Julie Ballangarry:

This episode was recorded on the lands of the Jagera and Turrbal people, and also from the University of British Columbia, which is the territory of the Hunquminum speaking Musqueam peoples.

[Gumbaynggirr 00:00:11] is from the Gumbaynggirr language, my language. It's a friendly welcome. Hi, I'm Julie Ballangarry. I'm a Gumbaynggirr/Dunghutti Woman and a researcher who specializes in indigenous policy. I'm also part of the Australian Feminist Foreign Policy Coalition.

F! IT! is a podcast created by the International Women's Development Agency that brings feminist and First Nations approaches into the foreign policy conversation. We'll be exploring these emerging approaches to foreign policy by drawing on the knowledge and experience from First Nations peoples and feminists from within the space.

Traditionally, their voices have been excluded from the discussion and decision-making. But we say F! IT!, we want to live in a better world, one where we are part of the conversations about re-imaging global systems, one that mutually benefits all. In 2007, the United Nations Declaration on the Rights of Indigenous Peoples, or UNDRIP, was adopted by the General Assembly. UNDRIP was decades in the making and it is significant because indigenous peoples were involved in its drafting. It is the most comprehensive international instrument on the rights of indigenous peoples, containing minimum standards for recognition, protection, and promotion of our rights to survival, dignity, and wellbeing.

Initially, there were four countries who voted against the adoption of UNDRIP, Australia, Canada, New Zealand, and America. In 2009, these four countries finally became signatories. Since then, Australia has gone on to commit itself to a First Nations foreign policy in 2022, placing the country in a unique position to take a global lead on this topic. However, following the outcome of the 2023 referendum, how does Australia look to the international community, how does it maintain the integrity of First Nations foreign policy, and could UNDRIP help operationalize this commitment? I'm really excited to yarn with Professor Sheryl Lightfoot, an Anishinaabe woman, a citizen of the Lake Superior Band of Ojibwe, enrolled at the Keweenaw Bay community.

Sheryl is a professor in political science and the School of Public Policy and Global Affairs, as well as a faculty associate in the Institute for Critical Indigenous Studies. Sheryl is one of the world's leading experts in global indigenous politics, with her research specializing in complex questions of indigenous people's rights and how those rights are being claimed and negotiated both globally as well as in the domestic context. Sheryl is currently chair and North American member on the United Nations expert mechanism on the rights of indigenous peoples or EMRIP. As a member of the UN expert mechanism, Sheryl provides the Human Rights Council with the expertise and advice on implementing the rights of indigenous peoples. The mechanism also assists member states in achieving the goals of UNDRIP. She's the first indigenous woman from Canada to be appointed to this prestigious position.

Professor Sheryl Lightfoot, thank you so much for joining me today. Our first question for you is, as a First Nations woman, how did you become involved with the United Nations Declaration on the Rights of indigenous Peoples, or otherwise known as UNDRIP?

Sheryl Lightfoot:

Well, thanks for the question, Julie, and I just want to start out and say how delighted I am and what an honor it is to be joining you today, and thank you so much for the invitation. This is a question that I get asked quite a lot in academia and it's a common question amongst academics is when did you start this research project and what drew you to it? For me, the answer is always a little bit comical because I say, "Well, my research program, my research agenda actually traces back to when I was around five years old," and that's pretty unusual for academics.

So the backstory here is I grew up not on my reserve, but I grew up in the urban area of Minneapolis, St. Paul. It's a northern city in the United States, very close to the Canadian border. And that particular city at that time was the genesis and the headquarters of what was named the American Indian Movement. So it was a very strong indigenous rights advocacy movement. And the early 1970s, when I was around about five years old, were quite a politically active and contentious time for indigenous peoples across North America.

In Minneapolis where I was growing up at that time, the American Indian Movement had been founded in the late 1960s, about 1968, and originally it was just a small movement to focus on Minneapolis police violence against indigenous people on the streets. There were so many social movements going on at that time, civil rights, anti-Vietnam, and so it very quickly became quite a major activist indigenous rights movement with nationwide scope.

And one of my earliest memories is around 1972 when my great uncle was actually placed in and as director of the area office of the Bureau of Indian Affairs, and he was actually the first American Indian to hold that title in that office. And within a few months after his placement into that position, his office was occupied by the American Indian Movement and it was one of their first activist points on their way to Washington, D.C. to occupy the Bureau of Indian Affairs building there in what was called the Trail of Broken Treaties. And so I remember the big conversations going on and discussions of reform of that agency and discussions of moving from an assimilative frame to a frame that was focused on self-determination for indigenous people, treaty rights, land rights, and so on. So these are some of my very earliest memories of indigenous politics and indigenous political activity that was all around me.

In 1974, so at this point I was maybe 5, 6, 7 years old, the American Indian movement had really been impacted by the Wounded Knee occupation, and so many of its members had been arrested or were finding themselves in the legal system, and so it was necessary to shift that focus. And one of the ways that it shifted was into the international world. And so an organization called the International Indian Treaty Council was formed out of part of the remnants at that time of the American Indian movement. And this is again about the time where I became conscious of things, aware of things, started asking questions because I was being dragged to meetings here and meetings there, so it was all around me.

And by 1977, so at this point I'm about 10 years old, the International Indian Treaty Council started linking up with other organizations internationally. One in Canada had formed called the World Council of Indigenous Peoples, and the first meeting of all of these groups took place in Geneva, and that was 1977. And that bringing together of people really set the path for the eventual passage of the UN declaration all the way into 2007.

Along those years and really decades, I was floating in and out of the movement. After undergrad and I did my master's, I was working a variety of jobs in the urban community, the indigenous community, and I also continued my interest in international work as well. Because on my father's side... My mother is Anishinaabe, my father is actually a refugee from Europe from the Second World War. And so based on his experience and my mother's experience, I always had an interest not only in indigenous rights but also in international relations, conflict resolution, peace and war, human rights and so on.

So in that middle section of my career, I was working in something called the American Indian Research and Policy Center, which was a indigenous research and advocacy group, and I was there for about 10, 12 years. And through that work and in conversations with people that I was involved in there, suggestions began to emerge that perhaps I should consider going back for my PhD and taking up an academic lens for this work as there was a lot of need and a huge gap in that area. And so 2004, I returned to graduate school at the age of 38 with two small children and got my PhD in political science focusing on the UN declaration. So that's a long story, but it really tells you where I come from in terms of the motivation for my academic work and how that work connects to activities on the ground.

Julie Ballangarry:

Thank you so much for sharing that. That's absolutely fascinating and makes me in awe of you even more. We've spoken before and I kind of discussed how I sort of ended up in this space. Our families play a large role in that and particularly what we see growing up. And I think sometimes for non-indigenous people who move into an academic space don't necessarily think about it as a personal thing. For us, it's a highly personal thing. So thank you for sharing that with us and our audience. Another question I have for you in terms of a First Nations foreign policy in Australia. So can you explain what UNDRIP is and why it may be relevant to this conversation around First Nations foreign policy in Australia?

Sheryl Lightfoot:

Absolutely. So UNDRIP are the UN declaration as it's called as well, the UN Declaration on the Rights of Indigenous Peoples is the most comprehensive international human rights standard. It's not the only human rights standard on indigenous rights, but it is the most comprehensive one. And it specifically addresses indigenous people's economic, social, cultural, civil, spiritual, political, even environmental rights. And it sets out the minimum standards necessary for, as quoted in the declaration itself, "the dignity, the survival, and the wellbeing of indigenous peoples."

Once it was adopted by the UN General Assembly in 2007, after about 20, almost 30 years of deliberation and debate, this was a key moment in the indigenous rights world because it was the first time that states not universally, but there was a broad consensus amongst UN member states that this was to be the minimum standard of indigenous human rights going forward. So on that day, they all committed themselves to a journey which would be the implementation of this declaration.

What it does, because it's a human rights declaration, it affirms the inherent collective human rights and individual human rights of indigenous peoples and it provides a guiding framework for states, for society, toward justice and reconciliation and really a more peaceful, appropriate way to be living together. In practice, what it means is that all UN member states, Australia, Canada, and all other states included, have a moral obligation to begin to align all of their laws, their policies, and practices into alignment with the declaration.

While it is made up of human rights language, 46 articles and a set of preambular paragraphs, there are a few core principles, key core principles that come out of it, and I think we can really break it down to a handful. It's about respect and recognition of indigenous peoples and their connection to the land on which the nation state is located. It's about ensuring that indigenous peoples participate in matters that impact them and that their self-determination, their governance, their institutions are taken into account so that their participation is not merely as individuals in a democracy, but also as collectives, as nations and as people. So that's a complicated question that I think all of humanity is working out at the moment, what that means and how we do that. And then of course it also means that indigenous peoples have a right to be consulted over matters that impact them and they should have the ability to consent or to withhold their consent in a fully democratic matter as a collective. Again, not just as individual citizens of a society, but as peoples.

Julie Ballangarry:

This leads into the next question that we have there, and I think that the point around it's not just about individuals within a democracy, it's about a collective peoples who are traditional landholders and the traditional peoples of that land. In light of the failed referendum on the Voice to Parliament in Australia, what are your thoughts on the role of a First Nations foreign policy?

Sheryl Lightfoot:

Yes, it's an excellent question, and I do take your point about it's about both collective rights and the rights of individuals in a democracy. I have to say, when I say the whole world is grappling with this question, it's very true because it's not an either or proposition. We have to figure out how we're going to acknowledge and recognize and work with both simultaneously. Of course, like many others, I was very disappointed in the results of the referendum. And I was in Australia that day and I was actually out at three different polling stations in New South Wales on that day. So I joined in the emotion of it, the hope and then the dashed hopes, and so I share that disappointment.

I think there was a big risk in putting a human rights matter up for a vote. I think if we put any human rights up for a vote in just about any country, we would probably be disappointed with the results nine times out of 10. So I think that was risky and I think we have to consider different paths forward when we consider this in other locations Australia and beyond moving forward because human rights by their nature are inherent. They're part of being human. They can't be granted, they can't be delegated by the state, and they shouldn't be taken away by the state. So this is something that we need to consider when we look for future policy moves. So I think the proposal for the referendum on the table was very reasonable, but I saw that some of the disinformation campaign and the fear campaign really took hold and in many respects won over reason. And I don't think that would be unique to Australia. I think if we ran the same election in a number of countries, we would unfortunately see the same results.

At the end of the day, however, I think we can't lose hope. I think the referendum was one possible pathway to achievement of the rights that we see enshrined in the declaration. In my view, nothing about that failed referendum changes Australia's obligations under the UN declaration. The obligations were the same in 2007 as they are today. The question is how we get there. And so at the moment, I think it's important that we consider other alternative pathways, what are next steps? Because those pathways must go on and new pathways must be found. So in my mind, maintaining a First Nations foreign policy is one very reasonable such pathway. In and of itself, it's not going to enshrine the declaration in Australia, we know that. But it is one step, one drop of water in a bucket, and so I think it's very important and incumbent that it continue.

Julie Ballangarry:

Thank you for your very insightful answer. I, like many other indigenous Australians, shared that utter blow. It was like watching a car crash in slow motion. And I may get a little bit emotional talking about it right now, but I remember watching it and just how quickly it got called was heart wrenching. And I think it's definitely that tension between individual rights and collective rights that UNDRIP really promotes. And I think as a nation state, Australia has a long way to go, particularly with the term reconciliation, which is something that people don't really think about how this aids in reconciliation as well. So I think you've answered it mostly, but I will ask the question in case there's anything you would like to add. What does a failed referendum mean for UNDRIP in Australia, but also at the international level for First Nations foreign policy and diplomacy?

Sheryl Lightfoot:

Well, thanks for that, and I would like to add a couple of thoughts that I have about the international space, the international level. From my perspective there, and I've been to Geneva a few times, and of course I'm in international conversations weekly, if not daily as part of my UN role. And I would, this is certainly a huge embarrassment for Australia in international space and it will most definitely take some time to recover. We have yet to have an indigenous focused meeting in international space post referendum, so how Australia presents itself at that first meeting and how this is articulated will be of key importance to its role in the international.

But at the same time, what I can tell you in my observation is that at least when we're talking about international space, I'm not seeing a retrenchment where Australia is concerned. In fact, quite the opposite, and this is encouraging. I see Australia maintaining active engagement and in quite a positive way in association and collaboration with this group we call the friendly states, which includes Australia, Canada, Finland, for example. That doesn't mean they're perfect states, they all know they have work to do, but they are generally active participants, positive, consulting with indigenous peoples. We tend to consider them for the most part at the moment, good actors in indigenous rights work. And Australia has not backed away from any of that.

And so I would be very disappointed if the referendum was taken as a signal that they should pull back on all of this international work. But fortunately I'm not seeing that yet. In the lead up to the referendum, so in New York this past year and in Geneva, we saw the new First Nations ambassador, Mohamed participating. He was present, he was very active, he was active at the Human Rights Council virtually, but very important statements. So I hope that continues and I expect it will. And I would say again, where there is not a single UN member state on earth that is actually compliant in full with the UNDRIP, yet Australia is at the table and they are engaging and they are participating in these international level conversations involving indigenous rights, including a set of very hard challenging conversations. So I look to that to continue.

Julie Ballangarry:

I think that's a really important point is that, and I say this quite often too, is that nothing is perfect and everything takes time to finesse and that taking the steps forward is better than doing nothing at all. And I think your answer really cements that. Because I know in Australia, a lot of practitioners even are looking for the panacea, like the silver bullet of how do we do this and how do we do this well? And everything takes time and finessing and getting better over time, so it's better to take some steps than to take no steps at all.

Sheryl Lightfoot:

It's always a multi-pronged approach. Always has been and always will be.

Julie Ballangarry:

I have a question to bring it back to Canada. As you're aware, this looks at First Nations foreign policy, but also at a feminist approach, this podcast does. So Canada has a feminist international assistance policy and has committed to developing a feminist foreign policy. Although the specifics have been yet to be shared, in your experiences, how are First Nations issues being picked up and addressed through those policies?

Sheryl Lightfoot:

This is, I would say definitely an area of high commitment, but emerging development in practice. So this is something that was promised very early on in the Trudeau Liberal government's first term, and we've seen some steps, but I'd like to comment on that. So according to the government of Canada and its commitments, the feminist foreign policy is intended to apply that feminist lens to all aspects of international engagement. That was the intent and the original commitment. And so what that means is that programming and policy and advocacy should in some way, shape or form be focused on addressing gender equity structural barriers and taking into account those structural barriers in all aspects of international engagement.

And I think like most Canadians, I welcome this as a noble commitment. It's certainly long overdue and so that's a positive. Downside is, to date, feminist foreign policy in Canada has mostly been focused in areas of what we would consider human security, particularly international development with the feminist international assistance policy. And so far, remember this government was elected in 2015, it's now 2024, so almost nine years later, we've not really seen impacts in the domain of hard foreign policy, say defense, trade, diplomacy. So this is, again, probably slower progress than most of us would like to see, but the very welcome moves in the international assistance policy are notable.

Julie Ballangarry:

What would you like to see in terms of a First Nation approach from a country like Canada that has committed to a feminist foreign policy?

Sheryl Lightfoot:

Oh, that is a big question.

Julie Ballangarry:

Yeah, it is a big question.

Sheryl Lightfoot:

I think in order to turn noble commitments into real change, especially in areas like feminist foreign policy or First Nations foreign policy that are thematic. So it's quite a challenging prospect to have foreign policies that are intended to cut across different portfolios within a ministry. It's not the way that people are used to working or thinking about foreign policy and so it does create just some fundamental challenges and questions about what does this actually mean and how do we intersect that and how do we make each one of those departments those portfolios responsible for these themes. That's a fundamental challenge.

And I think no one knows the answer to that yet because this is still experimental. And so to my mind, whenever I have tried to do something like this in a bureaucracy, in a system, and in a structure, we have to start with asking the people doing the work, what that would look like to them. If they were within the scope of their job to begin to think about how to do their job with a feminist lens and also a First Nations rights lens, what that would mean, what would that change? And I think if we talk to people, we'll find the answers. This is what I've done in other strategic planning exercises is if no one's done it before, you have to start from scratch and you have to ask the people actually doing it, "If they were to do X, Y, Z, what would that mean?" And then once you collate it, then you have your answer.

Julie Ballangarry:

Yeah, I think that's a really appropriate way to go about it. I also think sometimes we underestimate the cognitive load that it puts on people to think differently. I'm a former teacher, so I'm constantly thinking about strategies of how to implement different things, and I think that that's a fantastic example of a strategy of how people can move things forward, particularly when it's new and unknown. I want to bring the two together. I'd like to ask you, what do you see the productive overlapping aims or ways of working between the approaches of First Nations foreign policy and feminist foreign policy?

Sheryl Lightfoot:

Really excellent question, because I was just doing some reading recently and I stumbled across a couple quite fierce academic critiques of feminist foreign policy, particularly focused on Sweden and Canada. And they were fierce because they were actually making the claim that feminist foreign policy has in these two countries, Sweden and Canada, actually work to overlook and undermine indigenous justice and reconciliation efforts. I found this article just from November 2023 by Annika Bergman Rosamond, Jessica Cheung, and Georgia De Leeuw, and they argue that the feminist foreign policy in Canada and Sweden have completely unacknowledged the legacy of colonial power relations in their work. Unintentionally, certainly, but this is their claim.

If that's true, that's a real lost opportunity because it seems to me that both approaches feminist and First Nations are going to be struggling with some of the same weaknesses but also the same opportunities. So to me, it strikes as very important to keep lines of communication open, knowledge sharing, experience sharing between the two. And I'm going to call here on the work of a good friend of mine who's a Sámi IR scholar and feminist theorist, Rauna Kuokkanen, and she has a body of work that argues very convincingly, and this was quite a shake up when it was published because we had made certain choices in the indigenous rights movement that she was critiquing, and that was critiques that went back decades.

And she has argued very forcefully that indigenous rights struggles and indigenous rights work, so First Nations foreign policy must also be grounded in considerations of gender and feminism. They cannot be separated, that there's only one way to move forward, and that is to begin integrating and intersecting them from the beginning and at the core, and that we all do ourselves a disservice if we don't. So my advice would be keep those lines of connection, communication, collaboration, always open. And if they are and there's a regular pathway of working together, then it's hard to make the critique that one is undermining the other.

Julie Ballangarry:

Exactly. We're stronger together.

Sheryl Lightfoot:

Yes.

Julie Ballangarry:

Thank you so much for that answer. And I would highly recommend anyone in our audience listening to go read that paper and follow up with the academic that Dr. Lightfoot has spoken about. Because our podcast is focused on exploring emerging approaches to foreign policy that are really about re-imaging and remaking global systems to create a more beneficial society for all, what's one takeaway for our audience about First Nations and feminist foreign policy you would like to share or add on that you haven't spoken about already?

Sheryl Lightfoot:

Thanks for that. And I think this is a very important way to end because when we start talking about re-imagining and remaking global systems and challenging systems and structures, this comes with a great deal of difficulty at times. All ministries, all bureaucracies, whether they be municipalities or post-secondary institutions, all bureaucracies are built to resist change. They are built to enable systems and structures to continue. And so when we begin to speak about shifting those, we're going to get some resistance from within those bureaucracies.

Also, because of the way we set up departments and ministries and so on in any bureaucracy, they have a tendency to work in their own domains, in their own silos and very seldom step out and connect with others even if they're doing similar work. So I think when engaging in a serious matter with feminist foreign policy and first nations foreign policy, which are both at heart, imagining new ways of working in the world, in bureaucracies, in ministries, in systems and structures that were built to resist change, we have a fundamental need to work together rather than apart to listen carefully, to communicate with one another, to share our experiences and collaborate.

My final piece of advice would be for those ministers that are in charge of these foreign policies along with the usual mainstream ones of trade and defense and other forms of security, that they think very carefully about how to incentivize those offices and those programs within their ministries to do systems change in a way that makes it not only an ethical or a moral compulsion, but actually a practical and material one. How do we reward offices and individuals to do this kind of work, feminist foreign policy and First Nation foreign policy so that people embrace the change and make it happen?

Julie Ballangarry:

I think that's a very important message, and thank you very much for sharing it. Sheryl, it has been absolutely delightful, enlightening, any other adjectives you can think of to do this interview with you today. I want to thank you so much for your time. You are a very busy woman with everything that you do, so we appreciate it so much and we appreciate you contributing to this dialogue that is happening currently in our international space, but also in Australia. So thank you so much for your time today.

Sheryl Lightfoot:

Thank you, Julie. Thank you again for the invitation. It's been such a pleasure to talk with you today. Very much look forward to watching where this goes.

Julie Ballangarry:

It's been a pleasure having Professor Sheryl Lightfoot join me on the show. Until next time, [Gumbaynggirr 00:31:49]. In case you're wondering, [Gumbaynggirr 00:31:52] is from my language, the Gumbaynggirr language. It means goodbye, but it also means this way or in this direction, or it can mean a change of state. [Gumbaynggirr 00:32:02] can also mean a change of any kind. For instance, a change in place, directions, state, time, or subject. I think these two little words hold so much meaning and they're just perfect for this podcast, which is all about changing the direction or state of foreign policy. So again, [Gumbaynggirr 00:32:21]. This podcast was executively produced and edited by [inaudible 00:32:25] Taghizadeh and co-produced by myself, Julie Ballangarry, Alice Ridge, Carla Kweifio-Okai, and Annelise Lecordier.