

**Natural Resources**

# Indigenous law should be heeded to prevent future pandemics | Angelique EagleWoman

By **Angelique EagleWoman**

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(April 9, 2020, 2:09 PM EDT) -- As the world responds to COVID-19, it becomes clear that Indigenous law and wisdom should be heeded to prevent future pandemics. In a recent article, "Destroyed Habitat Creates the Perfect Conditions for Coronavirus to Emerge" by John Vidal, the author explains how unsustainable economic development projects have destroyed habitats leading to the potential for transmission of viruses from wildlife to humans. As animals, birds and all creatures of nature are becoming more stressed due to human encroachment, they may express that stress into the air, such as when a human has a cold sore that opens into the air. This may then allow viruses to spread between wildlife and humans.

In an opinion piece by Robert F. Breiman titled, "The Covid-19 culprit is us, not pangolins," he explains how many species of wildlife are considered "culinary delicacies" and may carry viruses that are harmful to humans. In wet markets and other shopping districts, animals, birds, snakes, bats and other living beings have been penned up for sale and consumption in a manner that is considered disrespectful from Indigenous traditions. Recently, I was reminded by an Anishnaabe lawyer of the story about the woman who married a beaver which encapsulates the Indigenous principle that beavers expected respect from the Anishnaabe in exchange for serving as food to assist the people. Respect for other living beings is core to Indigenous legal principles.

First Nations and Indigenous peoples across North America have been sounding the alarm on the current and potential devastation to homelands, ecosystems, wildlife and waters as oil and energy pipelines and other extractive projects are planned and implemented. This exploitation of the earth's resources is a violation of interdependence with all living beings.

Indigenous law has not been heeded in Canadian courts on protection of the land and environment. Recently on March 5, the Supreme Court of Canada refused to take up the challenge by First Nations and environmental groups to the Trans Mountain pipeline extension. The petition requested that the court review whether the pipeline would harm at-risk species under Canadian law and whether Indigenous peoples were properly consulted for the expansion.

As proponents of oil and energy projects continue to push for expansion, additional development and expedited governmental approvals, Indigenous peoples have responded in the spirit of stewardship for the earth and her resources. Indigenous legal principles stand in opposition to the maximization of extracting resources to increase corporate wealth. For example, Indigenous legal principles embrace concepts of stewardship for material resources and a sense of interconnectedness and responsibility by humans to all that lives.

As the puzzle pieces fall into place over the cause of pandemics like COVID-19, the knowledge contained in the traditional laws of Indigenous peoples provide guidance for lawmakers and policy directives. The protests in solidarity with the Wet'suwet'en hereditary chiefs exemplifies Indigenous law in action. Since time immemorial, oral traditions and traditional laws have been

passed down from generation to generation in Indigenous societies as proper protocol for life and relationship. Indigenous peoples in North America share the perspective that “we are all related” and are responsible to each other.

With COVID-19 increasing at unprecedented rates, Indigenous peoples are turning to traditional medicines, teas and wisdom that have enabled our survival from past epidemics such as flu, tuberculosis and measles. Since at least the early 1500s, the native peoples in North America have survived wave after wave of illness. As much as Indigenous peoples are concerned for the survival of humans, we are also concerned for the earth, air, water, and all other lifeforms.

With humans staying home, traffic, smog and pollutants are decreasing globally. This is allowing wildlife some respite from human encroachment and activity. An Indigenous legal principle is to “live in balance” and this lesson is being brought to bear on humans around the globe as the cause of this epidemic is being revealed.

As COVID-19 spreads, world governments are facing choices between human health and restarting economies. In the United States, the current administration seems to be demanding a return to the workplace in the near future when health experts advise citizens to stay home. For Indigenous peoples, corporate wealth does not factor into the equation when the risk to life is at issue.

With many reserves in Canada facing refugee status in their homelands through lack of fresh water, food and proper housing, the burden of safeguarding those most at risk, including elders, those with underlying conditions and in some instances children, weighs heavily.

Rethinking economic development, environmental protection laws and responsibilities to First Nations and all Indigenous peoples may be the lessons in the aftermath of this pandemic. The Indigenous leaders and protesters who have been condemned in courts and public opinion for resisting invasive economic development projects may, in the end, be the voice of reason and compassion necessary to sustain life on the planet.

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