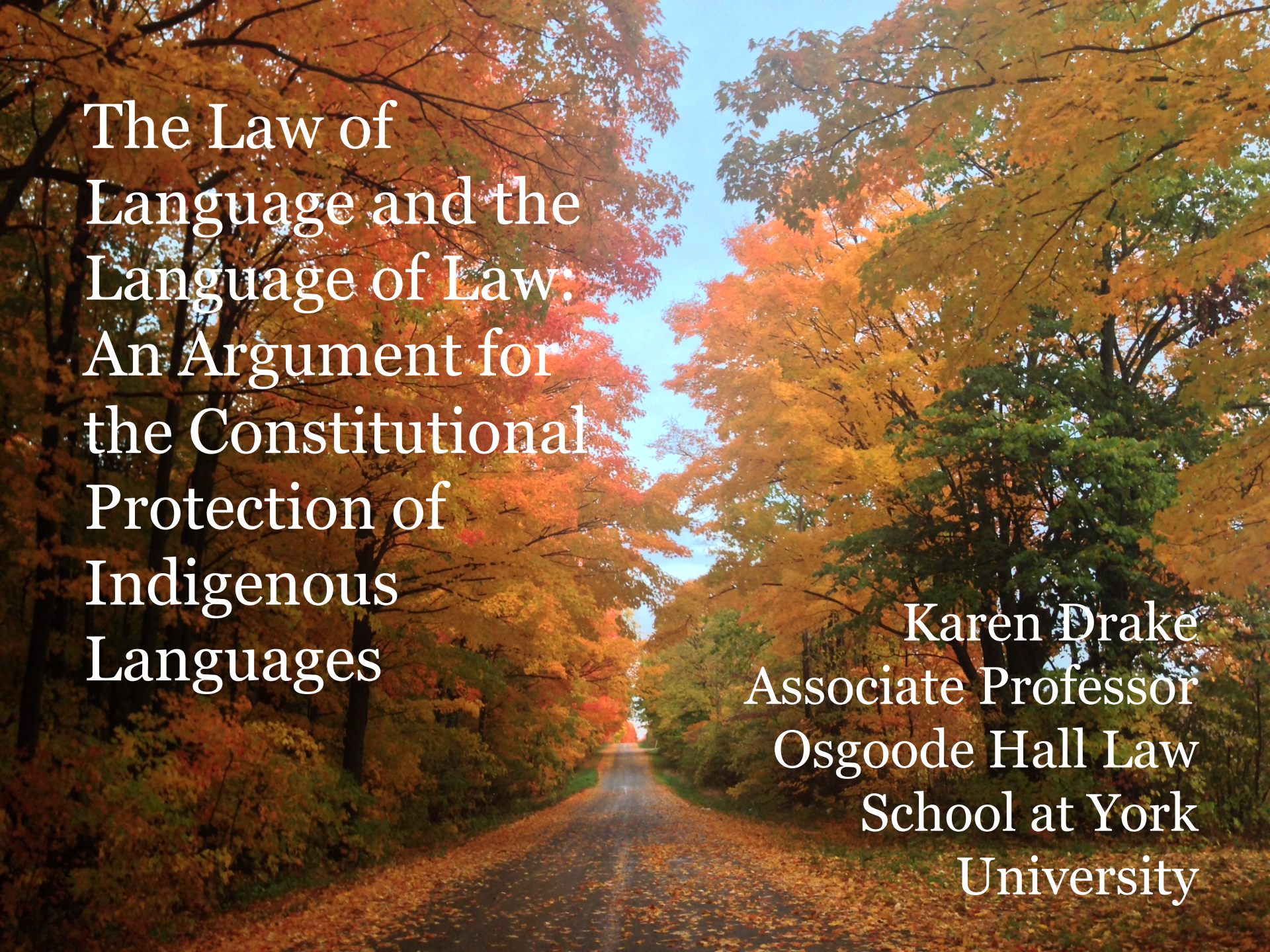

The Law of Language and the Language of Law: An Argument for the Constitutional Protection of Indigenous Languages

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Constitution Act, 1982

35(1) The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.

"...in order to be an aboriginal right an activity must be an element of a practice, custom or tradition integral to the distinctive culture of the aboriginal group claiming the right."

R v Van der Peet, [1996] 2 SCR 507 at para 46.

Aaron Mills, “The Lifeworlds of Law: On Revitalizing Indigenous Legal Orders Today” (2016) 61:4 McGill LJ 847.

Aaron Mills, “Nokomis and the Law in the Gift: Living Treaty Each Day” in Kiera L Ladner and Myra J Tait, *Surviving Canada: Indigenous Peoples Celebrate 150 Years of Betrayal* (Winnipeg: ARP Books, 2017) 17.

Aaron Mills, “What is a Treaty? On Contract and Mutual Aid” in John Borrows & Michael Asch, *The Right Relationship: Reimagining the Implementation of Historical Treaties* (Toronto: University of Toronto Press, 2017) 209.

“Our languages are sacred gifts,
given to us by the Creator.
They carry our way of life,
our views of the world, our history,
our laws and they bind us to each other.”

Doris Pratt, Harry Bone et al, *Untuwe Pi Kin He – Who We Are: Treaty Elders’ Teachings*, vol 1 (Winnipeg: Treaty Relations Commission of Manitoba, 2014) at 69.

Miigwetch
Merci
Thank You