This is demonstrated most clearly in the UN international standard of living index that put Canada as number one and Indigenous peoples in Canada at seventy-eight, down with the impoverished third world countries.

That is why our sympathies and solidarity go out to all those on the front line struggling to reoccupy and reassert their sovereignty on their lands. Members of my own family and many of my dear friends have taken and continue to take this courageous stand.

I know there are also a few of my people who are part of the neocolonial structure. This is disheartening. But for the fighters, I hope the Creator gives them the courage to persist through the difficult times ahead. Canada and the provinces have only one objective when they engage in colonial oppression and that is colonial rule, which means they will try to crush your spirit and your independence. Be strong. You are on the right side in the moral sense. And if we build a strong and fearless people's resistance, you will also be on the right side of history.

# CHAPTER 31

# THE LEGAL BILLY CLUB

At the end of our acts of defiance, we are often met with the business end of the police truncheon. But the process of attacking us usually begins weeks and even months earlier, when the state takes in hand its legal billy club: the court injunction.

The weight of this club is provided by the racist colonial doctrines of discovery claiming that we have been fully and irreversibly dispossessed of our territories. That is the underpinning behind the Canadian state's vision of Crown land, and it is the force behind the injunctions that industry and governments use to get enforcement orders that allows them to use the police, paramilitaries and even the army to crush our efforts to inhabit the lands given to us by our Creator.

As soon as we leave our reserves to return to our land, government and industry take collateral colonial legal action in the form of the court injunction. By that means they instantly transform the Royal Canadian Mounted Police, the Ontario Provincial Police, the Sûreté du Quebec or whatever security force is on the scene into an attack force against us. If we continue to resist, they escalate to the Canadian military, and it is notable that regarding potential opposition

to pipelines the Trudeau government has already specifically warned that it will use the Canadian military against any of its citizens who try to stand in the way of the full exploitation of the country's petroleum resources.

The injunction, enforcement orders, and prosecution for contempt of court are the means by which our assertion of our rights on the ground is instantly criminalized by the Canadian state, even when it is clear that we have a very good legal case to the land in question. Colonial courts do not take into account our legal rights when issuing injunctions — they operate purely on the status quo and such unlofty principles as the "balance of convenience." Injunctions are therefore the aces up the sleeve of the government and industry when land is being contested. They are generally quickly granted to government and industry but rarely to Indigenous peoples. Even when we have a clear-cut case for proprietorship over our land, injunctions are granted "on the balance of convenience" to government and industry and our further activity on the land is instantly criminalized.

Injunctions are an ideal tool of oppression because they allow government and industry to skirt the substantive legal issues behind Indigenous rights to follow only the status quo concept that our lands are, at present, in possession of the settler state and until we overturn this fact, we do not have the right to exercise our own jurisdiction there.

We saw the devastating effect of injunctions as a tool to criminalize our activities in my own community, Neskonlith. When I was chief, a group of our youth and Elders moved up the mountain and set up a camp at the foot of the new Sun Peaks ski resort development on our Aboriginal title lands.

At first, the federal government avoided getting involved in this dispute and let the province deal with it. The province and Sun Peaks, which was owned by Nippon Cable, a Japanese multi-national, took collateral legal action to avoid negotiating a mutually agreeable solution to this dispute. They resorted to injunctions and enforcement orders against our people, who were peacefully camping at the entrance to the construction site.



The end product of this process is often our men, women and Elders thrown face down onto the ground with handcuffs locked on their wrists. But it all begins in a surprisingly genteel manner. Polite and well-dressed and well-groomed corporate lawyers appear before a court to state that a group of Indigenous people — in our case at Sun Peaks it was a small group of youth and Elders — have moved onto and are inhabiting or blocking a section of their Aboriginal title land. They point out that the Crown does not acknowledge the Aboriginal title and even if the issue is before the courts, argues the balance of convenience for an injunction while cases are being decided elsewhere. In such cases, colonial courts generally side with the corporations and the injunctions are granted. Then the courtly manners are dispensed with. The Crown is free to show its teeth. They send in the police to move in and break heads and make arrests if we do not disperse on their command.

In our Sun Peaks dispute, over fifty arrests were made over several years and Indigenous people, including my own daughters, spent months in jail. This is unacceptable in our country. It is unacceptable anywhere in the world to have Indigenous people jailed simply for refusing to leave their own land. It is when we stand our ground we see that ultimately the power is based only on the violence they can bring to bear against us. We will fight violence with resistance and calls for justice within Canada and internationally.

As my friend Dr. Shiri Pasternak has written, "blockades are the meeting of settler and Indigenous legal orders — and not just as some tactic of civil disobedience." We must continue to assert our legal rights over our land, no matter what the consequences. And we will meet settler law at the blockade with our own Indigenous law and Aboriginal title and rights to the land.

What is most frustrating when the government uses the courts against us is the fact that, when the tables are turned and the courts actually support us, the government thinks nothing of ignoring them to the point of openly breaching court orders.

I have pointed to it before and it is one of the most worrying aspects of Canada's treatment toward Indigenous peoples: when our rights are at stake, the Canadian government consistently ignores rulings of its own courts. This should worry Canadians as well. When the judicial branch is no longer a check on executive power, democracy itself is at stake. But this is the situation in Canada with regards to Indigenous law.

For example, the federal government has maintained its comprehensive claims policy that employs a "modification" and "non-assertion" approach resulting in the de facto extinguishment of Aboriginal title, despite the fact that the federal government is required to act as a fiduciary to Indigenous peoples and to protect and implement Aboriginal title and rights, which are recognized and affirmed by Section 35 of the Canadian Constitution. As such, there is an affirmative obligation on the federal government to bring its laws and policies in line with the highest law in the country, the Canadian *Constitution Act*, and the highest court in the country, the Supreme Court of Canada.



The federal government has implemented Supreme Court of Canada decisions regarding other issues, such as same sex marriage and safe injection sites, but not regarding Aboriginal title and rights, although they have an even more stringent obligation in that regard as the fiduciary. The result is a constitutional breach, where the executive branch (the government) does not implement the binding rulings of the judiciary branch and the Constitution, the highest expression of the legislative branch. In turn, Indigenous peoples who assert and exercise their Aboriginal title and rights rather than negotiating under policies that violate the Constitution and international human rights standards are subject to executive action and criminalization.

The federal government continues to fail to live up to its constitutional obligations as a fiduciary, opposing judgements in favour of Indigenous rights instead of taking the side of Indigenous peoples. At the same time, the provincial governments do not hesitate to resort to violence against our people if we try to stand up for our rights.

# CHAPTER 32
# BLOCKADING A MINE

I never completed my law degree and was never called to the bar, but I do spend an inordinate amount of time in courts — although almost always sitting behind the defendants.

This time, the Crown is seeking an injunction against our people for blockading the Red Chris Mine. In our case, we set out the fundamental aspects of Aboriginal title and our constitutional rights. But we also have to explain to the court that our traditional food economy is still how our families compensate for being forced onto social assistance. We depend on our territory for our livelihood. Mining turns this economic system upside down, especially in light of the Imperial Metals catastrophic tailings spill that happened in Secwepemc territory near Likely, B.C., on August 4, 2014. Indigenous peoples do not trust federal and provincial mining and environmental laws and a disaster like the Mount Polley tailings pond spill raises serious questions about the Red Chris Mine, which is another Imperial Metals property. After Mount Polley, no Imperial Metals mine will have any credibility for our people.

The Red Chris Mine is a particular threat. It is to be built in the Sacred Headwaters region of the Stikine, Nass



and Skeena rivers, three of B.C.'s most important salmon bearing rivers. This region is also the spawning ground for rainbow trout and home of mountain goats, grizzly bears, wolverines, stone sheep and caribou. Some have called it Canada's Serengeti. The planned tailings pond would be of the same design as the one that only a year earlier had dumped millions of litres of poisons in the local creeks, rivers and lakes.

Indigenous people had blockaded the site to prevent the Imperial Metals drillers from entering and when they were hauled into court, they told the judge that they did not agree that Crown title is the underlying title in their territory nor did they agree that Aboriginal title has been supplanted by Crown title.

Indigenous peoples fighting for their Aboriginal title and rights must fundamentally challenge the use of injunctions in regard to unresolved Aboriginal title and rights. The injunction should be viewed in terms of the colonial law versus the recognition and affirmation of Aboriginal title and rights. We believe governments must not use injunctions to bulldoze away our rights or as a cover for inadequate laws and policies toward Indigenous peoples and their legal and political rights.

The courts and the balance of convenience must not only weigh government control and industries' monetary interests, but also the cultural rights, the lives, the livelihood, and the constitutionally and, indeed, internationally recognized land and cultural rights of Indigenous peoples.

Unjust federal and provincial laws, policies and objectives require Indigenous peoples to personally defend our land, where we have very limited or no control over decisions made over our land. It is important for the business

and investment community to understand that it is the responsibility of governments to work out these differences. That is why the British Columbia treaty process is a twenty-year failed process.

Canada really does not have any process to resolve the Red Chris dispute. Indigenous peoples do not take action simply to confront the Royal Canadian Mounted Police or because we like going to jail or seeing our children and our Elders carted off in handcuffs. We do not take our liberty and the liberty of our families so lightly. But we see very few alternatives in Canada today.

Lack of mutually agreed upon policies puts a lot of pressure on the rightful title holders who depend on their Aboriginal title and rights to put food on the table. The rightful title holders have a legal obligation and human right to defend not only their Aboriginal title and rights but the Aboriginal title and rights of future generations, especially in view of mining operations where the damage can last for many generations. Indigenous peoples are carrying on traditional activities on these lands right now and it is these activities that give content to Indigenous laws and establish our own jurisdiction over our Aboriginal title lands.

While I was listening to the Imperial Metals lawyers drone on about how we had no rights, I must admit I was thinking of the phoney smiles and hugs we were receiving from Prime Minister Trudeau. If there had been "real change" in Canada's policy toward Indigenous peoples you would see it first here, on the front lines. But the justice department, now headed by an Indigenous person, is still holding us literally in contempt for protecting our own land from reckless despoilment from outsiders. The justice department and the



land claims negotiators are demanding the same thing: that we immediately and irrevocably surrender.

But we will not. Our parents' generation fought against repression hidden behind Pierre Trudeau's icy smile and made important advances for our people. They shook up Ottawa and went to London and New York to demand that Canada respect the human and Indigenous rights of our people. Today, it is going to take an even more intensely fought movement to complete the decolonization of our peoples under the next Trudeau regime.

I listen as the corporate lawyers string together a final series of illegals. Illegal assembly, illegal obstruction, illegal occupation. Then it is over.

The judge, as they so often do in these situations, finds in favour of the mining company.

Injunction granted.

So now, if our youth and Elders go back up to try to protect our Serengeti lands, the Sacred Headwaters region of the Stikine, Nass and Skeena rivers, from another poisonous Imperial Minerals spill, they will be handcuffed and arrested. If they resist, they will be beaten.

That is the equation offered us by the Canadian legal system. We leave the court but we know we will be back again and again until we have the justice that time and again, this legal system denies us.

# CHAPTER 33

# CRIMINALIZATION OF PROTEST

We will not be waiting idly for Canada to create its justice system.

The new path has been pointed out by Idle No More and Defenders of the Land, organizations that sprung from the grassroots and are completely independent from government and government-funded organizations. They are gradually beginning to change the nearly impossible odds that faced small groups of activists fighting government and industry in isolation.

Idle No More and Defenders of the Land, which came from slightly different traditions but have merged their efforts over the past three years, must continue to remain activist and uncompromising on the issue of our Aboriginal title and rights and remain focused on the land issue. Their strength is that they have proven their ability to mobilize support not only among Indigenous people but among non-Indigenous allies in the environmental, trade union and related social movements. We see how this new grassroots leadership and its allies can push our struggle forward into substantial gains for our peoples on the land question by supporting our Aboriginal title



battles and our United Nations recognized right to our lands.

Idle No More and Defenders of the Land stand in solidarity with communities across the country who are defending their lands and their Aboriginal rights. This support is critical because anyone who defends their lands is met with criminalization and repression by security forces and they need help in raising funds to defend themselves, and strong voices that can take their cause to the international level.

The international level is important, because the world has clearly staked out its position on the rights of Indigenous peoples in UNDRIP, and that document forcefully states that we have ownership rights to our lands. If UNDRIP was respected by the Canadian government, we would have no need for barricades. We could meet to discuss how the land might be shared and how it needs to be protected. What we would have on the table would be access and benefits — those are the only issues at question after our title is recognized. But the Trudeau government is refusing to implement UNDRIP and refuses even to respect its own Supreme Court rulings of our proprietary interest in our lands, so we meet instead at the barricades.

It is the existing Canadian strategy to use criminalization, civil action, police repression and other penalties to repress Indigenous resistance to these policies by bringing to bear the weight of the security forces against Indigenous individuals and communities. The use of incarceration is part of a long-term legal strategy that paralyzes communities in lengthy and costly legal proceedings, removing them as obstacles from destructive development on their lands.

In a larger sense, the Crown is conducting a legal-political-fiscal war on First Nations. For evidence, look at the recent media reports of Indigenous and Northern Affairs Canada's "hot spot reporting system" of "Native unrest" operating since 2007. And the inclusion of "radical Indigenous groups" in Canada's draft counterinsurgency manual in 2009 as well as the RCMP's Joint Intelligence Group monitoring threats to "critical infrastructure" by Indigenous bands. Look also at the close collaboration between the oil industry, RCMP and Indigenous and Northern Affairs designed to pacify resistance to the social and ecological devastation of the tar sands.

As late as 2015, a journalist uncovered the existence of the RCMP Project SITKA — a police operation tracking Indigenous activists "who pose a threat to the maintenance of peace and order." It revealed that the police were following eighty-nine activists who met "the criteria for criminality associated to public order events." Project SITKA tracks activists organizing around natural resource development (fighting oil pipelines and shale gas expansion), anti-capitalism (G20 and Occupy activists), the missing and murdered Indigenous women inquiry, Idle No More and land claims. The report concludes that the protesters "pose a criminal threat to Aboriginal public order events," though it concedes that "there is no known evidence that these individuals pose a direct threat to critical infrastructure." This proof of surveillance sent a chill through the activist community. Still, I could not help but smile when I learned that eighty-eight of the names in the document had been blacked out by the Access to Information people and the only name visible was my friend Russell Diabo. That is certainly a badge of honour for him.



SITKA underlines again Canada's insidiousness in using the executive branch and the mainstream criminal justice system to remove Indigenous activists from their land, rather than to bring their policies in line with Canadian judicial decisions, the Canadian Constitution and international law. Idle No More and Defenders of the Land must be prepared to support every community and the individuals who take a stand on our land rights. At the same time, we must cast the net further and bring grassroots Indigenous peoples from across the continent together to fight for political and economic justice.

This is happening today. In the two great environmental battles fought by Native Americans south of the border, the Keystone pipeline fight and the more recent Dakota pipeline battle, Indigenous peoples from north of the border have shown their active support. In the future this can be a powerful alliance in defending Indigenous lands from state and industry incursions throughout Turtle Island.

That is where we are today. I cannot emphasize too often that in our struggle, we must show the same intensity as American blacks did in the 1960s. They had to march in cities across America and they filled up the jails. In Birmingham, when all of the adult protestors were jailed, hundreds of school students took part in the children's crusade, where they marched downtown to talk to the mayor about segregation in their city. The marchers were stopped by the police who brought fire hoses to ward off the children and set police dogs after them. The sight of the southern whites hosing the black youth and siccing dogs on them was the most popular news item in Moscow and around the world that week. In the next city election, all of the segregationists were thrown out. Birmingham was

dramatically changed by that incident to the point where it was eventually given an award as the most integrated city in the United States.

Our battle must be as intense as the fight against racism in the American south and against apartheid in South Africa. Self-determination on our traditional lands is the only solution to colonialism. Canadians must realize that we have to build a new Canada, a whole new country based on recognition of our Aboriginal and treaty rights — a Canada that recognizes our right to self-determination and our land rights in Section 35 of the Constitution. We as leaders and human rights advocates have an important role in educating Canada about what a new country can be. But finally it will come from the grassroots, when we give our people the tools they need to make the change they need. They will block environmental disasters like the Red Chris Mine from destroying our lands, and pipelines from carrying the oil and bitumen that is destroying our climate, as they are doing today. They will stand their ground on our own land and send out their message for solidarity to the world.

# CHAPTER 34

# NON-VIOLENCE, BUT NOT PASSIVE ACCEPTANCE

We arrive at the question of violence — the ostensible reason the RCMP is doing their surveillance on Russ and the other eighty-eight unnamed activists in Project SITKA, and countless other surveillance operations against us. In Canada, if you challenge the status quo, if you urge people to stand their ground and stand up for their rights, you will be asked, generally in ominous tones, if you are "advocating violence."

My first instinct is to point out that the overwhelming and unrelenting source of violence in relations between Indigenous and non-Indigenous peoples has come from the settler state, but I don't, because I know that my earnest interlocutor will instantly assume that, yes indeed, I am indirectly advocating anti-Canadian violence!

Well, I can assure you that I am not.

There is no question that in Canada non-violence is the only way for Indigenous peoples to achieve self-determination. But this does not mean we will not create tension within the existing colonial system. Creating tension is not only unavoidable, it is essential to bring about change. There is indeed a difference and no one expressed this better than

Martin Luther King, Jr. in his Letter from Birmingham Jail:

> Nonviolent direct action seeks to create such a crisis and foster such a tension that a community which has constantly refused to negotiate is forced to confront the issue. It seeks so to dramatize the issue that it can no longer be ignored. My citing the creation of tension as part of the work of the nonviolent resister may sound rather shocking. But I must confess that I am not afraid of the word "tension." I have earnestly opposed violent tension, but there is a type of constructive, nonviolent tension which is necessary for growth . . . we see the need for nonviolent gadflies to create the kind of tension in society that will help men rise from the dark depths of prejudice and racism to the majestic heights of understanding and brotherhood.

In Canada, we are still far from those "majestic heights." To understand why creating tension is necessary you have to look at how our opponents normalized the theft of our lands in the first place. The British were superb at taking over places based on shuffling papers and filling out documents — then sending out overwhelming military forces to defend their "legal" title to other people's land. Our Indigenous leaders in the Interior realized this more than a hundred years ago. In 1910, the Interior chiefs wrote the Laurier Memorial, protesting the usurpation of their lands because they realized that the British were stealing their land on



paper. The Indigenous peoples of that time had never seen the Constitution of Canada or the maps the white people made for themselves, but they recognized that somehow the land was being stolen out from underneath them and they wanted this to stop. So they wrote their own account of the step-by-step white invasion of our territories and they submitted this to Prime Minister Laurier in protest.

This paper-pushing all seems very abstract but it is important to understand that in colonial jurisdiction, behind all of the maps, licences, government surveys and land use regulations, there is always some bureaucrat responsible for every square inch of Aboriginal and treaty territory. They want you to get a permit or permission to do anything you do on their responsibility area or they will get an injunction and enforcement order to have you removed. This basically means you do not need to do anything except show up on any unoccupied or disputed area and set up camp and you will sooner or later be visited by the colonial authorities. I am saying this simply to explain that taking any kind of action out in your territory will have an impact. It will not necessarily be splashed across the news, but when you are exercising your right to self-determination, you are challenging them.

The old colonial structure and decision-making process is so entrenched in Canada that Prime Minster Harper said we do not have colonialism in Canada. This means that we do need to exercise self-determination across this country to get these little colonial bureaucrats to understand that there are new decision makers coming back onto the scene. The business-as-usual strategy of the federal and provincial governments is a strategy they use but it is not law. It is, in fact, contrary to the obligation that international human

rights treaties and the Constitution demand from the federal and provincial governments.

The business-as-usual strategy is really callous and humiliating. It means that they know we have been so socially and economically marginalized, so impoverished, that even though we do actually have legally recognized rights, they do not give a damn. They are going to carry on business as usual and push us out of the way because they are strong and we are weak. This is very much like the situation in the US in the 1830s, when the Supreme Court Chief Justice John Marshall ruled that Indigenous peoples within the country's borders had sovereign rights and the lawful title to their lands. But President Andrew Jackson shrugged off their rights and the jurisdiction of his own Supreme Court by saying, "John Marshall has made his decision; now let him enforce it!" Jackson then carried out ethnic cleansing on the Cherokee people from all of their lands east of the Mississippi river in the infamous Trail of Tears.

Similarly, business as usual in Canada says that Indigenous peoples are too inferior to demand equality and self-determination. We have been marginalized over the last 150 years, so now it is actually emotionally stressful for us to assert our equality. Especially when the courts and the police are at the barricades saying, you actually have no right to be equal at all. That is when violence can erupt even though it is a peaceful demonstration. Violence is something we should never initiate or wish for. In fact, watch carefully. You will see that almost always, violence comes from the state because that, after all, is how they keep us in check. We must never initiate violence ourselves, but at the same time we should never go quietly. We stand our ground.



And for that we need to support our Warriors. The road to self-determination has to include training and organization of our Warriors to protect our peoples and our rights. These forces have to be developed under our own governments and not be extensions of the forces that are designed to protect the old status quo.

I know that even in some of our own communities, Warriors are looked at with suspicion in peaceful times. But when Aboriginal and treaty rights run into conflict with federal or provincial laws, and the Warriors, often our young women and men, stand up for the people and their rights, they are quickly elevated in importance. Our Warriors at the barricades have to be strong and smart and hold their emotions in check when they fight back — always create an environment that allows for change instead of violence, which will only serve to entrench the status quo.

Warriors are important because we need the capacity to protect and defend our Aboriginal and treaty rights. A responsible Warrior Society that is properly trained and connected to the local Indigenous people's grassroots decision-making power structure is essential for establishing ourselves and for protecting our Aboriginal title and rights into the future.

The RCMP and national security officers are committed to the old colonial model of decision making in Canada. They follow the precedent set out by decisions that saw colonial rule as sacred and Indigenous peoples as excess baggage. I also know that the RCMP and national security officers have infiltrated our organizations and will use these infiltrators for information to convict us and, very often, as agents provocateurs who try to incite violence, which they can use to isolate us and give the green light to

the RCMP, provincial police or army to violently oppress us. Violence is the game of our oppressor. Our response is non-violent resistance.

But we should never be afraid of creating tension in our struggles. We must stand up to our oppressors and, while no one in their right mind would seek it, we should not be afraid of going to jail. Creating tension is the only means to decolonize ourselves because the colonized in Canada are accustomed to treating Indigenous peoples as non-human beings.

We want to build a new Canada based on the *Constitution Act, 1982* and stop Canada and the provinces from carrying on business as usual under the outdated *BNA Act* division of powers, where only the federal and provincial governments have law-making powers.

Our Aboriginal title and rights, and our right to self-determination as recognized in the UN Covenant and the UN Declaration of the Rights of Indigenous Peoples, must be recognized by Canada and the world. We must never accept less and we must be prepared to fight for our rights anywhere and everywhere they are challenged.

Finally, on the question of violence, we should really turn it around. In equally ominous tones we should ask our interlocutors if they are advocating or condoning violence against us.

Because in fact, they surely do. It is the first response of all settler states. From the papal bull of the fifteenth century to the present it has been their guiding principle and the source of their power. Ours must be non-violent resistance. Fierce resistance.

# CHAPTER 35

# RESISTING THE CARBON BOMB

The main impediment to Canada's dirty energy market is the fact that Indigenous peoples hold constitutionally protected title and rights to their lands, with which industry and government must legally comply.

This is not just an economic issue. Indigenous peoples are very concerned about Canada's dirty energy policy. We believe that the oil and gas industry has had its day and the pipelines — far from being expanded — should be gradually turned off. Today's oil profits should not be directed to the 1 per cent, but should be invested into alternative energy solutions.

When I state these things, people might think that I am pretending to be some kind of environmental angel. The fact is, I have myself earned a living off oil and gas. I know what it's about. But there is a time when you have to pull a plug on something when you see it is doing harm and today scientists the world over have proven that the oil and gas industry is doing terrible harm to our atmosphere. And, as I saw when I toured the tar sands, terrible harm on the ground. The tar sands are a disaster for the people of the region and, when it is extracted

and burned in the air, for people and animals everywhere on the planet.

Indigenous peoples have to use all of their strength to close down the global warming threats to themselves and to Mother Earth. We see clearly that Justin Trudeau is our enemy in this. In September 2016, his environment minister, Catherine McKenna, flanked by the minister of national resources and B.C. Premier Christy Clark, stood at the Sea Island Coast Guard base outside of Vancouver to approve the $36 billion Pacific NorthWest Liquefied Natural Gas pipeline that had been fiercely opposed by environmentalists and Indigenous land protectors. But because this was a Trudeau government minister, the announcement had to be made with a scattershot of lies, among them her contention that the approval was based on both the "best available science and on Indigenous traditional knowledge."

If built, Pacific NorthWest LNG, which is owned by the Malaysian government, will be one of the largest carbon polluters in the country and a serious obstacle to Canada living up to its climate commitments. Matt Horne of the Pembina Institute pointed out that "the project will involve scaling up fracking in northeastern B.C., building a pipeline to the West Coast and constructing an export terminal on Lelu Island, near a crucial area for juvenile salmon." In all, the Pacific NorthWest LNG project is expected to emit 9.2 million tonnes of carbon dioxide equivalent annually — equal to 1.9 million cars — into the atmosphere. "By 2050," Horne says, "the entire province of B.C. is supposed to emit 13 million tonnes of carbon pollution. With LNG line approval alone, meeting the climate target becomes an impossibility."



For his part, Grand Chief Stewart Phillip was not impressed by the "Indigenous traditional knowledge" that went into the project. "The LNG project would obliterate the Skeena River sockeye run in B.C. Clearly we have grave concerns about this project."

Stewart also looked at what the decision had done to the faith of Indigenous peoples in the Trudeau government. "What is at risk here is the rapidly deteriorating relationship between the Indigenous people that came out in unprecedented numbers, being inspired by the promises and commitments made by Mr. Trudeau during the last federal election. We are now moving," he said, "toward a very conflictual relationship with the Trudeau government."

## CARBON BOMB 2

That relationship between B.C. Indigenous peoples and the Trudeau government became even more contentious two months later when the Trudeau government announced they were approving the Kinder Morgan pipeline, which passes through hundreds of kilometres of Secwepemc traditional territory, crossing and in some places criss-crossing the main salmon rivers and passing through our most precious and environmentally sensitive areas. Two days before the announcement, I had sent the prime minister an open letter as head of INET and with the support of my band, and friend Chief Judy Wilson. I include the full text here because it provides a summary of what we, as Indigenous peoples in general and as Secwepemc people in particular, are up against in the Kinder Morgan pipeline.

## OPEN LETTER REGARDING THE PROPOSED KINDER MORGAN TRANS MOUNTAIN PIPELINE EXPANSION THROUGH SECWEPEMC TERRITORY

Dear Right Honourable Prime Minister Justin Trudeau,

I am writing you as the Spokesperson of the Indigenous Network on Economies and Trade (INET) and a member of the Secwepemc Nation in regard to the Kinder Morgan Expansion through Secwepemc Territory. Secwepemcúl'ecw, the land on which we live, eat, sustain our culture, practice our ceremonies, and exercise our rights, is the largest Indigenous territory that the Kinder Morgan Trans Mountain Pipeline expansion would cross — passing through 518 kilometres of our territory.

I would like to remind you that this pipeline requires the consent of the Secwepemc people. We do not accept that the federal government can make this decision unilaterally and without the prior informed consent of the Secwepemc people as the rightful titleholders. Kinder Morgan has signed deals with a few Indian Band Councils[1] but neither the band councils nor Kinder Morgan have engaged with the Secwepemc people as the rightful titleholders. These agreements can only be made on behalf of their status as federal Indian Bands and do not represent the rightful titleholders. In fact,

1. With the Simpcw, the Tk'emlups te Secwepemc and Whispering Pines Indian Bands. The only consultations with the Secwepemc people have been through the NEB process and the ministerial panel, both fatally flawed processes that failed to properly take into account our collectively held Aboriginal title and rights.



the agreements are made with Bands whose reserves cover less than 1 per cent of the Secwepemc Territory along the existing Kinder Morgan Pipeline and they appear to be little more than cynical attempts to divide and conquer our people — as we have seen on so many other occasions.[2]

In response, INET, along with a group of concerned Secwepemc people, has undertaken to organize a broad based action we are calling STOP for "Secwepemc Trans-mountain Oversight Plenary." The purpose of this Plenary is to gather on the land in the spring of 2017 to discuss and decide on Kinder Morgan expansion through the Secwepemc Territory and then to collectively determine on a course of action.

According to Secwepemc, Canadian, and international law, title and rights are vested in the Secwepemc people as a whole. It is only by starting with our traditional land users and stewards — those who exercise the right to hunt, fish, gather, and practice our culture — that we can truly understand the impacts of the pipeline and achieve this level of engagement. The STOP plenary will gather their perspectives on the proposed pipeline. It is these members of our nation who will feel the impacts of the pipeline on our rights and our food sovereignty most acutely. The pipeline weaves through some of our most important water

2. This tactic that has been condemned by the world. Most recently, Anastasia Crickley, Chair of the UN Committee on the Elimination of Racial Discrimination (CERD) who questioned Canada in a October 3, 2016, letter about using "divide and rule strategies" within the Secwepemc Nation when attempting to negotiate a land claims agreement through the British Columbia treaty process.

systems, threatening the Thompson River system which is connected to the Adams River, which is a vital spawning habitat for chinook, coho, and pink salmon, and home one of the most important sockeye runs in the world. We have yet to hear from our land users on the impacts the pipeline could have on our salmon, our food sovereignty, and our rights as Secwepemc people.

Any leakage would immediately threaten the pacific salmon who spawn in the Thompson and Fraser River basins. It is not surprising that most Secwepemc people are in complete solidarity with the Water Protectors from Standing Rock North Dakota. Our waters are also sacred. The salmon and the rivers they inhabit have taken care of our people for centuries and we are obligated as Secwepemc people to protect the Thompson River system for future generations.

We also take seriously the issue of climate change and wonder how you could possibly give approval to this pipeline if you yourself are serious about transition to a low carbon industry. Canada cannot afford and does not need any expansion in pipeline capacity and further GHG emissions if we hope to reduce the current damage to the planet.

I am attaching a map outlining the boundaries of Secwepemc Territory which the existing Kinder Morgan pipeline bisects, with the proposed Kinder Morgan Trans Mountain Expansion along the same route. It is important to point out that the first Kinder Morgan pipeline was not approved by the Secwepemc people because we were outlawed under the *Indian Act* from organizing around our land rights from 1926–1951. Canada appears to want to ignore us again.



Nevertheless, Canada is obliged to seek the consent of Indigenous peoples on the Kinder Morgan Trans Mountain Expansion under its international human and Indigenous rights obligations.

The Secwepemc people convening the Plenary on Kinder Morgan Trans Mountain Expansion will keep your office apprised of our decision after we gather together on the land in the spring of 2017. We expect Canada not to proceed with any approvals or decisions regarding the proposed Kinder Morgan Trans Mountain Expansion until hearing from the Secwepemc people on this matter.

Yours truly,
Arthur Manuel

The approval of Kinder Morgan two days later was the second gravest criminal act Justin has committed — after the abandonment of the international declaration of our rights in UNDRIP. And they are not unrelated. He had to abrogate UNDRIP to give himself a free hand to build pipelines across our territories. Because he knew that if UNDRIP is properly implemented, he would need not just to "consult" Indigenous peoples, he would have to gain our consent. And that, he knows, we will never give.

Our job now is to show him that we cannot so easily be swept aside and preparations are underway for our people to gather on our land in the spring of 2017 and decide our own fate.

# CHAPTER 36

# DEFENDING MOTHER EARTH

In defending the land at this time of the international global warming crisis, we are defending something much larger than Indigenous rights. Our fight today is to preserve the planet in a livable form.

Every year the earth sets new records for warming — the climate disaster that we have been warned about is here and we will have to take dramatic action if we are to avert the worst consequences. A recent study in the journal *Nature* has shown that, globally, 33 per cent of all known oil reserves must be left in the ground if the world is to keep within the already dangerous 2 per cent temperature increase. The study's conclusion on the exploitation of Canada's oil sands was unequivocal. Production must fall to "negligible" levels after 2020 if the 2 per cent scenario is to be fulfilled. The research also finds no climate-friendly scenario in which any oil or gas is drilled in the Arctic.

These studies underscore the fact that Trudeau and his gang in Ottawa are really climate deniers, or at the very least climate liars, in their insistence that they can continue for decades on end to drain oil from the oil sands and still stay within acceptable climate limits. In insisting on bringing the





oil sands to market, Prime Minister Trudeau is committing intergenerational warfare against my children and grandchildren, as he is with his own.

Indigenous peoples have a real responsibility to fight against the petro-politics that is driving Canada's establishment, and for a clean energy policy that will leave a livable future for our children. It is our responsibility to promote our Indigenous concept of economy to replace the Eurocentric form that is destroying our environment. We need to find our voice in this discussion, or we will wind up getting solutions from greenwashing strategies that are not really green, but just another way big business makes money pretending to address this problem. The greenwashers are trying to run an environmental scam against Mother Earth and we know that she cannot be fooled.

When the Europeans first came to North America five hundred years ago, Europe looked at the natural wealth of our territories and claimed we did not know how to use our land, so they claimed it under the colonial doctrines of discovery and colonized us. This meant they dispossessed us of our land, made us dependent upon them and oppressed us when we resisted. Now our lands have been seriously depleted. But they continue high grading oil and fracking natural gas while at the same time pretending to be concerned about dirty energy problems and global warming. You cannot have it both ways. You either commit yourself to a clean energy policy or not. Trudeau and his tricksters never miss a chance to speak glowingly of clean energy while at the same time devoting all of their energies and energy policies to ensuring the continued dominance of dirty energy. This fact was hidden in plain sight when they were in opposition, when they criticized the Harper government for not having

"social licence" for their energy extraction and transportation blitz. Once in power, the Liberals tried to get "social licence" with small meaningless concessions and lofty words with the intention of using that licence to implement, almost unchanged, the aggressive and environmentally disastrous "energy superpower" policies of Stephen Harper. Now that more and more people are pointing this out about Trudeau and publicly denouncing his policies, his government has suddenly become silent over social licence while they make dark hints of using the army to quell resistance to the expansion of the country's fossil fuel infrastructure.

This channelling of the spirit of Stephen Harper in Justin Trudeau is obvious in my Secwepemc territory where Trudeau approved the Kinder Morgan pipeline.

Grassroots Indigenous peoples challenge the continuing reckless and destructive industry invasion of our territories, despite the fact that we are financially poor, because we know ultimately we will be poorer if we let them destroy the land and poison the air. We still live off the land, so our laws are based on respecting Mother Earth because it is Mother Earth that gives life. We challenge Canada, the provinces and industry to protect Mother Earth, and we are the real driving force behind the environmental movement because we still depend on her for our food, medicine and our spiritual life. Our values, language and culture give us strength to fight this David and Goliath struggle, and none of our people are fooled by the Liberal government rhetoric.

We know that the expenses we are charging to Mother Earth are being put on our grandchildren's credit card. Do not believe the scam artists who are saying that a mine will not damage your watershed or that a pipeline is leak proof. Mines do damage watersheds and all pipelines eventually leak.



Aboriginal and treaty rights are a counterbalance to the stranglehold petro-politics and the resource extraction industry has on Canada and the provinces. It is our duty to address global warming and other related environmental problems Canada needs to face up to. We, as Indigenous peoples, need to use our power to protect Mother Earth not only for our own good but for the good of all humanity.

## A QUESTION OF VALUES

It is obvious that Indigenous peoples are threatened by mining and pipeline activity in Canada so it is critical that Indigenous peoples, and not just the leaders, get acquainted with the impacts mining and pipelines are going to have on our lives. Federal and provincial governments want to keep all the fundamental decisions on access and benefit sharing within their federal and provincial law-making powers. They do not want to share decision making and benefits with Indigenous peoples. Instead, they will try to limit Indigenous involvement to jobs, token business opportunities and revenue sharing.

The Canadian and provincial governments are trying to challenge any opposition to the mining and pipeline industry by investing in employment strategies to get Indigenous peoples to work for the pipeline and mining industry. But pipelines and mining industries are very dirty industries and we have a responsibility to make our own pipeline and mining policies and laws according to our own values. Traditionally, Indigenous peoples' economies have always been based on clean energy and making a minimum impact on animals, land, water and air.

Of course jobs, economic opportunities and revenue sharing should be part of the basis of any economic relationship with Indigenous peoples, but they can never be traded for Aboriginal title and rights. The real negotiations must be based on the broader economic matters like dirty energy policies versus clean energy policies; wild salmon conservation and fish farms; clear cut and selective logging and mining exploration and environmental mitigation. Aboriginal title and rights are dependent upon a clean and natural habitat.

Indigenous peoples are accustomed to thinking about the impact human activities will have on our future generations. This is part of our spiritual relationship with our traditional territories and this is really our qualification for addressing these economic matters.

The mining industry and the pipeline promoters are going to put a lot of pressure on the chiefs and councils in our territory and they are used to ignoring and overriding Indigenous values and principles under the colonial system. Indigenous peoples should never feel pressured to change our values because these values can protect the earth for everyone.

# CHAPTER 37

# THE LONG-TERM APPROACH

As I write this, I can hear our critics saying: "But we can't simply oppose all development!"

It is the universal refrain from those who never want to oppose any development.

So I will state clearly that we do not oppose all development on our lands. But we do oppose irresponsible development. All we ask is that any development be fully measured in terms of the cost and benefits they will have not only for us but for our children, grandchildren and future generations. We should not simply look at quick cash to cover off existing deficits or top up salaries for jobs the government is cutting back on. I know we are in a big money crunch right now. In fact, so is the province of B.C. because they mismanaged the forestry and fisheries in our territory. I know that mining and water are now on their planning table and I know they will mismanage these resources too.

I know Canada and B.C. are committed to a dirty energy policy because they are willing to pipe dirty oil through our territory. They are addicted to oil and gas like an alcoholic is addicted to booze. This fossil fuel addiction also carries over to minerals. We are destroying our land and water

for minerals that really have no real benefit or that actively harm us, like mining for microscopic gold or minerals that poison the air.

We need to measure all industrial resource activities by their true and full impact on not only our air and water, but also on our culture and values. As Indigenous peoples we view all human activity with the understanding that water, land, animals, plants, fish and human beings are equal. We understand that if we damage one area it will eventually impact us. Human beings do not dominate the earth, but are part of the earth. This is very different than the economic values of the Europeans.

Only recently has the value of the natural world begun to creep into the European concept of economics. Originally the environment was considered an externality, which means it was not factored into the cost of business. That meant that the business did not have to pay for the damage it did to the water and land. Instead, the environmental degradation and destruction was covered by society and the government. Society had to live with poisoned water created by businesses or pay to clean it up. This is just now beginning to change, and we need to understand how we can make these changes work for us — or at least help to protect us in the short term.

An important part of this change is included in the legal requirement imposed on the federal and provincial governments to seek and achieve consultation and accommodation with Indigenous peoples. And much more specifically is the UNDRIP demand that our free prior informed consent is required before there can be any development on our land. This puts us in a very critical position to help Canada and the world to make adjustments that will at long last free us



from our fossil fuel addiction. We can use our responsibility to protect Mother Earth as part of our contribution to the modern environmental struggle and this, in turn, will help us win a broader base of support for our Aboriginal and treaty rights.

Those bands who do not assert their rights and instead sit down with the government to negotiate them away are being very short-sighted — and they impact all of us. They make us all look like we are on the one hand as money-obsessed as Europeans, and on the other easily cheated because the money we ask for is a mere fraction of percentage of the overall wealth taken from our land. We have been marginalized for so many decades that we do not really understand how governments and industry allocate and divide up the benefits from our land.

So when development passes the test of sustainability over many generations, we can allow it in our territories and at that point we should be fairly compensated for rights to our own resources. Then it is also essential that a significant part of those profits are allocated to ongoing environmental protection and research projects, so we can ensure a clean and sustainable planet for our children and grandchildren.

These are the kind of arrangements that must be looked at by the rightful title holders and, if implemented, they should also be monitored by them. We should not limit ourselves to short-term jobs, business opportunities and quick-buck revenue sharing. We need to use our economic power to give full meaning to our sovereignty and self-determination and, most important, to protecting our lands for future generations.

# CHAPTER 38

# DECLARING SOVEREIGNTY ON THE GROUND

Here it is important to give a caveat. When we speak of asserting our rights on the ground, it is a very profound step and one thing we must avoid is making grand declarations of sovereignty and then following it up with . . . nothing. This is not only useless, it is profoundly injurious to our cause.

I know it feels great for Indigenous peoples to dramatically declare their sovereignty but what it means on the ground depends on how you back up your words with your deeds. I know this from countless struggles where our people literally had to fight off the settler security forces of the day. I also experienced how struggles on the ground divided our nation between those who wanted to negotiate and those who wanted to fight it out. I am therefore always interested in seeing how far a group of establishment leaders and institutions are prepared to fight for their sovereignty on the ground before I move to join them.

The government is always talking about the "strength of claim" in determining how seriously they will take any Indigenous claim to our territory. The establishment groups should get support for their position among the people before making their claims. It takes a massive





movement to have our sovereignty recognized on the ground. I think the constitutional and legal foundation is there. I think, generally speaking, many Canadians are interested in dealing with this issue if we ourselves can approach it in an organized way.

The real problem is that we lack leadership to get this done. We actually are sending mixed signals to industry and government. On the one hand, some of our Indian bands sign Reconciliation Framework Agreements. On the other, the same band also declares Aboriginal title and rights to specific areas their territory. In signing the Reconciliation Agreements, they are handing over their title to the provincial government and industry so when, in the next breath, they declare sovereignty, it sounds confusing and makes us look inconsistent and, to be honest, a bit simple-minded.

If we are going to be taken seriously, especially when we declare our title and rights to our territory, we better be consistent in our strategy and refuse to sign any agreement that offers or implies the surrender of our rights. The Indian bands that have never signed the provincial government agreements are in a far better political position to declare Aboriginal title over their territories. What is being challenged is who has underlying title to our territory. Does underlying title belong to the Indigenous peoples or does it belong to the Crown — that is always the crux of the matter and we have to be absolutely consistent in our answer to the question.

The important question is, will these Indian bands back up their declaration or will they just let the province carry on business as usual? If that happens, then they will make our position weaker instead of stronger because they will be saying, on one hand, we assert our Aboriginal title and

rights, and on the other hand, don't worry, it doesn't actually mean anything.

Finally, we need to be very concerned about some of our leaders using these kinds of declarations to merely trade-off for a bigger surrender settlement than they would get otherwise. This is in fact what many of our deal-making leaders do. They claim Aboriginal title and rights and then immediately throw them down on the negotiating table. They are not in the business of asserting our rights, but of selling them.

Regardless of what you think about this strategy and about the leadership that is promoting it, we will be affected by these false declarations. We need to take them seriously and to put some thought into all of their implications before making the great intoxicating pronouncements of sovereignty and waking up the next day with nothing to show for it but a hangover and some embarrassing memories.

# CHAPTER 39

# STANDING WITH STANDING ROCK

One of the most promising new developments in recent years are the new alliances north and south of the Medicine Line.

It was a freezing December day when I arrived in Standing Rock, but there were still thousands of people camped out at the main camp. I was there representing the Seventh Generation Fund for Indigenous Peoples — an organization that I am a board member of — and I was pleased to see the Secwepemc flag flapping in the wind in the row of Indigenous flags along the main road. It was there because of the solidarity between many of the grassroots Secwepemc and the Sioux of Standing Rock. Many of our people came to show their support, and the water protectors opposing the Dakota Access pipeline have promised to return the favour in helping us in our fight against the Kinder Morgan pipeline expansion through our territory.

Despite the icy temperatures and the fact that the camp was encircled by para-militaries, I had a good time at Standing Rock, meeting with people from the Spiritual, Warrior and tribal groups. They have gathered around them a very dynamic and powerful group of Indigenous and

non-Indigenous activists, committed to fighting against the black snake — as they refer to the pipeline. Among them, I was happy to run into Naomi Klein, a long-time friend and political inspiration who also wrote the foreword to *Unsettling Canada*. She too had come to show her solidarity and to bring attention to the importance of the fight against the pipelines that were bringing to market far more oil than our planet can safely burn.

I also arrived the same day as US veterans who had come to protect the protectors after the violent attacks on them by the para-military police during the fall. This is something new in our battles, with Indigenous peoples on the front lines against the state and the resource extractors that they represent, being joined by broad sections of the larger society. In the Keystone battle, it was a coalition of "Cowboys and Indians" with the local ranchers joining Indigenous peoples and environmentalists in combatting the destructive forces of runaway development. We also saw this in Canada in Elsipogtog, when local people who were equally concerned about the effect of fracking on their drinking water quietly joined the Mi'kmaq-led blockade.

But once again it is a complex battle. The same issues we are confronted with north of the Medicine Line, the division that often arises between the people and their establishment leaders, were visible at Standing Rock. The fight is led by the water protectors, and the band council often acts like band councils in Canada, ready to settle for a small sum of money and a promise of a handful of jobs — rather than stand up and fight for its rights and the community's long-term health. Our situation is similar. Kamloops, North Thompson and Whispering Pines have signed deals with the Kinder Morgan pipeline. Indian bands can, of course,



do what they want, but Secwepemc territory belongs to the Secwepemc people collectively. Band councils have jurisdiction on the postage stamp–sized lands set aside under the *Indian Act*, but it is the whole nation that holds collective title to our vast national territories.

In Standing Rock, there was real tension between the band council and the water protectors. This is part of life and we have to deal with it. The fact that all women do not stand together with the women's movement in no way diminishes its extraordinary and transformative importance today and over the past fifty years. This is the same with all movements. Even Martin Luther King, Jr. had countless critics and obstructers among US establishment blacks. So the fact that all Indigenous people do not stand together in no way diminishes the power of our movement. The fact is, some who are born into our groups do not share our values, often because their life experiences have diverged from ours — and they do not want to share our collective struggle. That is their right but it does not mean that we in any way have to dilute our commitment. Others, born into other groups, stand with us. And they add to our strength.

Governments, of course, thrive in exploiting any division they can find. In Canada, the prime minster and Kinder Morgan will suggest that the signatures of the three Shuswap chiefs who are ready to do a deal is good enough, because it serves their interests to suggest this. After all, a lot of big investors have pumped billions and billions of dollars into the tar sands and they need to sell their dirty oil in Asia to recoup their investment and make a profit. So if they can work their neocolonial black magic behind closed doors with three chiefs who are on their payroll, they will.

This is how neocolonialism worked in the past. This is how it still works today.

But we will be there to remind them that when the first Kinder Morgan pipeline went through our territory in the early 1950s, we were not consulted and we never gave our approval. We were actually prohibited by the *Indian Act* to meet and talk about our land rights from 1926 to 1951, so it would have been illegal for us to even consider a position on the pipeline.

But the 1950s are long gone. Today, the province of B.C. needs to get the permission of the Secwepemc Nation and not just the local Indian bands located along the Kinder Morgan pipeline if it wants to build a new line through our territory. We will remind them that the Supreme Court of Canada was very clear in stating that Aboriginal title and rights are a collective right and not a "federal Indian band right." The court made it clear that Indigenous people are the rightful title holders and not the band.

While Kinder Morgan has signed deals with the Simpcw, Whispering Pines and Kamloops Indian bands chiefs, those three Indian bands do not represent the nation. The three bands do have the right to sign a deal for how Kinder Morgan does specifically affect them, but they cannot sign on behalf of the Secwepemc Nation. Canada, British Columbia and Kinder Morgan cannot legitimately build the second pipeline and get direct economic benefit from using Secwepemc territory to convey energy to the global marketplace.

When I spoke to the Standing Rock assembly, I told them that I, along with the people I represent, am committed to no more pipelines. I said our governments cannot logically say we are going to stop carbon

*The proposed Kinder Morgan Trans Mountain Pipeline snakes through more than 500 kilometres of our territory.*

emissions and at the same time build more pipelines. I said that Dakota Access pipeline was plan B for the failed Keystone pipeline. And that the planned Kinder Morgan pipeline through my people's territory is plan B for the failed Gateway pipeline. I told them that just like they felt a duty to stop Dakota Access, the Secwepemc people feel an obligation to protect Mother Earth from the Kinder Morgan pipeline.

I spent several more days at the camp and I had a growing feeling that we are entering a new era. With the election of President Donald Trump, battle lines are being

sharply drawn. Positions are hardening and the battle will be long and tough. But on our side, we are increasing our forces.

When I left Standing Rock, another blizzard was moving in. But the Secwepemc flag was still flying with the other Indigenous flags along the entrance to the camp. As I was leaving, I was thanked by local activists for coming to show solidarity. And they promised that if the Kinder Morgan pipeline enters one inch of our territory without our permission, they would come up to stand alongside us to block it. That is the type of promise we can build our victory on.

# CHAPTER 40
# DEATH OF A WARRIOR

On March 22, 2016, the Secwepemc people lost one of their greatest warriors. Wolverine (William Jones Ignace), was eighty-four years old when he died. He had been a strong supporter of my father in his day and of our land battles everywhere. He rose to special prominence during the unprecedented state violence launched against our people in 1995, the so-called Gustafsen Lake stand-off.

Called Ts'peten in our language, Gustafsen Lake is one of our sacred sites that was being used as grazing land by a local rancher. When the rancher tried to force a group of Sundancers off our land by destroying their camp, the call went for defenders. Among the first to arrive was Wolverine and what unfolded at Ts'peten was a classic example of how the state machinery works. As soon as the land protectors arrived and stood their ground with the rancher, the NDP government in Victoria sent in the RCMP to arrest the Sundancers and "restore order."

The defenders did not back down. Over the next thirty-one days, the RCMP amassed four hundred Emergency Response Team officers complete with armoured personnel carriers. They fired more than seven thousand rounds at the

defenders, blew up one of their pickup trucks with a land mine and engaged in propaganda against the Indigenous people there that even one of their PR officers later described as a "smear campaign." Over the next month, the Sundancers were variously described as being members of a cult, as common criminals and, finally, as terrorists.

During the standoff, there were several pitched gun battles. It seems a miracle that no one was killed and only a few on each side were lightly wounded. But the barrage of racist attacks in the press and from the police and government officials continued before and after the firefights.

The standoff ended with a surrender of the camp on September 11, 1995, after visits from spiritual leaders. Almost all who remained were arrested and charged. Wolverine, who had been given a high media profile during the standoff, was given an eight-year sentence and he served a full five years before he was parolled. One of the defenders managed to escape to the US and it is indicative of the outrageous behaviour of Canada's security forces that he sought and was award political asylum when an American judge heard the story of Canada's behaviour in the standoff. In a truly strange twist of fate that I still cannot fully understand, but has only added to Wolverine's legend, the RCMP, the people who were shooting at Wolverine, actually awarded him a medallion for courage under fire.

Wolverine left prison unimpressed with the RCMP gesture and more determined than ever to continue the fight for sovereignty. Over the years, he would travel to Europe to address the international community and into southern Mexico to meet with the Zapatistas. All the while he insisted on Secwepemc sovereignty and refused to accept the role of the Canadian state in our lives.



What was less known about Wolverine outside of our community is the Nourish the Nation Garden that he cultivated in his later years. All alone, well into his eighties, he cultivated eight acres of tomatoes, beans, squash, carrots, potatoes and melons, all using traditional organic methods. He gave the food away to those in need, while also making sure that those who were protesting the illegal expansion of outsiders onto our lands always had food in their camps.

In this, again, he was showing us the traditional way. He grew up in the 1930s, before the band administration had welfare to distribute, and at the time our peoples were self-sufficient, growing all kinds of food crops on our reserve. Back then the chief did not have welfare cheques to give out but instead checked to make sure your winter supply was sufficient to take care of your family. If it wasn't, he would express his displeasure and insist you and your family go out and gather more food or firewood — whatever you were short of. I remember Elder and friend Mary Thomas saying everyone used to be a little afraid of Chief Neskonlith because he was a stern man when he assessed your food supply, and was quite insistent in the fall that you go out and amass more to ensure your family could get through even the longest and most bitter winter. We certainly did share our wealth back then, but we were also responsible for taking care of our family and ourselves first.

We did not, as some would have it, put necessities in a common supply depot with everyone taking what they wanted. No, we generated our own food supply and were responsible for taking care of ourselves. We shared what we or our families did not need or traded, for example, for more berries if we did not have enough and we had extra dry fish. This was why we divided our land by family into Certificates

of Possession when the reserves were set up. Every family back then had a parcel of land that they put seed to and we had a Water Boss who would schedule our water use. Back then it was flood irrigation and everyone was desperate to get water, especially when it was hot and dry.

Today, many of our people live on social assistance, and I know we can produce all our own food to relieve that economic pressure point. That was what Wolverine was trying to prove when, as an old Warrior, he farmed that eight-acre garden. He wanted his children and grandchildren to learn that you can become independent by growing your own food. We have the land, we have the irrigation system, we just need the planning to use that land to become more self-sufficient. We need the white man's welfare system to be thrown in the garbage. We need to develop our own mixed economy where income generating activity is married to a self-sufficient farming, hunting, fishing and gathering plan, with a place for very carefully planned and managed developments. As Wolverine explained to us in his words and showed us by his example:

> You need two hands to fight the system. You cannot have one hand asking for something. You have to be able to fight with both hands.

In this, he was not only one of our greatest warriors, he was one of our greatest teachers.

# PART 8
# RE-ENVISIONING CANADA