Human and Social Issues

Wahkohtowin

Upholding Indigenous laws and governance.

The Wahkohtowin Lodge is committed to supporting Indigenous communities’ goals to identify, articulate and implement their own laws and governance & develop, gather, amplify and transfer wise practices, promising methods and research tools.
Framework

The Human and Social Issues Analytical Framework, used in the Narrative Analysis Method, is structured around the following questions:

1. **Legal Processes**: Characteristics of legitimate decision-making/legal processes
   - 1.1 Authoritative Decision makers: Who had the final say?
   - 1.2 Procedural Steps: What were the steps involved in determining a response or action?

2. **Legal Responses and Resolutions**: What principles govern appropriate responses to legal/human issues?

3. **Legal Obligations**: What principles govern individual and collective responsibilities? What are the “shoulds”?

4. **Legal Rights**: What should people be able to expect from others?
   - 4.1 Substantive Rights
   - 4.2 Procedural Rights

5. **General Underlying Principles**: What underlying or recurrent themes emerge in the stories that might not be captured above?
Narrative Analysis Method

What is the Narrative Analysis Method?
One of the methods the Wahkohtowin Lodge employs to identify and articulate Indigenous legal principles with communities is the Narrative Analysis method.

The **Narrative Analysis method** relies on Indigenous ways of using stories for thinking and adapts common-law legal analysis to draw out Indigenous legal principles from a wide variety of publicly available resources, including published stories, recorded historical accounts and oral histories.

These resources are each analyzed using a targeted research question and adapted case brief analysis. Researchers then engage in conversations with elders and knowledge holders about their learnings through interviews and focus groups. Finally, the results of the initial analysis and community conversations are synthesized into an analytical framework by organizing them in response to a consistent set of targeted questions.

The community uses the final report this generates to apply to their own goals, which may include developing law, legislation, policies, governance mechanisms and dispute resolution processes as they see fit.

The Narrative Analysis method is also widely known as the ILRU method as it was first broadly used and is still used extensively by the Indigenous Law Research Unit [ILRU] team at the University of Victoria: www.uvic.ca/law/about/indigenous/indigenouslawresearchunit/index.php. It was co-developed by Dr. Val Napoleon, ILRU Director, and Dr. Hadley Friedland, co-founder of the Wahkohtowin Lodge, who was the first ILRU Research Director.
For further reading on the Narrative Analysis method and its application, see:


If you are interested in learning about applying the Narrative Analysis method in more detail, contact: WLGL@ualberta.ca to be added to the list for the next open Wahkohtowin Lodge methods workshop or to bring a workshop to your community.
The Analytical Framework

What is the Analytical Framework?
The analytical framework is actually just a consistent set of targeted questions. Using it helps synthesize and organize identified legal principles in a clear and convenient form so they can be readily accessed, understood and applied.

Why an Analytical Framework?
The completed framework provides a transparent and convenient restatement of a body of law. It is practical and also serves two major conceptual purposes. First, it focuses on the internal working details of Indigenous laws. Second, it reminds us that specific legal principles are all related parts of a comprehensive whole. The results from this analysis are recovered tools for governance. The completed analytical framework creates a foundation for revitalizing principled conversations within and between communities. It also supports communities to effectively apply their own legal and governance tools to address a full range of current challenges and goals today.

The original analytical framework was developed by Dr. Friedland in 2010 during her LLM thesis engaging with Cree legal principles. It was designed and implemented in relation to Indigenous legal responses to human and social issues. Dr. Friedland has since adapted this framework to focus on other specific issues, such as environmental issues and child and family wellbeing issues. You can use these frameworks as is, adapt them, or make your own frameworks that fit your needs.
More Information

For more information on the development of the analytical framework and examples of outcomes using it, see:


