Development Through the Indigenous Lens –
An Analysis of First Nations Legal Frameworks
in Canada
- AND -
Gaming and Indigenous Sovereignty Discourse –
Textual Analysis of "Invaders"
by Elizabeth LaPensée

by

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Abstract

Essay 1: Development is the interrelationship between and balance of three pillars namely – Economic Development, Social Development, and Environmental Development to meet the needs of present and future generations. Using the Haudenosaunee Confederacy as a case study, I examined the development philosophies of Indigenous Nations in Canada. I observed that, endogenous development is an intrinsic value of Indigenous growth. However, due to colonization and neo-colonial policies of assimilation, cultural condemnation and land dispossession in contemporary Canada, such growth and development is only possible in sovereign Indigenous Nations. I therefore explored the concept of Indigenous sovereignty in Canada using discourses analysis. By this, I identified key principles of Indigenous sovereignty – liberty, freedom, accountability, collective responsibility, and collective security. This set the framework of analysis of international (the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)) as well as domestic policies (Constitution Act 1867, Societies Act of BC) that supports Indigenous sovereignty. Although, there are legal constraints with these legislations in the attainment of sovereignty, the Societies Act offers good grounds to achieve economic sovereignty and sustainable development in the short run.

Essay 2: Games facilitate the transfer of knowledge and serve as a medium for knowledge production, memory development and, to some extent, ideology construction. In Indigenous societies, games are played to enhance one's abilities, stimulate active learning, and reinforce knowledge. Within the digital spheres, games have been designed with algorithms that reinforce these characteristics and, at the same time, foreground dominant ideologies of liberalism, capitalism, and neocolonialism. To counter this tradition and centre minority interests, minoritized game developers re-engineer games to better represent their concerns. This is an interest of Indigenous game design in order to represent Indigenous epistemologies, and tell Indigenous stories using digital technologies, thereby asserting their cultural sovereignty in the digital world. By playing and analyzing the game *Invaders* developed by Anishinaabe game developer Elizabeth LaPensée in relation to with literature in Indigenous digital studies and gaming, this paper examines how gaming technologies are used to assert Indigenous sovereignty and epistemologies.

This extended essay is dedicated to my daughter, Nana Aba Boahene, your resilience has been my strength and source of inspiration. I hope that someday when you read this, you would understand why mummy was absent at this critical point in your life.

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I also want to acknowledge the support of the staff and faculty of the Global Communication program at the Faculty of Communication, Art and Technology, Simon Fraser University. To Professors Katherine Reilly, Kirsten McAllister, Adel Iskandar, Zoe Druick, Peter Chow-White, I am grateful for the love and support in my lowest moments and academic guidance. Each feedback on my papers helped shaped this essay.

I am also grateful to SFU Indigenous Studies Department for the opportunity to work as a Teaching Assistant for FNST 401 – Aboriginal Public Policy and Government Relations. Thank you Dr. Marianne Ignace, the content of the course modules enhanced my understanding on the issues pertaining to Indigenous Nations and the government of Canada.

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List of Acronyms

AbTeC	Aboriginal Territories in Cyberspace
AFN	Assembly of First Nations
BC	British Columbia
BC	British Columbia
BCTC	British Columbia Treaty Commission
CMNS	Communications
ED	Endogenous Development
FN	First Nations
ICHC	Inner City Housing Coalition
ID	Indigenous Development
IIF	Initiative for Indigenous Futures
ILO	International Labour Organization
iOS	iPhone Operating System
SFU	Simon Fraser University
TRC	Truth and Reconciliation Commission
UN	United Nations
UNDRIP	United Nations Declaration on the Rights of Indigenous People

Essay 1:

**Development Through the Indigenous Lens –
An Analysis of First Nations Legal Frameworks
in Canada**

Introduction

After several years of working as a development policy analyst and researcher and having implemented development project across Ghana, one thing that stood out for me is developing endogenously. Endogenous development (ED) helps to "reconstruct territorial identity which aid to devise strategies and establishes structures that enable the locality to effectively mediate exogenous forces that, historically and contemporaneously have undermined the socio-economic well-being of the people" (Pieterse, 2010). This implies that the models of development should center on inclusivity such that local participation in design and implementation becomes paramount. This according to Pieterse will "engender ownership by the people and commitment to the territorial development and provide a mechanism to control the nature of the development to be in accordance with local wishes". (Pieterse, 2010)

In line with this, I sought to examine development approaches that have aided in revitalizing Indigenous people and communities in Canada specifically in British Columbia. This was done through the review of relevant literatures (journal articles, books, publications on First Nations official websites, United Nations Declaration on the Rights of Indigenous Peoples, International Labour Organization's Convention 169 on the Rights of Indigenous People, and the Constitution Act of Canada among others) on the Indigenous rights and community development. Additionally, I analyzed the nature and impact of the policies on Indigenous lives and tradition in present day Canada.

Furthermore, I use the 1987 Brundtland Commission report "Our Common Future" on sustainability as a framework of analysis of Indigenous development. The report characterizes sustainability into three pillars – economic, social and environmental development. It describes sustainability as the balance of these three pillars. According to the report, "sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs" (United Nations, 1987) pg.43. This definition is chosen because I find that, it aptly describes how development is perceived by Indigenous Nations. For instance, the Haudenosaunee, an Indigenous Confederacy in Canada have a belief system that recognizes the seventh generation. The seventh generation to them are the generations yet to be born and are factored into the present decision-making. This is because, the

Haudenosaunee believe that, the earth belongs to this generation and should be kept in good shape for them to live in.

However, it will only take certain kind of power (sovereignty) for Indigenous Nations that share in this belief system to attain sustainable development. I therefore argue that, there cannot be sustainable development in Indigenous Nations if they are not self-determined. This is because, by being, self determined, Indigenous Nations, will gain access to the management of their land resources and people in accordance to their traditions and culture.

According to Voyle and Simmons, since the 1970s, there has been a growing ethnic renaissance among Indigenous populations globally in the quest of restoration of pride in cultural traditions, and ancestry (Voyle & Simmons, 1999, p. 1036). This in their view has been intensified with demand for greater self-determination and redress for historical injustices. Whiles this is attributed to the development of international networks which connects these Indigenous groups together through information sharing, the underlying element is the colonization of Indigenous populations. Thereby resulting in alienation and dispossession from the lands and resources. It is to such an extremity that "over the past three decades, there has been an emergence of recognition-based approaches to Indigenous self-determination in the field of Indigenous–state relations in Asia, northern Europe, throughout the Americas, and across the South Pacific. The end product being the establishment of Indigenous rights regimes that claim to recognize and accommodate the political autonomy, land rights, and cultural distinctiveness of Indigenous nations within the settler states that now encase them." (Coulthard, 2014, p. 3).

The quest for self-governance has been at the forefront of Indigenous communities' struggle in Canada. This is because for centuries, the settler-colonial state has waged systemic war of law against Indigenous Canadians. This war has marginalized Indigenous people and communities with the goal of elimination, if not physically, then as cultural, political, and legal peoples distinguishable from the rest of Canadian society (Coulthard, 2014, p. 5). Through treaty negotiations with provincial and federal governments, some Indigenous groups have been able to reclaim and control certain aspects of their territories. Interestingly, the Canadian government through the British Columbia Treaty Commission (BCTC), provides funding support to First Nations

engaged in treaty negotiations with the government (Government of Canada, 2019). The BCTC was established in 1992 through an agreement between the governments of Canada and BC and the First Nations Summit as an independent and impartial body with three main roles. Specifically, to facilitate negotiations including assisting the Parties in finding solutions and resolving disputes; allocate negotiation support funding to enable First Nation (FN) participation in the negotiations; and educate the public about treaty negotiations (Government of Canada, 2019).

It is important to state here that, the treaty negotiation process is expensive, time consuming, frustrating, intimidating and demoralizing. First, it has taken about a century for some First Nations such the Nisga'a Nation to successfully complete their treaty negotiations with the government of BC. This is time consuming and frustrating. Additionally, the provisions of negotiated treatise vary from Nation to Nation. The Nisga'a and Tla'amin Nations treatise is evidence to this. Finally, and related to this, is that the First Nations do not always get the concessions they negotiated for.

Some Indigenous nations not governed by treaty, or the Indian Act have opted to develop their communities as incorporation under the Societies Act. This Act is designed to regulate the activities of not-for-profit organizations. It has undergone several changes in different provinces including British Columbia (BC) over the years. These changes notwithstanding, certain provisions hinder the full utilization by Indigenous communities registered under the Act. A key challenge being the limited control over their finances (that is in terms of usage and access). For instance, Societies or First Nations incorporated under the Act and received a greater percentage of funding from government/public sources cannot operate business for gain. The Act thus, there is the growing interest to negotiate further changes to the Act to the benefit of Indigenous groups and communities.

The main thrust of this paper is to analyse a selection of policies in Canada to ascertain whether it supports First Nations rights and development philosophy. That is, do these policies hinder or rather create a viable institutional system to facilitate development embedded within the philosophies of First Nations? To achieve this objective, the paper is categorized into four chapters. Chapter one contextualizes the subject and provides a detailed description of the research design. In Chapter two, the study analyzes a cross-section of academic literatures and legislative instruments in give

an overview of Indigenous understanding of development within the concept of sovereignty. In discussing the concept of Indigenous sovereignty, and using the Haudenosaunee Confederacy as a case study, chapter three discuss the concept of Indigenous development with the framework of Endogenous Development (ED). The final chapter four concludes with a critical overview of the Societies Act of BC and Negotiated Treaty.

Statement of Research Problem

July 1st marks 152 years following Canadian Confederation, yet critical masses of the population most importantly the Indigenous people continue to be treated with impunity. This population have been continuously abused, discriminated at and kept in reserved areas with little or no infrastructural development. This is irrespective of the fact that, the Canadian economy thrives on the natural resources of Indigenous peoples. It took Canada almost a decade following the passage of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) to recognize these rights in 2016. To date, the Canada is yet to meet the demands of the UNDRIP. Additionally, the Constitution Act 1982 which is the powerful law of the land and enshrines in its Indigenous rights and freedom is limited in scope and discriminatory.

My interest in all these developments is to find out how Indigenous Nations develop amidst these challenges in Canada. This interest is derived from the recognition that, despite the limitations the legal frameworks posed to Indigenous development, some Indigenous Nations are progressively developing and regaining control of their lands.

Hypothesis

I argue that the sustainable growth and development of Indigenous Nations in Canada centers on endogenous approaches, that is development internal to the people and underpinned by their values and philosophies of life. The effectiveness of endogenous approaches lies in the degree of autonomy and responsibility Nations assert on their resources (human, natural, and capital/financial), and politico-economic systems and structures. This requisite therefore makes sovereignty a necessary component for sustainable growth and development in Indigenous Nations.

Research Goal and Objectives

In this paper I explored the feasibility of the implementation of endogenous development in Indigenous communities in Canada. To achieve this, I specifically:

i. reviewed international (UNDRIP, and ILO Convention 169) and domestic (Constitution Act 1867, Societies Act, Indian Act, TRC Recommendations, and Treaty document) legal frameworks that seeks to promote Indigenous rights in Canada; and

ii. reviewed governance and development approaches in selected Indigenous communities in Canada. Using the Haudenosaunee Confederacy as my case study, I examined their governance and economic systems and structures to ascertain the pillars of socio-economic development.

Justification

Through the use of discourse analyses[1] of primary (First Nations governance and development policy document – Haudenosaunee Confederacy and the UNDRIP, ILO Convention 169 as well as the Constitutive Act 1867, Indian Act and the Societies Act) and secondary data (journal articles, academic books), this study contributes to on-going efforts aimed at changing the negative narratives on Indigenous culture, traditions and identity. Additionally, it demonstrates the importance of an all-inclusive development strategy that embodies the core elements of human existence and survival (physical, spiritual and political) under the concept of endogenous development. This strategy ensures sustainable development, indigenous ownership and commitments.

Methodology

This section briefly discusses the research design and approach; and methods of data collection and analysis. I gathered and analyzed data qualitatively. The study focuses on development approaches within Indigenous Nations in Canada and specifically British Columbia. The data used for this paper were from both primary and secondary sources. My main primary source is the official web page of the

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[1] Critical discourse analysis deals with long term analysis of fundamental causes and consequences of issues. Therefore, it requires an account of detailed relationships between text, talk, society and culture (Mogashoa , 2014)pg.2.

Haudenosaunee Confederacy. It is primary because it provided a digital prototype of the Confederacy with up-to-date and easily accessible documents and information about the Confederacy. Documents assessed include but not limited to culture and history of the Confederacy – historical life as a Haudenosaunee, clan system, symbols, ceremonies, values, wampum, notable people among others; land rights and treaties – history of Haudenosaunee land claims, and land acquisition; governance system and structures – Haudenosaunee Development Institute, Documentation Committee, Joint Stewardship Board etc.; creation of the Confederacy, Influence on Democracy, and League of Nations. These documents shaped the understanding of development from Indigenous perspectives.

The secondary sources are classified into two categories namely – academic literatures, and policy documents. The academic literatures comprised of published books, journal papers and peer reviewed articles on the subject. The policy documents were assessed to compliment academic literature and validate the findings. The study reviewed international and domestic policy documents which ranged from the United Nations Declaration on the Rights of Indigenous People (UNDRIP), International Labor Organization (ILO) Convention 169, Indian Act, BC Societies Act, and Self Government Treaties.

There are no ethical concerns in relations to this study because it does not involve any human subjects. Additionally, there was a conscious effort to use only publicly available data in order not to breach any confidentiality terms and conditions as well as share sensitive / classified information.

Theoretical Framework – Marxist Theory on Primitive Accumulation

This paper is underpinned by the theory of Primitive Accumulation (Marx, 1976). This theory is chosen because it helps to understand the ideology behind colonialism, neo-colonialism, imperialism and contemporary capitalism. Primitive accumulation posits that the emergence of capitalist economics started, and could not have taken place, without the appropriation of social/public wealth as individual wealth, most often using force and backed by the state. In other words, the original source of capital was theft and pillage. The theory overrides the popular standpoint on wealth creation which

asserts that the diligent, intelligent and elite group accumulated wealth; whilst the "lazy rascal" spent their substance and more in riotous living and eventually hand nothing other than themselves.

The theory however asserts that, throughout history, conquest, enslavement, robbery, murder, in short, force play the greatest part in the wealth and poverty dichotomy. Accordingly, the theory notes that, money and commodity are no more capital than the means of production and subsistence are. This means they need to be transformed into capital. The process of transformation takes place under certain circumstances that is: the confrontation of, the contact between two very different kinds of commodity owners namely:

- Owners of money means of production, and means of subsistence eager to valorize the sum of values they have appropriated by buying the labor power and thus the sellers of the labor.

- Free workers, who are neither a part of the means of production nor do they own the means of production.

These two classifications set the conditions for capitalist production. The capital relation presupposes a complete separation between the workers and the ownership of the condition for the realization of their labor. Once capitalist production gains its grounds, it maintains this separation as well as reproduces it on a constantly extending scale. This therefore transforms the social means of subsistence and production into capital, and the immediate producers are turned into wage-laborers.

Thus, primitive accumulation is the historical process of divorcing the producer from the means of production. It is primitive because it forms the pre-history of capital, and the mode of production corresponding to capital.

Using the Marxist philosophy on "primitive accumulation"[2] as an underpinning political economic theory on development, I seek to demonstrate primitive accumulation as an intrinsic part of colonial and post-colonial policies in Canada. In line with this, I acknowledge Glen Coulthard's critique of Marx's approach to the theory which explains primitive accumulation as a continuous process intertwined in capitalist developments. He notes that, "…the escalating onslaught of violent, state-orchestrated enclosures

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[2] Primitive accumulation is argued by Karl Marx as the underpinning element of capitalism.

following neoliberalism's ascent to hegemony has unmistakably demonstrated the persistent role that unconcealed, violent dispossession continues to play in the reproduction of colonial and capitalist social relations in both the domestic and global contexts" (Coulthard, 2014, p. 9). I adapt his proposition as the framework of analysis for this paper. With this insight, I seek to establish how colonial policies have been interwoven into existing policies and institutions thereby alienating Indigenous peoples. Voyle and Simmons notes that, a common theme in the experience of Indigenous populations of North America, Canada, Australia, and New Zealand is dispossession and alienation of their lands and resources because of European colonization. These have had deleterious consequences for their cultural traditions and identity, social cohesion, self-esteem, and economic survival (Voyle & Simmons, 1999, p. 1).

Kirmayer and Valaskakis note further, that "over the past century, the Canadian and American government policies have continued the process of destruction of Indigenous cultures and ways of life through forced sedenterization, creation of reserves, relocation to remote regions, residential schools, chronic underfunding and poor resourcing of essential services such as health care and education, and bureaucratic control" (Kirmayer & Valaskakis, 2009, p. 8). Additionally, Christensen et al argue that, "racialized policing and space reinforces long-standing colonial controls that tie Indigenous people dangerously to marginalized spaces whilst preserving ideal notions of prime white space" (Belanger, Birdsall-Jones, Brown, & Christensen, 2016, p. 6). This is evidence of the continuous dispossession argued by Coulthard.

Indigenous Self-Determination – Understanding the Concepts of Sovereignty Decolonization, Nationhood

This section of the study analyzes the different terminologies such as "sovereignty", "decolonization" and "nationhood", used in describing the quest for self-determination by Indigenous people in Canada in order to understand the development model of Indigenous Nations. It important to know the philosophies or values that informs these models of which self-determination is a requisite. Therefore, in this section, I offer a review of the perspectives of Indigenous scholars and experts on their use of these terminologies or concepts. I begin with an overview of the colonial dispossession and injustice in Canada which have necessitated the calls for self-determination by Indigenous peoples.

Colonial Dispossession – Infrastructural Development – Housing Policies

Settler colonialism sought to destabilize and eradicate Indigenous social, cultural, and political structures and organization as a part of appropriating Indigenous lands and resources. This has significantly impacted Indigenous socio-economic and political life. Within the context of Indigenous development, the challenge is that reserves do not support the growth and development of the population due to the lack of limited socio-economic infrastructures. The creation of reserves was the result of settler colonial governments that sought to alienate Indigenous population from the settler population. According Christensen, "under the treatise, First Nations gave up large areas of their traditional homelands to the Crown in exchange … for reserve lands, annual treaty payments, and certain hunting and fishing rights…" (Belanger, Birdsall-Jones, Brown, & Christensen, 2016, p. 15). Unfortunately, the terms of the agreement were breached by the colonial government thus, jeopardising the livelihood of many Indigenous peoples. To Christensen, "the systemic failures of the government to live up to their agreements, evidenced by chronic housing need and widespread issues with water quality and sanitation, as well as policy that relinquishes treaty rights when one leaves the reserve, have led to poverty and dependency among many Indigenous peoples on- and off-reserve". This amply describes the nature of capitalist pursuits as described my Marx's primitive accumulation theory and emphasized by Coulthard. "…In "capital", the

formative acts of violent dispossession set the stage for the emergence of capitalist accumulation and the reproduction of capitalist relations of production by tearing Indigenous societies, peasants, and other small-scale, self-sufficient agricultural producers from the source of their livelihood—the land" (Coulthard, 2014, p. 7).

According to Belanger et al. Indigenous homelessness is the result of historic commonwealth colonialism and contemporary liberal policies. They examine culturally and geographically distinct aspect of Indigenous homelessness in Canada, Australia and New Zealand. The underpinning motive of their study is to emphasize the relevance of decolonizing policies and discourses in settler states. In Canada, the continuous securitization[3] of the housing markets has seen a shift in state-centric subsidized housing to market-based housing entrenching the inequality gaps in society as well as affecting the wellbeing of minorities which includes Indigenous populations. It should be noted that in the planning and policy change processes, minority and or Indigenous groups are not consulted in most cases irrespective of the significant effect it has on them. This is because "Aboriginal community whether organizations (at the Inner-City Housing Coalition (ICHC)) or individual residents (at neighborhood-based planning processes and corporate governance structures) was not an equal partner" (Walker R. C., 2006, p. 15).

Walks and Clifford posits that "securitization has been a key component of the creeping neo-liberalization of Canadian housing policy, involving the shift away from the state provision of subsidized, cooperative, and nonmarket forms of affordable rental housing, and toward an unsung policy of encouraging private sector investors to become landlords to fill the demand for rental housing resulting from the evacuation of the state sector—providing a key link between processes of roll-out marketization and the roll-back of the social welfare state" (Walks & Clifford, 2015).

This discussion of housing policies in Canada and it impact on Indigenous life, is to provide context to the importance of Indigenous sovereignty as a critical factor for Indigenous development.

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[3] "Securitization is a method for widening private sector participation in the funding of loans, facilitating increased access to credit, and for distributing lending risk among different investors" (Walks & Clifford, 2015).

Spiritual Growth, Environmental Preservation & Land Ownership

Indigenous peoples in Canada have faced cultural oppression and social marginalization through the actions of European colonizers and their institutions since the earliest periods of contact (Kirmayer & Valaskakis, 2009, p. 7). Kirmayer and Valaskakis indicated that, "with colonization, these sporadic encounters took on a new scale and intensity, resulting in escalating levels of violence against Indigenous peoples – violence driven by fear and avarice and justified by ideologies that viewed the Indigenous peoples of the Americas as "savages" and that declared the entire continent terra nullius, "no man's land," a land unclaimed and free for the taking" (Kirmayer & Valaskakis, 2009, p. 7).

Indigenous people thus lost control over their lands and resources to the Europeans and have had to put up legal battles to regain portions of it in treaty and land claims. The land was declared a terra nullius and instituted policies (e.g. Indian Act) aimed at alienation and extinction of the Indigenous population. Close to 90 percent of the population died as a result of diseases (biological weapons - smallpox, measles, influenza, bubonic plague, diphtheria, typhus, cholera, scarlet fever, trachoma, whooping cough, chicken pox, and tropical malaria.) introduced into the territory by the colonizers (Kirmayer & Valaskakis, 2009, p. 7).

The establishment of the residential school system was to effect these socio/political changes. For over a century, children were taken from First Nations, Inuit and Métis families into these residential schools, managed by churches with funding from support from the federal government (Ghoussoub, 2019). The Truth and Reconciliation report documents cases of systemic abuse and torture. A menace that has resulted in prolonged and continual intergenerational torture and deterrence from the Westernized education system in Canada. The underlining effect is the increasing poverty, marginalization and despair among Indigenous communities.

Its importance is linked to the ability to preserve a given culture, traditions and norms through knowledge transfer from one generation to the other. Whether through formal or informal delivery, different societies hold peculiar ways in transferring knowledge. Learning, from a First Nations perspective, involves both formal and informal

opportunities and is fundamentally connected to land, language, spirit, and culture (Peters, 2013). Forms of education have ranged from oral traditions, cuisines, music and dance, festivals to written traditions among others. Language is one prominent feature in education. It serves as the conduit of communication and could be verbal or non-verbal language, culture, and learning are highly dependent on relationships within the collective: between children and their parents or caregivers, and within and outside the family (First Nations Information Governance Centre, 2016).

In the pre-contact era Indigenous groups had command of their educational system which was interwoven in every facets of their social, economic, spiritual and political life. However, the situation changed when power into the hands of the colonial regime. Indigenous people were forced to abandon their culture and tradition as well as learn the civilization of their colonialist. For instance, "early missionary activities focused on saving heathen souls through religious conversion which involved suppression or subversion of Indigenous spiritual beliefs and practices that were integral to subsistence activities and to the structure of families and communities" (Kirmayer & Valaskakis, 2009, p. 7).

Indigenous peoples in Canada have faced cultural oppression and social marginalization through the actions of European colonizers and their institutions since the earliest periods of contact. There is not a unified definition of the concept of sovereignty in the quest for self-determination among Indigenous peoples. In Indigenous studies, "sovereignty has been asserted as a framework to distinguish Indigenous people from other oppressed groups characterized as minorities within the context of civil rights advocacy" (Teves, Smith, & Raheja, 2015, p. 3).

Sovereignty, Decolonization and Nationhood

I interpret Indigenous self-determination as repossession and control of the ancestral territories (land) of Indigenous people by Indigenous people. Because, sovereignty in all its ramification can be achieved if they regain undisturbed access to their lands. I emphasize land because it is the embodiment of sovereignty, belongingness, rights and responsibility. It is the enabler of Indigenous life and according to Julian Burger, "the most important distinguishing feature of Indigenous people is their shared respect for the land – Mother Earth" (Teves, Smith, & Raheja, 2015, p. 61).

In this section, I adopt Vine Deloria's concept of sovereignty as "a critical framework that instils a sense of responsibility for the well-being of any group seeking liberation and guards against the rise of individuals who may advance themselves at the expense of the group" (Teves, Smith, & Raheja, 2015, p. 6). Five core principles of sovereignty can be deduced from this definition- freedom, liberty, collective security, collective responsibility and accountability.

This position on sovereignty follows from critical analysis of post-independent economies of former colonies. These colonies exhibit a system of ruling that is dependent on their nominal and only nominal national sovereignty (Sharma, 2015, p. 36). That is, they operate what I term as a "rubber-stamp" governance system informed by imperialist policies bedevilled by capitalist systems and structures. Thus, although many have gained independence from former colonial empires, none have achieved independence from capitalist social relations and the practices of expropriation and exploitation that are inherent with them (Sharma, 2015, p. 37). For example, following from Ghana's independence, power shifted from the Crown to the local people and their representatives. However, due international geopolitics and imperialist influence, power shifted into the hands of a small fraction of the population ("elite") and who have subsequently ensured their domination over most of the population characterized by illiteracy and abject poverty. Nandita Sharma notes that ideas of nation and sovereignty may be said to address cultural, social, and political sovereignty but they fail to address the economic field of a globally operative capitalism (Sharma, 2015, p. 37).

Indigenous sovereignty and the quest for self-determination aims to guard against imperialist exploitation and expropriation even after decolonization. Therefore, the effective strategy for decolonization is to challenge both the global system of capitalism and the equally global system of national sovereignty that both creates the conditions for existence of the former and legitimizes the other (Sharma, 2015, p. 54).

Taiaiake Alfred explains decolonization as "being brought into the current system as a sovereign nation no longer governed by members of a foreign nation" (Sharma, 2015, p. 44). This means that, decolonization is achieved if Indigenous Nations exist within the settler state governed by their customs and traditions and not the laws of the settler state. Doing so implies an individual or group's (in this context Indigenous nations) ability to "cherish their unique identity, protect their freedom, and defend their

homeland". To Alfred, having a unique identity is peculiar to one's nationality, and genealogy which is rooted in ideas of a shared cultural foundation. Inherent in this perspective is the feeling of belongingness and allegiance to one's culture. Thus, no form of neo-assimilation program is enough to unite Indigenous and non-Indigenous Canadians other than being free and govern by their customs and traditions. A conceivable option will be the establishment of a "pluralist multinational association of autonomous people and territories that respect the basic imperatives of Indigenous cultures as well as preserve the stability and benefits of cooperative confederal relations between Indigenous and other government" (Sharma, 2015, p. 43).

Closely linked to the terms sovereignty and decolonization is the concept of "Nationhood". Audra Simpson asserts that Indigenous people want to exist as nations under their own laws and on their own lands and homelands. By analysing the Mohawk Nation culture and traditions, Simpson describes the Mohawk and nationhood as inseparable. They are intrinsically connected because, "both are simply about being. Being is about who you are, and a sense of who you are is arrived at through your relationship with other people – your people. So, who you are, is tied with what we are – a nation" Alfred succinctly posits that "First Nations have an inherent jurisdiction over determining their citizenship and have long rejected the government of Canada's unilateral control over defining who does and does not belong to them" (Sharma, 2015, p. 45)

At this point I ask two critical questions: 1. "what is Indigenous self-determination" or "what does self-determination means to Indigenous people?" and 2. "How can this be achieved?" I attempt to analyze on-going approaches and practices internal to Canada specifically British Columbia with the objective to intensify academic discourses and practices on Indigenous self-determination.

Gail Guthrie Valaskakis opines that, natives envisioning of self-determination is not self-government of Indian Councils grafted onto Canadian municipalities but instead self-determination bound up with sovereignty in all its ramifications – social, cultural, political and economic (Teves, Smith, & Raheja, 2015, p. 36).

Following from this, it is important to know and be cautious of what is not Indigenous self-determination. It is obvious from Valaskakis' position that, Indigenous

people are not after political tokenism or recognition [4] by the settler government. Glen Coulthard develops this further, he asserts that, "it is problematic to assume that, the flourishing of Indigenous peoples as distinct and self-determining agents is dependent on their being granted recognition and institutional accommodation from the surrounding settler-state and society" (Teves, Smith, & Raheja, 2015, p. 9). According to him, "not only does the terms of recognition tend to remain the property of those in power to grant their inferiors in ways that they deem appropriate, but also under these conditions, the Indigenous population will often come to see their limited and structurally constrained terms of recognition granted to them as their own" (Teves, Smith, & Raheja, 2015, p. 9). A case in point is the recognition the Constitution Act 1867 gives to Indigenous people by defining who qualifies to be recognized as such. This definition is incorporated in policies legislations such as the Indian Act and relevant tribal documents. For instance, the Metis Assembly strictly define their membership based on the constitutional discriminatory determination of who is and is not a Metis. These recognitions translate further into what Indigenous person(s) benefit from financial supports by the government. Usually, it discriminates against urbanized Indigenous populations. The quest for Indigenous self-determination, therefore, is call "for mutual respect for all other nations – Leanne Simpson" (Teves, Smith, & Raheja, 2015, p. 10)

Currently, there are different approaches and or legislations that are been used by Indigenous nations to govern themselves, and their relationship with other First Nations. These include Federal and Provincial Treaties, Indian Act and the BC Societies Act. In chapter three I discuss in detail these approaches and legislations.

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[4] Political Recognition - That is "… models of liberal pluralism that seek to "reconcile" Indigenous assertions of nationhood with settler state sovereignty via the accommodation of Indigenous identity claims in some form of renewed legal and political relationship with the Canadian state." Glen Coulthard

Indigenous Self-Determination – Analysis of Legal Frameworks

Introduction

In chapter two, I discussed Indigenous self-determination from the perspective of Indigenous scholars and experts to provide a contextual understanding on why sovereignty is a prerequisite to Indigenous development. With this, background, I further explored in this chapter what development is from an Indigenous perspective. Is Indigenous development sustainable and endogenous? How is development achieved in Indigenous Nations? What laws govern and or support Indigenous Development?

This section is in two parts. In the first part, I discuss the concept of Endogenous Development (ED) alongside the Haudenosaunee Confederacy case study. I chose to study the Haudenosaunee Confederacy because they present a unique blend of law and value in their governance system. It is their belief that, law, society and nature are equal partners, and each play an important role. This believe shapes every aspect of the decision-making process of the Haudenosaunee including those pertaining to socio-economic development. Endogenous Development refers to development model that is internal to a group and is underlined by their philosophies. The practice of ED ensures the balance of three main factors in the development process – physical (land resources), spiritual (culture and traditions), political (power & authority). All of these are based on local knowledge and philosophies. The Haudenosaunee Confederacy is selected as a case study because it believes, and practices embodies ED. Additionally, the HC has a long history and practice of democracy before contact with the Europeans. It is believed that the American democracy is modelled after the HC (Haudenosaunee Confederacy, 2019). Therefore, I analyzed their history, governance system, their development philosophy and processes.

In the second part, I discussed international (UNDRIP, ILO Convention 169), Federal and Provincial (Constitution Act 1867, Indian Act, Societies Act and the TRC Recommendations) policy documents related to Indigenous rights. The analysis is based on the fives principles (liberty, freedom, collective responsibility, collective security and accountability) of Indigenous sovereignty I inferred from Deloria Jr's definition of Indigenous Sovereignty. In this analysis however, I re-classify the principles into four

namely – accountability, self-determination (liberty and freedom), participatory governance (collective responsibility) and sustainable development (collective security). I analyzed these documents to ascertain whether they support the development of Indigenous communities.

Endogenous Development – A Case Study of the Haudenosaunee Confederacy

Development is a complex subject with no clear-cut dimension or approach. Over the years, the term has acquired varied meaning and implementation models (Pieterse, 2010, p. 5). It was perceived by development thinkers as a binary concept in the Cold War period marked by the political rivalry between communism and capitalism. Development at the time was branded as either a Western Development Economics or Central Planning (e.g. Soviet, Chinese and Cuba) (Pieterse, 2010, p. 5). The Table below shows the different meanings the concept has assumed over the years. In 2015 the concept of development changed from the Millennium Development Goals to the Sustainable Development. This is included in the table below and it is the only change I make to the original table by Pieterse.

Table 1.   Meanings of development over time

Period	Perspective	Meanings of Development
1800s	Classical political economy	Remedy for progress, catching up
1870	Latecomers	Industrialization, catching-up
1850	Colonial economics	Resource management, trusteeship
1940	Development economics	Economic growth – industrialization
1950	Modernization theory Growth	political and social modernization
1960	Dependency theory	Accumulation – national, autocentric
1970	Alternative development	Human flourishing
1980	Human development	Capacitation, enlargement of people's choices
1980	Neoliberalism	Economic growth, structural reform, deregulation, liberalization, privatization
1990	Post-development	Authoritarian engineering, disaster
2000	Millennium Development Goals	Structural reforms
2015	Sustainable Development Goals	Socio-Economic and environmental preservation

Source: (Pieterse, 2010, p. 7)

Given this background, I argue that, irrespective of the era and the development agenda, it is only when development is pursued from a holistic design grounded in the

philosophies of societies, that would translate into a productive socio-economic resource. According to Lowe et.al, "… the well-being of a local economy can best be animated by basing development actions on the resources – physical, human and intangible that are indigenous to that locality" (Ying, 2016, p. 387). This means that, development must revitalise the society and at the same strengthen social infrastructure and the quality of life. The goal is to ensure the development of Nations and growth in human livelihood. Endogenous development (ED) is one such model that supports socio-economic development, enhance and sustain human development

Endogenous Development is therefore a model of development that is internal to the people and grounded in their principles of existence. I operationalized ED to consist of 3 main components: physical: management of lands and resources; political: governance systems/structures, power/autonomy; and spiritual: culture, traditions, belief systems, relationship with the supernatural world. These three components of ED are mutually interdependent and thus, all need to be present to achieve development that can be sustained.

I explored this concept of ED in Indigenous communities in Canada through a discourse analysis of historical, cultural, and governance documents. I looked at the Haudenosaunee Confederacy which comprises of six nations, as well as the Nisga'a Nation, Tla'amin Nation, the Haida Nation and the Algonquin Anishinabeg Nation. I do acknowledge the contextual differences between Canada and Ghana (where I have engaged communities approaching development from endogenous perspective). However, the uniqueness of ED is that when brought into a different context, its designs and scope take on the looks of that context. Further to this, in the implementation of the model, it takes cognizance of the probable relationship that a given society would have with factors that are external to it and yet necessary for its development.

This closely describes the contemporary state of Indigenous Nations in Canada. However, throughout my review of the literatures used in this paper, I observed Indigenous Nations development model closely relates to ED, but it can only be sustained Indigenous Nations have sovereignty. I therefore posit that, the history of cultural genocide carried through laws (Indian Act etc.) and practices of assimilation (Residential School System) of First Nations by the settler-colonial government have created a pattern of continuous dispossession of First Nations and their culture. This in

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my view can remove their relatedness to the spiritual aspects of their socio-economic development. Kirmayer & Valaskakis notes that, Indigenous peoples in Canada have faced cultural oppression and social marginalization through the actions of European colonizers and their institutions since the earliest periods of contact (Kirmayer & Valaskakis, 2009, p. 7)

Haudenosaunee Confederation (LC)

The Haudenosaunee Confederacy (HC) is also know as the Long House People and it consists of 6 Indigenous Nations – the Mohawk Nation, the Oneida Nation, the Onondaga Nation, the Cayuga Nation, the Seneca Nation, and the Tuscarora Nation. The confederacy is governed by constitutional democracy, a system practiced since time immemorial. The governance system of the HC consists of six administrative departments (Haudenosaunee Development Institute, Documentation Committee, Wildlife and Habitat Committee, Repatriation Committee, Stewardship Board and Ogwa Wihsta Dewa Syne – Project Funding, Payroll Services and Finance Monitoring); the council of chiefs and clan mothers. The socio-economic programs of the Confederacy are managed by the administrative departments of the Confederacy, whiles the council of chiefs and the clan mothers are entrusted with a political and cultural responsibility.

The Haudenosaunee Confederacy follow the Great Law of peace instituted by the Peacemaker whom the creator sent to build the confederacy. This forms the basis of their spirituality. They give reverence to the Creator by observing 13 thanksgiving ceremonies representing the 13 moons of the year (Haudenosaunee Confederacy, 2019). These ceremonies occur at various times of the year often following seasonal changes. Thanksgiving is geared towards three main aspects of the Haudenosaunee life – Natural World, Spiritual World and the Creator. It is their belief that, giving thanks helps to maintain the health and prosperity of Nations (Haudenosaunee Confederacy, 2019).

Related to this is an essential value for the Seventh Generation. That is "while the Haudenosaunee encompass traditional values like sharing labour and maintaining a duty to their family, clan and nation and being thankful to nature and the Creator for their sustenance, the Seventh Generation value takes into consideration those who are not yet born but who will inherit the world" (Haudenosaunee Confederacy, 2019). Again, the Haudenosaunee belief that the earth is borrowed from their children's children. Thus,

they are obligated in principle to protect it and the culture (i.e.- cultural practices, language, & ceremonies) for future generations. In line with this, all decisions made are informed by their obligation to the future generation.

I deduced from the observation of the Haudenosaunee lifestyle that development comprises of recognition and acknowledgement to the spiritual world, protection of the Natural world and defending the integrity and dignity of their people. This is the basis of ED and it is carefully interwoven in their socio-economic and governance structure. However, to successfully sustain this, requires a great degree of autonomy – sovereignty.

Sovereignty is critical to ED because it is the main pillar that unites the three components of ED to ensure Indigenous development. However, this seems impossible even for the HC because they continue to struggle over land claim issues, one of the systemic barriers to Indigenous sovereignty. I therefore in the second part of this section, analyse selected policies to determine if they support or create these barriers within the Canadian economy.

ILO Convention 169 on Indigenous and Tribal Peoples (ILO 169, 1989)

The ILO Convention was adopted in 1989 at its 76th general conference in Geneva. Although Canada is not a party to this Convention, it serves as an importance legal framework for analyzing the concept of Indigenous sovereignty and self-determination. Also, if adopted together with the UNDRIP, both policies will compliment the other.

The Convention in Article 1 defines Indigenous and tribal people as: (a) peoples in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations; (b) peoples in independent countries who are regarded as Indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all

of their own social, economic, cultural and political institutions (International Labour Organization, 2019) .

The Convention has been the basis of Indigenous organizing for the Sami People of Norway, Finland, Russia and Sweden. Although Sweden is not a party to the Convention, through the trans-border organizations and parliament of Sami tribe, they are able to advocate for the Sami people in Sweden.

I take notice of Canada not being a party to this Convention, nonetheless, I analyse because it provides substantive legal framework for self-determination by Indigenous People. At the same time, it serves as a complimentary document to the UNDRIP and balances out the short falls of the UNDRIP. The provisions of the Convention can be summed under four thematic areas namely – Accountability, Self-Determination, Participatory Governance, and Sustainable Development. Table 1 below provides details of the thematic areas.

Table 2. **Canadian Indigenes ILO Convention & Indigenous Sovereignty**

Thematic Focus – Principles of Sovereignty	Legal Provisions		
	General Policy	**Land**	**Education**
Accountability	Article 5(a) "… due account taken of the nature of the problems which face them both as groups and as individuals."		Article 28(2). Adequate measures shall be taken to ensure that these peoples can attain fluency in the national language or in one of the official languages of the country.
Self-Determination	Article 7(1) "… right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being…" Article 9(2) "The customs of these peoples regarding penal matters shall be taken into consideration by the authorities and courts dealing with such cases."	Article 14 (3). Adequate procedures shall be established within the national legal system to resolve land claims by the peoples concerned.	Article 28(3) "Measures shall be taken to preserve and promote the development and practice of the Indigenous languages of the peoples concerned."
Participatory Governance	Article 5(c) "policies aimed at mitigating the difficulties experienced by these peoples in facing new conditions of life and work shall be adopted, with the participation and co-operation of the peoples affected." Article 6 (a) "consult the peoples concerned, through appropriate procedures and in particular through their representative institutions…."		

Thematic Focus – Principles of Sovereignty	Legal Provisions		
	General Policy	**Land**	**Education**
Sustainable Development	Article 5(b) "the integrity of the values, practices and institutions of these peoples shall be respected."	1. Article 13(1) "governments shall respect the special importance for the cultures and spiritual values of the peoples concerned of their relationship with the lands or territories, or both as applicable, which they occupy or otherwise use, and in particular the collective aspects of this relationship."	

Source (International Labour Organization, 2019)

The United Nations Declaration on the Rights of Indigenous People (UNRIP)

The UNDRIP was adopted by the United Nations General Assembly on September 13, 2007. It affirms the human rights of native peoples and their community. This is clearly stipulated in most sections of the documents particularly in Articles 23, 24(2), 28, 32(1)(2)(2) and 36(1)(2) (United Nations, 2007) detailed in table 2 below. The UNDRIP has been a source of empowerment for several Indigenous groups globally. In Canada, Senator Murray Sinclair, chair of the TRC stated that, "In many ways, Canada waged war against Indigenous peoples through law, and many of today's laws reflect that intent…. The full adoption and implementation of the UNDRIP will not undo the War of Law, but it will begin to address that war's legacies (Assembly of First Nations, 2017).

Indigenous peoples played a critical role in the drafting of the policy. The UNDRIP has been instrumental in the pursuit of Indigenous sovereignty. This notwithstanding, there are some inconsistencies with the UNDRIP. It outlaws the very laws (treatise) that was in the past regarded as international law. This is because, the legislation treats these existing contracts as internal to Nations and within the confines of national laws. Therefore, Indigenous Nations are not Nations in the meaning of international law but instead Nations within Nations and subject to the laws of the Nations they exist in. Further to this, "it was designed as a global benchmark and guide, rather than a specific legal instrument to be directly implemented as law. This is why it is a declaration and not a Convention"[5] (Cassels Brock Lawyers, 2019)

This policy instrument certainly in a positive step, however it will require something more than the political will of the independent governments to actualize the provisions. Table 2 below is a selection of specific articles in supports of indigenous sovereignty.

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[5] Conventions are binding agreements intended to reflect international law and to be incorporated into national laws. Declarations, in contrast, are statements of generally agreed-upon standards which are not themselves legally binding (Cassels Brock Lawyers, 2019).

Table 3.   Selected Provisions of UNDRIP

Thematic Focus (Principles of Sovereignty)	UNDRIP		
	Articles		
Accountability			
Self-Determination	(28) Right to redress / just, fair & equitable compensation for the lands, territories & resources confiscated, taken, occupied, used or damaged without their free, prior or informed consent.	(33) Right to determine their own identity or membership in accordance with their customs & traditions.[6]	(39) Right to have access to financial & technical assistance from States & through international cooperation, for the enjoyment of the rights contained in this Declaration.
Participatory Governance (collective security & responsibility)	(34) Right to promote develop & maintain their institutional structures & their distinctive customs, spirituality….	(35) Right to determine the responsibilities of individuals to their communities.	
Sustainable Development	(23) Right to determine & develop priorities & strategies for exercising their rights to development	24(2) Equal right to the enjoyment of the highest attainable standard of physical & mental health	32(1) right to determine & develop priorities & strategies development of lands & resources on their territories.

The Indian Act

In 1876, the government of Canada consolidated the Gradual Civilization Act and the Gradual Enfranchisement Act into the Indian Act. The Indian Act laid down a set of criteria to determine who will be considered an Indian. This was "patrilineally"[7] determined which gave grounds for gender inequality and discrimination (Crey & Hanson, 2018). Even though this seems to have been rectified in subsequent policy such as the Bill C-31, it only complicated the criteria. The Bill ascribed Indian status based on either parent being originally registered as status Indian[8]. This means the two

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[6] The law further notes that, this right does not impair Indigenous people to obtain citizenship of the States in which they live.

[7] Patrilineally: the status of being Indian was linked through the male lineage.

[8] Status Indians – Indians that have been legally ascribed a status as Indians by the government. That is, they were the only ones that had the right to live on reserves, share band monies, vote for band council and chief as well as inherit band property. In later years, the amendment Act of 1985 is formulated to separate Indian status from band membership.

Indigenous groups the Métis and Inuit remains underprivileged because they did not acquire the Indian status and cannot benefit from the rights ascribed to the status.

This Act whether potentially sets Indigenous groups with status and non-status Indigenous groups against the other, a situation that could potentially affects the socio-cultural and economic relationships amongst Indigenous communities and peoples. This is also a potential ground for conflict at the individual and the larger community levels as well (i.e. the general lack of access to these rights enshrined in the Act will negatively impact on the economic wellbeing of these groups and break the social foundation that held them together as a people).

The Act does not only determine who legally qualifies to be "Indian" but also prescribe the way of life for them. Indians who acquired the status were described as "wards" of the Canadian government (Crey & Hanson, 2018). As wards, the system sought to prepare them for higher civilizations thus denigrating the civilization of the Indigenous people. Indigenous Nations and individuals registered under the Indian Act received financial support from the government of Canada towards their socio-economic development. Although the have calls from Indigenous peoples on the government to remove such discretionary powers from the Indian Act, at best it what has been recommended is a scale down of the policies. For instance, in 1946, First Nations in their address to the special joint parliamentary committee of the Senate and the House of Commons, "rejected the idea of cultural assimilation into Canadian society. They spoke out against the enforced enfranchisement provisions of the Indian Act and the extent of the powers that the government exercised over their daily lives. Many groups asked that these "wide and discretionary" powers be vested in First Nations chiefs and councillors on reserves so that they themselves could determine the criteria for band membership and manage their own funds and reserve lands." (Government of Canada, 2019)

Constitution Act, 1982

I reviewed the specific section of the constitution that relates to the rights of Indigenous people. In the section on Rights of Aboriginal Peoples of Canada - 35(1) recognizes existing Aboriginal treaty rights of Aboriginal peoples; and (2) categorize Aboriginal peoples into 3 namely Métis, Indian, Inuit. This classification leaves much ambiguity particularly with regards to who a Metis is. The Supreme court through it

interpretation of the Section 35 of the constitution in the Powley case, explained the term Métis to refer to a distinctive Métis collectives who in addition to their mixed ancestry, have developed their own customs, and a recognizable group identity separate from their Indian or Inuit and European forebears (Métis Nation of Ontario, 2019) This excludes individuals who self identify as Métis but do not live within the community of Métis or are recognized by the group. Thus, it leaves a critical mass of mixed Indigenous populations unattended to. A feature story of mixed-race Indigenous women on Canadian Broadcasting Corporation (CBC) (Monkman, 2016) is a testament to these systemic challenges the constitution poses. Historically, the transatlantic trade brought in other races (Black race) into Canada. By the 1600s and 1700s, more Africans were brought into Canada from the West Indies (Walker J. W., 2019).

Additionally, this negatively affects public policy formulation in relation to Indigenous people. Hanselmann noted that, although urban Aboriginal populations comprise of 49.5 percent, policy discussions about Aboriginal people tend to focus on the reserve-based population (Hanselmann, 2001, p. 1). The constitution of a country needs to be protective of human life and not otherwise. As such any clauses that endangers the lives of even a percentage of the population needs to be revised.

Finally, the constitution should not only acknowledge and or recognize Indigenous people in Canada but move beyond acknowledgement / recognition to self-determined Nations. This implies speeding up the implementation of the TRC recommendations and treaty negotiations between Indigenous Nations and Provincial and Federal governments. The quest for self-determination is not synonymous to acknowledgement / recognition and cannot or should not be reduced to just that. Acknowledgment is a failed practice. It is a ploy to shelve what is meaningful right to do to deliver justice to Indigenous people. The politics of recognition in its contemporary liberal form promises to reproduce the very configurations of colonialist, racist, patriarchal state power that Indigenous peoples' demands for recognition have historically sought to transcend (Coulthard, 2014, p. 3).

Conclusion

Evidently, there are legal basis that supports Indigenous Nations rights and socio-economic development. The issue, however, is the effective implementation of these policies to yield the needed outcome for Indigenous Nations. As clearly stipulated

in the Constitution Act 1982, the settler-colonial government of Canada commits to upholding the negotiated treaties with Indigenous Nations.

Treatise offers a degree of sovereignty to Indigenous Nations and it is a legally binding document. Sovereignty is an important prerequisite for Endogenous development. This makes the negotiated treaty option a viable action to be pursued by Indigenous Nations. Like the negotiated treaty option, there are other polices such the Societies Act (in relation to BC), that seem to provide a certain degree of economic sovereignty to Indigenous Nations. Both options have their strengths and limitations. In the final chapter of this paper, I present a comparative analysis of the two to ascertain the possible option for sustainable socio-economic development for Indigenous Nations.

Conclusion

This concluding chapter is in two sections. In the first section, I present a discussion of the treaty option (case study of the Nisga'a and Tla'amin Nations Treaty documents) and the Societies Act (Algonquin Anishinabeg Nation, Ontario) in justifying the equal importance of the Act as a self-determination tool. Finally, I present a summary and conclusion in the second section.

Societies Act vis-à-vis Treaty Option

The analysis of the Societies Act is underpinned by the principles of sovereignty (Accountability, Participatory Governance, Self-Determination, and Sustainable development) outlined in chapter 2 of this document. I focus on specific characteristics of these two policy options to ascertain whether they are within the framework of Indigenous self-determination and in accordance with the UNDRIP which Canada has ratified under its laws.

What is the Treaty Option?

There are different kinds of treaty arrangements between provincial and federal governments and the Indigenous or First Nation groups. These ranged from specific agreements on resource access and percentage of control etc. to broad-based agreements on self-governance. From the data reviewed, there are several First Nations that have started the treaty process and are in various stages. It seems quite a complex process and could take years to reach an agreement.

I reviewed specifically the treaty agreement for Nisga'a and Tla'amin Nations. The provisions of these agreements vary because it factored the peculiarities of each Nation. Whereas the Tla'amin Nation negotiated their treaty within 20 years, it took Nisga'a a century to have a negotiated treaty. Below is a summary of some of the benefits derived by both Nations from the negotiated Treatise.

Table 4.   **Treaty Benefits – Case of Tla'amin and Nisqa'a Nations**

Tla'amin Nation	Nisga'a Nation
• Governed by Constitution and By-laws • Authority over its lands and resources • Capacity development and or strengthening tools to build strong and viable relationships with federal, provincial and local governments. • The treaty provided a capital of $33.9 million dollars over 10 year's period to be paid back to Canada within the same period. • Received economic development fund of $7.9 million dollars; fisheries vessel fund of $285,585 dollars; resource revenue sharing agreement of $738, 889 dollars per year for 50 years to the Tla'amin Nation. • Fiscal financing agreement which provides a one-time funding of $4.5 million from Federal government. • Federal funding of $9 million dollars per year for 5 years and Provincial funding of $446, 000 dollars per year for the first 5years.	• Governed by Constitution and By-laws • Authority to manage lands and resources; construction and improvement in village roads; highway connection to Gingolx. • Business development fund Act to provide access to economic development opportunities. • Economic development fund to village government and urban locals. • Tax rebate shared amongst village governments. • Development of Nisga'a Youth Councils and is funded by the Nisga'a Lisims Government (NLG). • An initial $3million was set aside for the Fishery fund and currently with over $13million dollars.

What is the Societies Act of British Columbia?

The Societies Act is a policy document that governs the activities of not-for-profit organizations in BC. It has recently undergone revisions and the current policy document became effective in 2018. This section highlights key sections (membership, authority, funding) of the Act in relation to the project. It is important to note that the Societies Act exists under both Federal and Provincial Laws.

First, members and directors have equal stake. Members also have the right to request for records of the societies for investigation or apply to the court to stop a specific transaction or project should directors not follow due process (for e.g. declaring special interest). This is provided for in Division 4 of the Act. The administration of the society is left in the care of the directors, employees, or senior managements (key decision-making body is the directors).

Second, if the First Nation is incorporated under the Act, it is regarded as a legal entity. However, the limitation here is that, it cannot carry out business for profit or gain.

In this case would limit the funding sources for the group. Additionally, it cannot have capital divided into shares (I cannot state concretely that this is a limitation however it is flagged for future analysis). Articles 33 and 34 allow societies to carry out some form of investment and this is subject to the societies by-laws.

Third, the Act places restriction on directors in relation to their employment and remuneration. For instance, Article 41 stipulates that, most of the directors of a society must not receive or be entitled to receive remuneration from the society under contract of employment or contract of services other than remuneration for being a director.

Further research on the Act, indicated that, if a group is registered as a member-funded society, the regulations highlighted in the fourth paragraph is not applicable to it. These groups also have flexibility in the management of their funds and could have 1 director instead of 3 in the case of other societies under this Act. The disadvantage here is that, member-funded societies must derive it main source of funding internally from members. They must have no significant public funding and receive no grant from government. The advantage is that, this exception to the Act, opens the opportunity for First Nations to engage the government further to make reservations/exceptions for them under the Act based on their peculiarities.

Currently, there are First Nations in BC and other provinces that are incorporated under the Societies Act. One of such Nations is the Algonquin Anishinabeg Nation Tribal Council (AANTC). Several factors inform the decisions to be incorporated under this Act. For the ANNTC access to funding sources was the determinant factor. Other factors include highlighted by some First Nations include: unwillingness to negotiate a treaty, and, they are not recognized under the Indian Act. Furthermore, some First Nations strongly believe, their ancestral territories were never ceded to the Crown and so there is nothing to negotiate for under the treaty.

From these discussions above, both the negotiated treaty and Societies Act offer a degree of agency that supports Indigenous rights and development. Whereas the treaty option offers a form of political and economic agency, the Societies Act, only offer economic agency. Table 4 below is a summary of the similarities and differences between negotiated treaty and Societies Act.

Table 5.   Analysis of BC Societies Act & Treaty within the Framework of Sovereignty

Principles of Sovereignty	BC Societies Act	Treaty Option
Accountability	Members and directors have equal stake. Members have right to request for records of the societies for investigation	Governed by a constitution, the provincial and federal laws.9
Self-Determination (Freedom / Liberties)	Once incorporated under the Act, it is regarded as a legal entity. (does not have absolute control of its financial resources unless it is Member-funded)	The local government operates as a municipality on its own. Absolute control over their financial resources. The Indian Act ceases to apply to the land, resources and the people governed by the treaty.
Participatory Governance (Collective Security / Responsibility)	By-Laws and community development policies (General Membership Meetings)	Local Constitution
Sustainable Development	Economic Development Policies	Authority over its natural resources and citizens. Financial benefits channeled into different economic ventures for the socio-economic development Internally generated funding supplement other funding sources.

Conclusion

Throughout this paper I sought to establish the feasibility of the implementation of endogenous development in Indigenous communities in Canada. I looked at the historical antecedent to understand the ideological underpinning of the current governance system in Canada and how Indigenous Nations can leverage on the system to develop endogenously. The Haudenosaunee Confederacy case study affirms the notion that the endogenous development (ED) is central to the development of Indigenous Nations. Additionally, it highlights the equal importance of sovereignty in the pursuit of ED. A cross analysis of international and domestic legal framework within the notion of Indigenous sovereignty suggests some level of support for this approach to

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9 There are limitations in terms of the strength of the local constitution. This is determined on a case by case basis. However, if it is within the permits of the local constitution, where there is a conflict or has to do with the socio-cultural wellbeing of the citizens the local laws take precedence over the provincial and federal laws.

development. Nonetheless, the implementation of these legal frameworks is shrouded with inconsistencies and challenges. For example, the Indian Act and the Constitution Act 1982 contains legislations that are discriminatory and paternalistic. The negotiated treaty option is time consuming and expensive; and the Societies Act limits the control of and sources of funding.

These challenges nonetheless should not override the potential opportunities they offer in terms of funding socio-economic development projects determined by First Nations among others. Economic agency might be considered a path to other forms of agency, political or otherwise. One way to do this is to leverage on the opportunities the Societies Act offers. With some degree of autonomy over their finances, First Nations could potentially use this as a leverage to negotiate a much better terms with the government. Further to this, Financial autonomy can be an important step towards achieving development endogenously. This is because, First Nations would be able to determine their development agenda; design and fund the implementation of the development projects. Thereby catering to and meeting the specific needs of their Nation governed by their values.

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Essay 2:

Gaming and Indigenous Sovereignty Discourse –
Textual Analysis of "Invaders"
by Elizabeth LaPensée

Introduction

The focus of this study is investigating the relationship between gaming and Indigenous sovereignty. Are games ever "simply games," or can they transform gamer perspectives on socio-political, economic, and cultural issues? Can Indigenous sovereignty be expressed within gaming designs? These are among the several questions this study engages.

In August 2019, I completed my first research project – *Development Through Indigenous Lens – Analysis of First Nations Legal Frameworks in Canada* in the Global MA Program in the School of Communication at Simon Fraser University. A significant point for me in this study was the importance of Indigenous sovereignty in law and policy development. Through the land claims negotiations process, Indigenous nations have exercised a degree of sovereignty by gaining a degree of autonomy over areas of their traditional territories and resources, and governance of their peoples and communities. Some Indigenous nations have registered under the *Society Act* (2018 revised)– an Act that governs the businesses of not-for-profits organizations in British Columbia and Canada. While this provides financial assistance and some form of independence to these nations, it is designed such that, it creates a system of dependency on government funding. This in my view undermines the full realization of Indigenous sovereignty.

Two critical questions emanating from this study are – how can indigenous nations assert their sovereignty? Can the media serve as a platform for Indigenous sovereignty? My objective was to examine Indigenous media representations as a form of Indigenous sovereignty. My focus on video games and game design was formulated in one of my classes, Contemporary Approaches to Communication Studies (CMNS 800), in the Fall of 2019. Here, I was exposed to several concepts that analyzed the phenomenon of mediatization in a technologically advanced and diverse world. Two key concepts that struck my attention in the class are the engineering of platforms (that is, codified data which is encrypted unto computerized systems/platform) and human identity construction (that is, the dominant characteristics/imagery produced by platforms). The works of scholars such as Safiya Noble, Jodi Byrd, and Friedrich Krotz

informed my research into cultural dimensions of Indigenous sovereignty, using games as the focus for analysis.

Can games transform gamer perspectives on socio-political, economic, and cultural issues? Can a broad concept such as Indigenous sovereignty expressed in gaming designs? I argue that games are not "simply games," but can have a pedagogical dimension. For example, board games like chess, Scrabble, and Monopoly can be played for fun, but part of the excitement of the game lies in the gamer's ability to win or conquer the opponent, by engaging skills such as memorization and deep understanding of rules of the game. Hence, learning, reasoning, and memory development are core elements in gaming and therefore make what is learned and memorized important. Gaming scholars such as Renee Nejo [who is Nejo and why is she mentioned here? This sentence suggests that she will be a part of the analysis, but that's not demonstrated below. Omit if she isn't the focus of the paper.] and Elizabeth LaPensée have underscored the educational value of games and created digital games to educate, empower Indigenous peoples while debunking stereotypical imaginary and narratives about Indigenous peoples. According to LaPensée, "video games are a path for passing on teachings, telling stories, and expressing our ways of knowing" (LaPensée, 2014, p. 20).

Although board games remain popular, new media technologies offer platforms to access variety of games in digital forms through diverse mediums – consoles, mobile phone devices (Android, iOS), desktops or laptops. These platforms support mobile gaming, and makes them accessible Thus, if games can be pedagogical, then players worldwide stand to benefit by being exposed to games addressing social, cultural, and economic issues. This means the design and form of games can influence the perspectives of gamers, and at the same time gamers' experiences could inform their style of play and perspectives on the game.

There is an increasing interest in digital games by Indigenous designers such as Elizabeth LaPensée. Games are a critical component of Indigenous culture and tradition, as they served as the conduit for knowledge transfer due to the oral nature of Indigenous societies [do you have an academic source backing this up? One article or book would help support this claim]. Indigenous culture is crucial to Indigenous sovereignty, distinguishing individual Indigenous societies, histories, and political formations, as well

as Indigenous nations from settler's society. For example, the Wampum Belt is a significant cultural artifact of the Haudenosaunee. The belt served as the emblem of the treaty between the Haudenosaunee and the European Settlers. The Wampum is a small, short, tubular bead, made from the quahog clam shell (Haas, 2007, p. 78). It is represented by two twines woven together side by side (parallel to each other) to signify the relationship between Indigenous nations and the European Settlers and represent the independence (sovereignty) of each partner to the treaty. The wampum belt engendered further diplomatic relations, and their presentation was a gesture that required reciprocity on the part of the recipient (Haas, 2007, p. 80). This implies that, culture is crucial to defining Indigenous nations, and is the basis for their sovereignty. I proffer that if games are a part of Indigenous cultures, and if Indigenous sovereignty can be expressed through culture, then games can express and assert Indigenous sovereignty.

Elizabeth LaPensée (Anishinaabe) is an award-winning artist, game designer and programmer. She is an Indigenous American, a Metis of Anishinaabe and Irish origin (Michigan State University). Her mother, Grace Dillion (Anishinaabe), is also an academic and an expert of Indigenous speculative fiction (Guggenheim Foundation, 2018). LaPensée is alumnus of Simon Fraser University (SFU), Burnaby, Canada where she wrote her PhD thesis on 'Survivance – An Indigenous Social Impact Game' (Simon Fraser University, 2014). She is an assistant professor in the departments of Media and Information and Writing, Rhetoric and American Cultures at the Michigan State University (Michigan State University). Formerly, she worked as a research assistant with the Aboriginal Territories in Cyberspace (AbTeC) and served as a research affiliate at the Initiative for Indigenous Futures (IIF) (Guggenheim Foundation, 2018).

As an artist and game designer, LaPensée's work is informed by her childhood cravings for media characters she could identify with in gaming, which were uncommon and even when she came across any such media, they were highly stereotyped (LaPensée, 2015). This inspired her to pursue a career in gaming where she can design games that examine Indigenous histories and oral traditions, as well as debunk the stereotyped imagery of Indigenous people.

LaPensée's work has been ground-breaking and merited several awards in the industry. She received the Serious Games Community Leadership Award in 2017

(Guggenheim Foundation, 2018) and named as one of Motherboards Humans of the Year 2017 (Guggenheim Foundation, 2018). Her game *Thunderbird Strike* won the Best Digital Media Work at the 2017 Imagine Native Film and Media Arts Festival (Mullen, 2017). She was selected as a Guggenheim Fellow in the fine art category in 2018 (Guggenheim Foundation, 2018). *Rivers Were Trails*, a game designed by LaPensée was awarded Best Adaptation in Indie Cade 2019 (LaPensée , 2019) [there's a problem with spacing in this citation -please fix]. Elizabeth LaPensée has eighteen games to her credit including *Invaders* (2015), which illuminates the relationship between Indigenous games and Indigenous sovereignty.

This paper argues that mainstream digital games have devalued minority cultures and traditions and entrenched Euro-centric ideals and values in their narratives and design. Indigenous and minority game developers provide alternative narratives and are shaped by Indigenous values, changing Euro-centric and colonial conventions shaping video games. I postulate that Indigenous games communicate Indigenous values and understandings of sovereignty. To this end, I will undertake textual analysis of *Invaders*, using Michelle Raheja's concept of "visual sovereignty" as the framework for analysis, which argues that Indigenous appropriation, adaptation, and reworking of settler colonial cultural forms (films, gaming, paintings, photography among others) to express Indigenous perspectives are an expression of Indigenous agency. Indigenous cultural production centers Indigenous epistemologies and perspectives in forms such as gaming, film production, photography among others, and undermines stereotyped representations and understandings of Indigenous peoples and cultures. LaPensée appropriates the form of *Space Invaders* to show an Indigenous perspective of colonization; positioning games as a catalyst for Indigenous

Theoretical Framework and Methodology

Indigenous studies is diverse, and emerges across humanities and science disciplines, but is united by its commitment to centring the perspectives and experiences of Indigenous peoples and communities as the basis for research and knowledge production, an orientation that contextualizes LaPensée's work and perspective as an artist and academic. For instance, in examining Duane Champagne's view[10] on Indigenous studies, Chris Andersen underscores the important of analyzing Indigenous knowledge from an interdisciplinary angle. To him, failing to perceive the interdisciplinary characteristics and implications of Indigenous knowledges risk the "the danger of producing a naïve, substantialist and ultimately parochial indigenous studies" (Andersen, 2009, p. 97). This implies that, whilst it is important to center the distinctive knowledge of Indigenous peoples in Indigenous studies, it should be done in acknowledging the intersections with knowledge production in other disciplines. and incorporate perspectives on their interactions with non-Indigenous persons.

Others such as Jody Byrd approach Indigenous studies from a cultural studies perspective. Byrd's perspective is informed by the objective behind Indigenous critical studies, which seeks to "correct stereotypes or tracking moments of representation within dominant narratives of the State" (Byrd, 2009, p. 15). To Byrd, the histories and philosophies of Indigenous communities as the core knowledge in the development of critical theory and is free to borrow from Western critical theory to do so. This is evident in her analysis of gaming technologies in her article, "Do They Not Have Rational Souls?" [year?]. Here Byrd offered four substantive criteria to be used in examining video games within the framework of critical Indigenous theory. The criteria include: providing a description of the atmospheric level designs that creates mystery, tension and excitement; interrogating the relationship between videogame and sovereignty; examining the 2014 #gamergate social media debacle; and examining the discourse of surveillance, dominance and the violent policing of difference (Byrd, 2016, p. 425). I employ the first two criteria in analyzing *Invaders*. Even though my analysis captures my experiences of the gameplay, I also examine the Indigenous imagery represented in the

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[10] Limits the focus of American Indigenous studies to distinctive groups of Indigenous peoples and communities in America

game design [In order to show what? How LaPensée inverts Space Invaders' iconography to represent Indigenous perspectives of colonial history?]

Vine Deloria describes Indigenous sovereignty as "a critical framework that instils a sense of responsibility for the well-being of any group seeking liberation and guards against the rise of individuals who may advance themselves at the expense of the group" (Teves, Smith, & Raheja, 2015, p. 6). It is the exercise of collective responsibility towards one's kin and the freedom for each member to exercise their rights. Indigenous sovereignty is intrinsic to Indigenous cultures and traditions; the challenge, however, is that core elements of sovereignty seem not to be within the control of most Indigenous people. In North America, the everyday life of Indigenous peoples is regulated by the post-colonial political administration managed by settler states. In my earlier research study, I examined the concept of Indigenous sovereignty and in relation to provincial political and economic processes. I observed that these processes work against or undermine Indigenous agency and are burdensome for Indigenous groups; the treaty negotiation process, for instance, is expensive and time-consuming. It took the Nisga'a nation 100 years to sign the Nisga'a Treaty. Also, while the *Society Act* (2018) - a policy document that guides the activities of not-for-profit organizations in British Columbia - appears to offer some socio-economic autonomy for Indigenous groups, it also creates a cycle of dependency for government funding. If a First Nation is incorporated under the *Act*, it is regarded as a legal entity and positioned to plan and implement socio-economic development in the interest of the Nation. However, it cannot carry out business for profit or gain and unless it is incorporated as a member-funded organization (where majority of its funding sources will be derived internally from the membership), funding sources are restricted to public and government funding.

Within the cultural sphere, Indigenous cultural production works in concert with the political sphere to advance and assert Indigenous sovereignty and self-determination. In gaming, the design and programing of Indigenous videos games contest narratives of sovereignty. This is because, although "Settlers and arrivants themselves have also told stories in order to create these lands in their image, and their politics continually return to the scene of the narrative in order to recast themselves as part of the story. And not just in a supporting role, but rather as the central first-person narrator in the story of America that depends upon vanishing the Indian as part of its

denouement" (Byrd, 2014, p. 55). This makes Indigenous digital games essential to supporting Indigenous history, perspectives, and knowledge.

Video games are of interest within Indigenous studies because of the ways that they encode racism, gender discrimination, sexism, colonialism, imperialism and capitalism. Jody A. Byrd, an Indigenous gaming scholar, illustrates how the execution of such negative narratives about minority groups have appeared in games. She notes that, because games are "built upon obviously racially and colonially inflected tropes – white and black, invasion and defense – the game presents players with an alienated world of intimate violence that demands exploration tied to the legacies of conquest and slavery in the new world" (Byrd, 2016, p. 432). For example, she points to how gaming engages the principle of "self-actualization" where gamers gain access to tailor-made menu options which allow them to select personas that reflect their sense of self, desire, and or fantasy. Byrd opines that, when gamers personify these avatars, the process consolidates the norms of race, class and gender that forms the basic tenets of imperial persuasion.

In "Searching Society", a chapter in *Algorithms of Oppression* [year?], a key question that Safiya Noble asks is, "if the majority rules in search engine results, then how might those who are in the minority ever be able to influence or control the way they are represented in a search engine?" (Noble, 2018, p. 16). I suggest that it is only by infiltrating the system of algorithms (search engines, for instance) to re-define minority groups that minoritized groups will influence how they are represented, which aligns with perspectives in Indigenous gaming studies. Additionally, Noble in illustrates how the power of algorithms and digital decisions in the age of neo-liberalism reinforces oppressive social relationships and enact new modes of racial profiling which she terms as "technological redlining" (Noble, 2018, p. 1). She suggested that, "the near-ubiquitous use of algorithmically driven software, both visible and invisible to everyday people, demands a closer inspection of what values are prioritized in such automated decision-making systems" (Noble, 2018, p. 1).

A key question stemming from Noble's recommendations is, who does such interrogation, and how? For me, countering such narratives should not be left to the groups behind the creation of the dehumanizing and or exploitative narratives. No one can tell the stories of a group better than the group itself. This is because they are the

embodiments of their knowledge, culture, tradition and history, which is an accumulation of life experiences lived by them and their ancestors. In my ethnic Akan tradition, we have an adage that goes "dea otse ne gya ano enna onim se dea ehyehye no fa" translates literally to mean, it is the one seated by the fire, who knows the heat and pain from the fire. As Chris Andersen notes, "…once we strip away the packaging of our commodified [Indigeneity] – the surface, the skin, the viscosity, the mask – we will discover in our destiny a more profound complexity, greater clarity and the potential for emancipation … if we take our density seriously …" (Andersen, 2009, p. 80). Therefore, Indigenous peoples and nations are well-positioned to interrogate the system that mispresents their stories and lived experiences. Doing so requires perspectives and understandings of Indigenous nations and peoples, thereby making them the focus of studies that challenge the dominant narratives about them.

It is therefore not accidental that the central theme of critical indigenous theory revolves around the lived experiences of Indigenous peoples and nations. Jodi Byrd for instance notes that, "centering indigeneity within critical theory – despite the concomitant pitfalls – is worth the effort as it helps to deconstruct the trappings of affect, liberalism and tolerance at the heart of current cultural studies concerned with issues of anti-racist inclusion, destinarial transcendence, and cosmopolitan hope and moves us toward radical justice, kinship, and community." (Byrd, 2009, p. 16) This position is informed by the existing geopolitics in America such as discourses of anti-racism and transformative equality, which according to Byrd is troubling to Indigeneity.

In order to understand how Indigenous sovereignty is expressed in the game, I draw insights from analysis of sovereignty in Indigenous cultural production, the works of Michelle Raheja and Jolene Rickard are a point of reference for understanding the concept of visual sovereignty. Michelle Raheja coined the term "visual sovereignty" to describe the "space between resistance and compliance wherein Indigenous film makers and actors revisit, contribute to, borrow, critique and reconfigure ethnographic film conventions, at the same time operating within and stretching the boundaries created by these conventions" (Raheja, 2007, p. 1161). Like Raheja, Jolene Rickard demonstrates the potential of art (photography and paintings) to participate in Indigenous sovereignty. She describes sovereignty as the "border that shifts Indigenous experience from a victimized stance to a strategic one" (Rickard, et al., 1995, p. 51). Photography is highlighted as a path to take to effect this shift because, "photographs by Indigenous

makers are the documentation of our sovereignty both politically and spiritually"
(Rickard, et al., 1995, p. 54). This perspective on visual sovereignty is relevant to this
study because it helps to frame the meaning of the graphic designs (pictures and or
paintings) used in *Invaders*.

Gaming Cultures and Representation of Sovereignty

I conceptualize gaming cultures as the philosophy that underlines gaming, which shapes narratives, design, programming, graphics, sound, control keys and the experiences of players. Given this understanding, I carry out a systematic review of scholarly articles related to the subject of gaming and indigenous sovereignty. The objective is to highlight the key discourses and examine scholarly standpoints about gaming cultures to position Indigenous games.

Games are designed and programmed using coded and encrypted information termed as algorithms. Several factors feed into the creation of these algorithms. For instance, the design of a broom in a gaming platform will utilize popular notions of what a broom is to enable players to identify it as such. The perspective of the designer must conform to a familiar, popular notion of what a broom is. Therefore, the engineering of games is designed to express the perspective of the designer knowledgeable of and able to replicate popular, conventional representations. As Safiya Noble notes in *"Algorithms of Oppression"*, "big data" and "algorithms" are shaped by social convention and dominant belief systems which are undergirded by racism, sexism and false motions of meritocracy.

Like racism, and sexism, colonial ideology is encoded in gaming platforms. Jodi Byrd underscores this in her analysis of the game *Dead Souls*. For Byrd, the gaming industry is fundamentally structured through the aesthetics, literary, cultural, and historical legacies produced through capitalism, colonialism and imperialism (Byrd, 2016, p. 426). Therefore, it becomes imperative that Indigenous artists and game designers intervene in mediatized platforms such as gaming to tell their own stories based on their perspectives and experiences.

Games play a significant role in knowledge production, identity construction, self imaging/branding, and memory development. This is because games are a medium that can facilitate the transfer of knowledge (in the form of single player games or multi-player games), and inter-generational transfer of culture and tradition. Whichever form games takes, one important reason is to reframe cultural ideas that can be found in such arenas (Noori, 2011, p. 91). In *"Indigenously-Determined Games of the Future"*, Elizabeth LaPensée underscores the importance of games to Indigenous peoples. She

observed that, "our traditional games are played for enhancing our abilities and actively learning and reinforcing knowledge," and that they serve as a medium for self-expression with many possibilities (LaPensée, 2014, p. 20). For example, a scrabble game (digital or manual) can enhance language and vocabulary. Likewise, Indigenous software programs such as *Ojibwemodaa* [2010] uses contextual video conversations and engaging multimedia games to immerse the user in the language (Noori, 2011, p. 19). The movie *Akeelah and the Bee* [2006] demonstrated the power of games in brain development and memory enhancement. In the movie, the students used games as communication tools. The protagonist, Akeelah, uses a rope game to develop her memory and concentration. Indeed, in the grand finale of the Spelling Bee, every single game has enhanced active learning, abilities and knowledge. This was illustrated using flashbacks on television, and through the protagonist's ability to rely on her memory of the games. Thus, Jane McGonigal an American game designer and author of *Reality is Broken: Why Games Makes us Better and How they Can Change the World (2011)* has identified that games are programmed with iterative real-time design structured to provide scaffolding challenges – a key aspect to mastering new modes of problem-solving and cultural participation" (Noori, 2011, p. 19).

In light of the pedagogical and cultural power of gaming, Indigenous gaming scholars challenge the underlying values of mainstream and popular games by developing counter strategies for their design and with a focus on Indigenous stories. LaPensée however, posits that, "while many commercial games still rely on flattened space that is mapped and claimed by players in ways that reinforces colonial values, she hopes to offer experiences rooted in the gift of sky, land, water, plants, animals, insect, our people, stars and manido" (LaPensée, 2014, p. 20). Interestingly, LaPensée's games emphasize these elements (animate and inanimate alike). In *Thunderbird Strike*, the design of the games emphasizes the symbiotic relationship between, humans, the sky, and animals. By flying in the sky and gathering lightning and thunder, the Thunderbird strikes at living organisms to empower them (that is, give life to them), or strike machineries to destroy them. The game demonstrates the fight against the destruction of Indigenous lands for mining and other activities that risk the survival of animals, plant and insect species, and which endanger human lives.

In addition to the transfer and enhancement of knowledge, it is important to examine the form through which games do so. Several scholarships on gaming has

examined whether games are primarily structured as storied experiences or are best understood as design interfaces optimizing player experience of fun, skill, and performance (Byrd, 2016, p. 429). Two sides to this debate emerged – those who analyze gaming based on the form and structure (narratologists), and those who focused instead on how the structures of code and design enabled play (ludologists) (Byrd, 2016, p. 429). In effect, form (narrative) was highlighted as significant in gaming. According to Jodi Byrd, "while narrative remains an important element of analysis, it is the juxtaposition of temporality, performance, and embodiment of the now that dominates the most pressing questions of the field" (Byrd, 2016, p. 430). For this reason, Byrd argued that, "in the interest of contending with the twilight zones between player, game, story, and ideology as a way to think about a concept of sovereignty forged in the new world, … videogames, albeit as fun as they are, are best understood as stories with formal ties to particular narratives achieved through the very machinic metaphors of play." (Byrd, 2016, p. 430)

In his study on "Games Telling Stories?" Jesper Juul opined that "narratives may be fundamental to human thought, but this does not mean that everything should be described in narrative terms. And that, something can be presented in narrative form doesn't mean that it is narrative" (Juul, 2001). This explains why gaming designs cannot be taken just for the face value or literal meaning. The potential for an underlying deeper meaning is possible and could be realized based on the players worldview and experience in gaming. To Juul, videos games may have a clearly defined narrative guidelines for players which positions players within a larger story to be realised in playing the game (Juul, 2001).

Game stories may focus on knowledge production, identity construction, and the transmission of cultural and traditional values. While players may be responsible for discerning this information in games, cultural and social context influences players' choices of whether and how to play. For example, by analyzing the current technological world, Krotz argued that no technology is a medium by nature rather, it is constructed by people in the context of, and as a specific part of a culture (Krotz, 2014, p. 79). Technology must be used by people, embedded in culture and society and producing a mediated culture (Krotz, 2014, p. 79). For instance, the game *Second Life* by Linden Lab, was presented as "a new experience" than as a game (Wills, 2019, p. 192). Philip Rosedale, the CEO and founder indicated that the company, does not frame it as a

game but rather "as a platform that is, in many ways, better than the real world." (Wills, 2019, p. 192). John Wills observes that, from its release on the PC platform in June 2003, Second Life, offered an expansive virtual territory to explore. Linden Labs furnished the software tools for people to fashion their online lives in a vast, user-generated realm. Such that "residents could design their own avatars and construct their own homes, find romance and adventure, and, within a few months of release, even take online jobs to earn Linden dollars. Second Life welcomed all and sundry to a virtual existence" (Wills, 2019, p. 191).

He adds that, "a huge exodus of people left behind evening television, exercise, and hobbies to enter the virtual domain. Soon, real-world companies opened stores in Second Life streets, universities set up campuses, news journalists covered in-game stories, and US politicians campaigned there" (Wills, 2019, pp. 191-192). Wills therefore describes the game as the emergence of a cultural phenomenon. It seemed everyone wanted a virtual existence (Wills, 2019, p. 192).

In this instance, game is used to reinforce capitalist, neoliberal ideology and thus justifies my description of mediatized platforms as systems that transcends something that is the creation of human interactions or human needs. Instead, it is a complex process that involves bargaining/negotiation to protect the dominant value/interest/ideology. It also supports Jodi Byrd's standpoint that, in order to project a narrative that cannot be enacted in reality, game designers have programmed video games to rationalize the logic of late colonization (Byrd, 2016, p. 431).

I undertake textual analysis of *Invaders [2015]*, but situate the game in relation to other Indigenous games that demonstrate a commitment to exploring Indigenous perspectives and values, such as *Thunder Bird Strike* [2017] (the player, as Thunderbird, redeems the land of several afflictions by giving life to both humans and animals [reactivation], destroying mining companies and equipment that are causing destruction to the land and environment); *Honor Water* [2016] (selected songs of healing to the land and water bodies and a way to learn and understand the Anishinaabe language); *Aaqqiksugaq* [2019] (language learning puzzle game – redemption of indigenous languages); *Invaders* (an arcade game that reflects the experiences of Indigenous people of colonial history), *Blood Quantum* [2014]and *Never Alone* (Kisima Ingitchuna) [2016]. All of the games are shaped by principles of Indigenous sovereignty.

Blood Quantum is designed by Renee Nejo (Diegueño), an Indigenous freelance game artist and designer (Nejo, 2014) who teaches game design at the Bellevue College. The game derives its meaning from the process used by federal government to determine if one is truly Indigenous. This is backed by the 1887 *General Allotment Act* (also known as the Dawes Act), where Congress adopted a blood quantum standard of one-half or more Indian blood (Noori, First Person: New Media as Story, Performance, and Game , and: Second Person: Role-Playing and Story in Games and Playable Media , and: Third Person: Authoring and Exploring Vast Narratives (review), 2011, p. 5) to determine if a person is Indigenous. This measurement was imposed on tribes by the federal government in an effort to limit their citizenship (Chow, 2018). "Blood Quantum" is designed as a top-down ¾ perspective Godlike with a few tower defense elements. The player interacts with "Drawplets" – nonhuman characters with semblance like blood drops to further their growth in their village. To do so, "the player needs to level up their Drawplets by hunting, farming, and building. This way, the player gives "Drawplets" a purpose and the "Spirit" of the village goes up which also signifies the birth of new baby Drawplets" (Nejo, 2014). In *Blood Quantum*, the loss of a single Drawplet is a very harmful and death in the battle is permanent (Nejo, 2014). This reflects the permanent harm the state commits against Indigenous people, and the player, whether Indigenous on non-Indigenous, is positioned in the game to experience it.

Never Alone is based on stories and insights from Iñupiaq story tellers and elders (Upper One Games, 2016). *Never Alone* is both a single and multi-player mode game where the player plays the role of a young Inupiat girl and an artic fox on a mission to find the eternal blizzard that threatens the survival of their village. The player "moves through the frozen tundra, treacherous ice floes, swim underwater ice caverns and faces several enemies both strange and familiar in the journey to safe their village" (Upper One Games, 2016). *Never Alone* employs gaming to share, celebrate and extend Iñupiaq culture.

LaPensée's *Thunder Bird Strike* positions players as the Thunderbird which journeys through the oil fields in Alberta to the Great Lakes (LaPensée, Games, 2019). Throughout the journey, the player collects lightning from the sky as a source of power and a weapon to destroy infrastructure and machineries of the oil industry. At the same time, it gives life to wildlife and empowers humans with its lightning strikes. The players gaming points are calculated based on the amount of oil machinery destroyed. This is a

powerful education tool and it reflects Indigenous community stories such the story of "the snake that threatens to swallow the land and the waters whole" (CBC Radio, 2017). Indeed, in the final section of the game the Thunderbird confronts the snake (a representation of the line beneath the Great Lakes). *Thunderbird Strike* advocates resistance against pipeline projects and the oil industry as well as for the protection nature and Indigenous ancestral rights.

I selected *Invaders* for my analysis because it represents Indigenous peoples' encounters with the arrival of settlers, a metanarrative for Indigenous struggles for sovereignty in North America. *Invaders* is modelled after the 1978 arcade game *Space Invaders* designed by Tomohiro Nishikado. It set the pattern for "shoot-em-up genre" of video games and was one of the most lucrative and best-selling games of all time, earning 450 million USD. *Space Invaders* was designed with inspiration for the aliens from a novel by H. G. Wells, *The War of the Worlds* (a science fiction novel), placing it in the genre of science fiction, a colonial genre that LaPensée interrogates and subverts in *Invaders*.

In *Colonialism and the Emergence of Science Fiction*, John Rieder posited that the central factor that underlined the European invasion of non-European territories in the 15th and 16th centuries is the development of scientific discourse about culture and mankind which greatly influenced the science fiction genre (Rieder, 2008, p. 2). Science fiction's premises of territorial expansion and settlement, and confrontations with alien and enemy Others, replicated features of colonialism and its socio-economic ideologies of capitalism, racism, imperialism and patriarchy. It is unsurprising that the genre gained "visibility first in countries heavily involved in imperialist projects – France and England and later gained popularity in the United States, Germany, and Russia" (Rieder, 2008, p. 3). Therefore, the science fiction genre rationalizes and often celebrates the interests of Western settler society. Hollywood produces top-rated science fiction movies and a cross-section of its movies that I reviewed for this paper (*Avengers Endgame [2019], Annihilation [2018], Matrix [1999], Star Wars [1977, 2015, 2019],*and*, Avatar [2009]*) to the themes of alien invasion, redemption and civilization of non-European populations (Indigenous peoples), among others, which hold dear Western ideologies that entrench white supremacy, colonization, and imperialism.

For example, the description of the movie *Avatar* (2009), reads as "James who is a paraplegic, replaces his twin on the Na'vi inhabited for corporate mission. After the natives accept him as one of their own, he must decide where his loyalty lie" (Cameron, 2009). But a careful analysis of the movie plot demonstrates how James is positioned as the saviour of the natives. James' team [learn?] the Quaritch plans [who are Quaritch?] to attack and destroy the "Tree of Souls" with the intention of ultimately weakening the Na'vi in order the exploit their mineral resources, which are needed for survival on Earth. James who at the time had been initiated and accepted by the Na'vi as one of them. James although human, appeared in Na'vi as an avatar designed to have semblance as the Na'vi. He was initiated because, his actions were in support of the Na'vi's contrary to the position of his team, but more importantly, the princess Neytiri fell in love with him. James visited the forest with Neytiri and while they were there he prayed to Eywa (the ancestral spirits) on the eve of the attack to intercede on behalf of the Na'vi. Na'vi suffers severe casualties during the attack, and then suddenly the wildlife in Na'vi joins the attack and overwhelms the humans. The princess, Neytiri, sees this and describes the act as Eywa's answer to James' prayer. I replayed this scene several times, because It is hard to believe that the Na'vi, who have a symbiotic relationship with their natural environment, the powers of nature, and Ewya, looked to a foreigner to pray and intercede on their behalf. What is evident here, is the vivid display of the messianic themes that projects the White man as the saviour (hero) of the Indigenous peoples. These are the very elements that science fiction movies display in a way that validates colonialism and imperialism.

Similarly, in gaming, such messianic themes have been woven into game design, form, and narrative, thereby normalising the devastating effects of colonialism and imperialism. As Jodi Byrd discusses in relation to such a game, "*Dead Souls* presents players with an alienated world of intimate violence that demands exploration tied to the legacies of conquest and slavery in the new world" (Byrd, 2016, p. 11). Players obtain the power to control space, pass by monsters, and achieve dominance over the embattled terrain by so doing they collect souls of dead enemies and heroes to survive. Survival is depicted as the central objective of the game however it affirms the tactics the European colonialist devised and continue to use to weaken their colonies (as well as former colonies) in order empower themselves, thereby, presenting a one-sided view of the story on colonialism which is also highly stereotyped against Indigenous Peoples.

LaPensée therefore intervenes in the colonial roots of *Space Invaders* by appropriating the game genre and its conventions to represent Indigenous perspectives of the experience of colonialism. With similar arcade designs, *Invaders* differs from *Space Invaders* in terms of the following unique features:

a. the player is represented as an Indigenous person defending his/her community against alien invasion represented as spaceships, whereas in *Space Invaders* the player is positioned as a spaceship.

b. Numbers are used to represent the players live chances in *Space Invaders*, where instead the player's life in *Invaders* is represented by three Indigenous peoples positioned behind the player in the game.

c. in terms of weaponry, *Invaders* arms the player with arrows which he/she uses to destroy the alien spaceships, whereas in *Space Invaders*, the player is armed with a laser canon.

Invaders represents Indigenous struggles in terms of asserting their sovereign rights over their ancestral lands and peoples, both past and present. It positions the player to experience these challenges, and at the same time offers them the opportunity to interpret and understand the narrative from the perspectives of Indigenous peoples. LaPensée flips the narrative about the so-called European "Discovery" of North America, where Indigenous peoples are perceived at savages waiting to be saved by the white man. Here, she positions the player (Indigenous person) as the protagonists, whose actions are backed by the community in defense against external aggressors.

My analysis of the games is informed by my subjective experience playing the game, which covers "Waves 0 to 13," the farthest I could compete for the purposes of this study. I played the game several times in order to understand the nature and form it ensues. It is intriguing, with so much suspense it creates and embedded Indigenous perspective. The understandings derived from playing "Invaders" from my worldview as an African are important and create connections to historical experiences of Indigenous peoples in North America.

Invaders: An Expression of Indigenous Sovereignty

Experience with "Invaders"

As an Anishinaabe game designer, LaPensée seeks to decolonize existing media platforms and use game design to represent Indigenous knowledge (LaPensée, 2014, p. 20). She demonstrates this in *Invaders* by appropriating the popular arcade game *Space Invaders* and adapting it with Indigenous imagery that centers Indigenous history of the colonization of North America. The game is oriented from an Indigenous perspective, as the player is positioned as an Indigenous defender, protecting his or her community from "alien invaders." Instead of a player's "life" being represented by numbers, three Indigenous people positioned behind the player represent his/her "life." Therefore, when the player gets hit by the weapons of the alien spaceships, a community member is killed. By representing a player's as that of a community, LaPensée encourages gamers to feel the impact or experience the effects of losing a human life and community (LaPensée, 2015).

The game provokes important questions for the player: what defines your personality or worldview? Is it the members of your community (collective responsibility and collective security) or individual concerns? I will illustrate my responses below, where I discuss *Invaders* from my perspective as a player. I organize this into headings – expectations and reality.

Expectation:

My expectation was to find a narrative that describes the game when I launched the game, and some rules or guidelines as well as a test practice, which is quite common in gaming. I wanted to also select my avatar, bow and arrow, as well as know the number of levels to complete. I expected to receive rewards in the form of weapons to enable me to overpower the aliens.

Reality:

While none of these expectations were met, I was not disappointed, even though I kept going back and forth to see if I could change the rules of the game. At first, it felt as though I was doing something wrong or I downloaded the wrong game. I verified

again with IOS before reality sank in that this Is the game and you must play it as you have it (my inner thoughts).

While playing the game, I observed that a lot depended on the player's positionality. Thus, I paused a few times and questioned my objective for playing the game. Most often I play games to have fun and to de-stress. This time, it was something different. I was not into de-stress or have fun but to experience the design and structure of Indigenous games. What messages do they carry, and what form do they leave their players?

After several attempts at playing, I began to pay attention to the characters on my screen. This time, I noticed that any time I took a shot from the opponent (aliens), a character behind me vanishes. There were three characters in all, and after the last character disappears, any shot I take ends the game. I concluded that these characters are the chances I have in playing the game and need to safeguard it in order to survive in the game. Some games refer to such characters as "life" thus, *Invaders* gives the player three lives to support. One striking thing about the "life support" is their identity. Whereas the alien 'invaders" had the same look, the life supports do not. Each appears different from the other in terms of physique and clothing.

Another observation related to the not-so-flexible and non-interactive control key, at least compared to other games I played in the past. Hence, the player needs to strategically and carefully maneuver to avoid being hit by the 'invaders." This means strategically shooting arrows at the "invaders" and collecting stronger arrows to empower the player to shoot rapidly to defeat the "aliens."

Additionally, the game situates the player in such a way that there is no room to celebrate after conquering one group of "invaders." This is because the "waves" (different stages/levels of the game) keep coming. Unlike other games where you are notified that a level has been completed and you get to decide whether to continue playing, re-load your life support, and/or purchase some sophisticated weapons useful for your survival, "invaders" does not offer anything. This makes it interesting because to some extent, it reflects the everyday experiences of minoritized groups: the struggle is a never-ending one.

Contextual Analysis of Invader Game

The game speaks to my reality as a woman of colour, Black African from the developing world, and Ghana to be specific. Reminiscing on the time spent in rural communities in Ghana and pondering on the lived experiences of my constituents, I see these represented in the game. I interpret the alien ships in *Invaders* as the socio-economic challenges these communities face, which range from unemployment, lack of water, lack of proper sanitation and hygiene facilities, poor healthcare systems, poor educational facilities, among others. It is a perpetual struggle for these communities to overcome these challenges, often overwhelming considering the effort they put in in engaging the government – as well as the number of non-governmental organizations they have encountered, without significant change. A striking feature in Invaders is that the position of the player and the life support parallels the communal characteristics of these communities.

Focusing on the Canadian context, *Invaders* captures the views/perceptions about Indigenous people that I encountered in conversations, the scholarly literatures on the issues relating to the everyday life of an Indigenous person, land negotiations, anti-gas pipeline campaigns, health care, and identity. How is this possible in a game with relatively minimal graphics? The alien "invaders" and their actions (strikes against the player and the land) is a symbolic representation of these issues. *Invaders* presents the narratives in graphics – every move, every hit, intensity, speed, rewards, position, and form of the "invaders" are signals of the power play within society. In the context of North America, it reflects the "battle" between Indigenous and non-Indigenous history and contemporary issues.

In level zero of the game, there is only one row of invaders who make fewer strikes. As the game progresses, the rows multiply, with some levels having one or more larger characters with stronger and more dangerous strikes. This design illustrates the structure of the political relationship between Indigenous peoples and settlers at the time of contact. Indigenous groups established relationships with European settlers; for example, the Haudenosaunee Confederacy used the Wampum Belt as a symbol of this bi-lateral relationship and the declaration of each partner's sovereignty. However, these settlers nonetheless advanced colonial agendas by displacing Indigenous peoples and exploiting their resources. Thus, as the colonial project progressed, initial

Indigenous/settler relationships were compromised and fractured. The battle lines were clear especially through the implementation of policies (The *Indian Act*, residential school system, etc.) that have done profound harm to Indigenous peoples and communities.

In the "reality" section of this paper, I indicated that *Invaders* offers the player 3 lives. To succeed or survive means being tactical. This is because for every life lost the player's chances of progressing through the game decreases. It took the Nisga'a Nation a century to gain sovereignty over some parts of their ancestral territories. They had to strategically engage, persist and persevere to do so. They were not granted adequate resources to determine the full speed or scope of negotiations, but had the community involved throughout the process. Similarly, the characters who make up "life support" in *Invaders* represent the community. This suggests that the stronger the community, the greater likelihood of conquering the invaders. And the weaker the community, the less likely it is to defeat the invaders. When the player is hit by the aliens, a life support is lost, which can be interpreted to mean "an injury to one is an injury to all." Therefore,

> by centering the player in the representation of a Native American protecting their tribe from a foreign force, the effects of the original game reinforce a sense of 'the other' or 'mystical' unknown force that is traditionally placed on Native American representations of being savage and generally inhumane (VG Boundaries, 2018).

The game emphasizes the importance of community and collective responsibility within Indigenous nations to defeat external threats. According to Le Anne Howe, "…native peoples are nothing without the families and communities, the stories and the histories, and the jokes and shared grief that hold us together" (Byrd, 2014, p. 55).

Invaders is not completely within the control of the player, as discussed earlier. Playing the game was based on my determination and "will power" to overcome the aliens. It is my positionality within the global economy as a minority and an individual exposed to a culture defined by the spirit of Ubuntu (literally translated to mean "I am because you are") that informed how I played a game, with no guidelines and guarding the lives behind me. Each wave came with its challenges and intensity of play, illustrating the different waves of foreigners that Indigenous nations encountered on their ancestral lands as well as the different level of engagements in terms of policies and treaties. The harder I tried to sustain my tactics, the more difficult it became, which is

often the harsh reality of life. I can recall how a doctoral student at Simon Fraser University from the Nisga'a Nation and a member of the family that played a key role in the Nisga'a treaty recounted the negotiation process and their determination to succeed. She maintained this calmness throughout her presentation, yet with a gaze that speaks so much of her encounters and that of her people which I describe as bright, sparkling and yet teary.

The struggle *Invaders* presents reminds me of the stories about anti-slavery and anti-colonial campaigns in Africa and the diaspora. African slaves fought for their survival and freedom for over 200 years before any concern was shown in Europe regarding their treatment (Kaye, 2005, p. 3). Their efforts are seen a "key illustration of the power of ethical leadership, collective action, and personal commitment" (Quirk, 2015). Thus, when Africans in the Diaspora (United States) celebrate Black history month in February, it is not only to remember being Black, but also to recognize the contribution of our ancestors in projecting the importance of Black lives and through genius inventions and contributions to humanity. *Invaders* communicate this agency of human lives most importantly the essence of community to Indigenous peoples. This knowledge stimulated my interest in playing and re-playing *Invaders* in anticipation of the ending.

I have followed keenly the events that unfolded in the negotiations between the Wet'suwet'en Nation, British Columbia (BC) provincial government, and the federal government of Canada over the Coastal GasLink Pipeline project. This is a classic and current illustration of *Invaders*. There were series of protest marches in response the provincial government's decision to go ahead with the pipeline project. In *Invaders*, I observed that, although I overpowered the aliens at different waves of the game, I encountered more of them going forward, potentially infinitely. The game represents of Indigenous experiences of colonization historically and the present. For instance, even though several protesters were arrested by the Royal Canadian Mountain Police (RCMP), the anti-pipeline project kept gaining momentum and received supports and solidarity across BC and Canada. Within the context of *Invaders*, the people of Wet'suwet'en lead the campaign and positioned as the "player." The solidarity across BC and Canada represented the lives (community) behind the player. This communicates collective responsibility, a core element for Indigenous sovereignty.

It is in the spirit of collective responsibility that, Molly Wickham, the spokesperson for the Gidimt'en clan of the Wet'suwet'en stated that, "the nation's struggle for sovereignty is not over" (Seatter, 2020) and urged the nation and everyone that is supporting them to not back down. Her statement came amidst reports that a tentative agreement had been reached between the Wet'suwet'en and the B.C. and the Canadian governments. Wickham's position stemmed from the issue that the spirit of the agreement did not deal with the dispute over the Coastal GasLink Pipeline. She stated that "the governments are being forced to acknowledge and forced to move on our inherent rights and title and responsibilities to our land. We are not resting. We are not giving up. We are not standing down. We are not asking other people to stand down" (Seatter, 2020). Wickham invoked the "spirit" of community (collective responsibility) to elicit the support of her kinship and everyone that supported their campaign. This statement defines the "will power" and perseverance that is represented in *Invaders* – the positioning of the characters as the game progresses. Note that Wickham uses "governments" and not government thereby emphasizing on the different forms of state power that their nation engaged in the course of the negotiation. Therefore, when she calls for everyone that worked in solidarity with their nation to not back down, she tactically positioned her nation to amass all the necessary support ("arrows" in the game) to defeat the governments (alien spaceships).

Invaders is a beautiful game, one that deviates from the norm of most arcade games. Without a written narrative built into the game, its graphical representation throughout the different stages highlights the lived experiences of Indigenous peoples and nations. As one reviewer of the game noted, *Invaders* is painfully eye-opening to the realities of invasion – specifically the invasions that Indigenous people have and to face. These invasions consisted of insurmountable odds, and a never resting enemy that was quick and deadly in its attacks (VG Boundaries, 2018). The game programming is such that, it can be overwhelming when playing. This is because the waves you play the difficulty in destroying the alien – the aliens do not pause or break in moving and shooting. Hence, a missed move by the player could potentially lead to him/her being overwhelm by the aliens. *Invaders* put the player in charge of steering the game according their determination.

Summary and Conclusion

Indigenous nations have relied on games to transmit knowledge from one generation to the other. The oral traditions of these nations make it important to memorize information to avoid misunderstanding and to preserve and sustain cultural practices and traditions. While games have been designed as entertainment, the form, tactics and educational benefits of gaming - such as memory development, active learning, increased concentration skills, brain development, and networking - have shown that the medium can be used in the transfer of cultural values and knowledge. This makes games a significant cultural form.

Culture is the bedrock of most societies and as an African from Ghana, I can attest to this. It holds the heart, minds and souls of the present and past generations (ancestors). These societies have devised a means to transmit cultural values between different generations. For Indigenous nations, culture is the bedrock of sovereignty – a case in point is the Haudenosaunee's use of the Wampum Belt to encode their Treaty with Europeans, illustrating that culture is a significant component of sovereignty. Therefore, I postulate that Indigenous games can be shaped by Indigenous values and epistemologies, as a part of a larger practice and expression of sovereignty, as described by Michelle Raheja in her concept of "visual sovereignty," which describes adapting colonial and mainstream platforms to represent Indigenous peoples and nations.

This study examined the relationship between gaming platforms and Indigenous sovereignty. I adopted the concept of visual sovereignty as the framework of analysis in relation to several Indigenous games such as *Honour Water*, *Thunder Bird Strike*, *Blood Quantum*, *Never Alone*, and, of course, *Invaders*. Irrespective of their design and objective, these games had an underlying motive to dismantle the stereotyped representation of the Indigenous peoples of North America. The games centered Indigenous knowledge and cultural values in its design and programming. Most importantly, the narratives the games represented focused on Indigenous perspectives.

Intriguing as all the games were, the study used *Invaders* as the focus for the study. Three key characteristics set *Invaders* apart from the rest of the games that were reviewed – strong representation of the concept of Indigenous visual sovereignty;

historical context of Indigenous nations' encounter with the settlers; and its adaptation of the top-rated and popular shoot-em-up arcade game *Space Invaders*.

The position of characters in the game describes the lived experiences of Indigenous people. Although the story is presented from an Indigenous perspective, the player is positioned in the game in a way that allows him/her to rely on their perspective (value of life) to survive in the game. *Invaders* is a game of survival that revolves around the survival of the community and not solely an individual. Even though there is a "leader," each member of the community is positioned to act in defense of the community (that is, act in unity with the leader). The leader is also positioned to appreciate the loss of a community member due to his/her own actions.

In light of the tenets of Indigenous sovereignty, I describe the game *Invaders* as a form of Indigenous sovereignty. As LaPensée notes, "…every game we make, every design we sketch, every conversation we have contributes to what has been unfolding since time immemorial – games shift that perspectives and reinforces ours" (LaPensée, 2014, p. 21). Indeed, games is a catalyst for Indigenous sovereignty.

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