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**ABOUT US** 

 ${\it Briarpatch} \ {\it publishes} \ {\it six} \ {\it thought-provoking}, fire-breathing, riot-inciting$ issues a year. Fiercely independent and proudly polemical, *Briarpatch* delves into today's most pressing issues from a radical, grassroots perspective, always aiming to challenge and inspire its read

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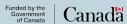
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# "Land Back" is more than the sum of its parts

#### BY THE LAND BACK EDITORIAL COLLECTIVE

n Swampy Cree the word for land – "aski" – is inanimate. As Alex's father Stan explained to her, land, alone, cannot perpetuate itself; it takes rain, air, sun, and more. Thus, it is the land's spiritual connections that animate it. There is a spirit not in the soil, but in the whole system.

"Land Back" is the demand to rightfully return colonized land – like that in so-called Canada – to Indigenous Peoples. But when we say "Land Back" we aren't asking for just the ground, or for a piece of paper that allows us to tear up and pollute the earth. We want the system that is land to be alive so that it can perpetuate itself, and perpetuate us as an extension of itself. That's what we want back: our place in keeping land alive and spiritually connected.

The length of this issue and the breadth of contributions it contains shows that Land Back is an incredibly complex call to action. As Emily notes, "Land Back requires us to consider how we may govern ourselves within the intentions and traditions of our ancestors." Mike Gouldhawke explains that land is fundamentally a social relationship. jaye simpson writes about the importance of who the land is governed by, and of excising transmisogyny from our social movement spaces. Lindsay Nixon reminds us that the city is land, too.

"With land comes knowledge," Alex notes. "Our knowledge, cosmologies (how we understand ourselves within the wider multiverse), and all of the relational structures that connect to that knowledge have been impacted and, to some degree, severed by colonialism. When we say 'Land Back,' we are acknowledging and invoking those ancient knowledge systems and calling for a validation of them in our contemporary times."

So much of the writing in this issue brings this ancient knowledge to life, both in the streets and out in the bush. Dr. Lana Whiskeyjack and Kyle Napier write about learning nêhiyawêwin and visiting the Kâniyâsihk Culture Camps. Three Indigenous women hunters discuss the intimate relationship that hunting allows them to form with the land. Adrienne Huard and Jacqueline Pelland write about the necessity of ceremony that welcomes sex workers. Ginnifer Menominee talks about honouring the treaties by respecting ceremonial jurisdiction.

Land Back isn't a new concept – just, perhaps, a new hashtag. Indigenous people have been fighting against land theft for hundreds of years, as Mike Gouldhawke's "100 years of land struggle" shows. This past year alone has been packed with reminders of

the power of Indigenous resistance to colonialism. We began 2020 with hundreds of international solidarity actions with the Wet'suwet'en Nation. We moved into a pandemic, during which Indigenous Nations practiced their sovereignty to ensure the safety and health of their communities. We received news that the Dakota Access pipeline was suspended. We paid our respects as we reached the 30th anniversary of the siege of Kanehsatà:ke and the ninth anniversary of Idle No More. And we watched in awe as the land defenders at the Pekiwewin camp and 1492 Land Back Lane reclaimed their territory. "Indigenous Nation-to-Nation solidarity is an uncompromising force," Nickita notes. "Our joint efforts in denying further destruction of our lands by the settler state literally has the power to shut down Canada and beyond."

This year also gave momentum to a powerful wave of ongoing Black liberation protests and calls to abolish the police. It is a crucial reminder that Land Back cannot happen while the settler state continues to kill Black and Indigenous people – through police violence, through incarceration, and through child apprehension. Emily reminds us that all Indigenous Nations on this continent have Black citizens, and many Black people who are not Indigenous to this land were violently removed from theirs. "Land Back must include the liberation of Black people," she says.

In the end, Indigenous knowledge and land co-constitute each other, which is why we hope that a magazine issue packed with Indigenous writing and art will help amplify, sharpen, and expand the Land Back movement. "Our knowledge is linked to land and language," Alex reminds us. "We have survived and thrived for tens of thousands of years and will continue to exist because of this knowledge, and despite colonial attempts. We are not defined by colonialism and can exist in healthy and powerful ways in connection to the lands and relations that we ascended from."

"All of Canada is Indigenous land whether it is Treaty Land or not," Emily adds. "Settler legal systems make the logistics of getting our land back difficult, but they also challenge us to bust open those systems and radically change the way we relate to each other on this continent."

**NICKITA LONGMAN** is from the George Gordon First Nation on Treaty 4 and lives as a guest in Winnipeg, Manitoba on Treaty 1 Territory. Nickita graduated from the First Nations University of Canada with a BA in English in 2013. She is a community organizer, freelance writer, and *Briarpatch* sustainer.

**EMILY RIDDLE** is nehiyaw and a member of the Alexander First Nation in Treaty 6. She once again lives on her own territories in amiskwaciwâskahikan. She is a researcher, writer, and library worker, who sits on the board of advisers for the Yellowhead Institute, a First Nations-led think tank based out of Ryerson University.

**ALEX WILSON**, Opaskwayak Cree Nation, is a professor in the college of education at the University of Saskatchewan. Her work focuses on land-based education, queering education, and the protection of land and water through sustainable housing.

**SAIMA DESAI** is the editor of *Briarpatch Magazine*. She's a settler living on Treaty 4 territory, and her family is originally from Gujarat, India.

#### A NOTE ON OUR STYLE GUIDE

Making the Land Back issue meant, in many ways, rebuilding *Briarpatch* from the ground up. So much of *Briarpatch*'s production process was created without Indigenous writers, artists, knowledge, and Protocols in mind. Here are some of the changes to our style guide that you might notice in this issue.

We chose not to standardize the spelling of Indigenous words or names in this issue. We want to preserve regional dialects, and we understand that many Indigenous words are artificially standardized by colonial researchers. For example, "Anishnaabe," "Anishnabe," "Nishnawbe," and "Neshnabé" are all terms that refer to the same group of people, but have different spellings in different dialects. Writers were free to use whatever spelling they thought was most accurate, or whatever spelling they arrived at in consultation with members of the community.

We chose not to italicize words in Indigenous languages, or any other non-English languages. When Cree words are written in Standard Roman Orthography, we do not use capital letters.

Taking guidance from Gregory Younging's *Elements of Indigenous Style*, we chose to capitalize words referring to Indigenous identities, institutions, and collective rights, including Elder, Knowledge Keeper, Hereditary Chief,

Two-Spirit, Treaty Right, Treaty Land, Traditional Territory, Indigenous Nation, Indigenous Peoples, Clan, Sweat Lodge, and Protocol.

#### A NOTE ON OUR FUNDING

To make this issue, Briarpatch accepted \$3,000 of funding from Journalists for Human Rights' Indigenous Reporters Program. JHR is a non-partisan Canadian media development organization. All of that money went toward paying Indigenous contributors and editors, and it meant we could pay some of them hundreds of dollars more than Briarpatch can usually afford. Some of JHR's money for the program comes from RBC. RBC is not engaged in the individual partnerships made between JHR's Indigenous Reporters Program and publications, meaning that RBC did not have any influence over the editorial content of this issue.

RBC is the bank that advised TC Energy, the company forcing the Coastal GasLink pipeline through unceded Wet'suwet'en territory. We want RBC to know that Land Back means an end to capitalism and resource extraction that displaces people and poisons land and waters. But in the end, we thought we could do more good by accepting the funding, being transparent with you about its source, and using it to give radical Indigenous writers who are committed

to dismantling petro-capitalism a bigger platform.

#### **ABOUT THE COVER ART**

Title: "Land Back West to East" Medium: Multimedia/Digital

"Land Back West to East" references the importance of women in the Land Back movement and reflects on what it means for Indigenous communities to have basic human rights to food security, housing, ceremonial practices, and peaceful living.

Nato'yi'kina'soyi (Holy Light that Shines Bright) / Hali Heavy Shield is a multidisciplinary artist and educator and is a member of the Blood Tribe (Kainai) of southern Alberta. Hali's work is influenced by experiences in her home community, including Blackfoot stories, significant sites, family, and women as sources of strength and goodness. She often uses vibrant colours, text, and symbolism to braid contemporary and traditional Indigenous realities with imagined futurisms. Hali is also a literacy and 2SLGBTQ activist who works to engage others in generative discussion and practices of reconciliation and creativity. She is currently a PhD student at the University of Lethbridge researching Blackfoot narratives and visual art.





# "I have the inalienable right to protect this land"

To open the issue in a good way, we begin with an interview with Elder Jo-Ann Saddleback

BY EMILY RIDDLE

**Elder Jo-Ann:** My name is Jo-Ann Saddleback. okîsikô iskwêw nitsîhkâson. I'm from the Eagle Thunderbird Clan of the Western Mountains and I am a Plains Cree woman. My father was Métis and Mohawk from the Turtle Clan. My mother was Christine Daniels, née Whiskeyjack from Saddlelake Cree Nation and it's from her that I inherit my Clan. I am married to Jerry Saddleback. He's from the Samson Cree Nation in Maskwacîs.

**Emily:** What would it mean for us to have our land returned to our jurisdiction? What do you think Land Back actually means?

**Elder Jo-Ann:** That is a big question. If they were to return all the land we need to consider that what was Plains Cree territory used to be much larger, because the plains went up further, up to about where Wood Buffalo National Park is now. This is because with all the buffalo there wasn't much bush. You couldn't have all these trees with millions of buffalo around. So the terrain is very different. And it didn't mean "this is my territory, don't come here." It meant "I have the inalienable right to project this land." It's based on one thing: the Creator made everything perfect. Let's leave it that way. When explorers started coming over, they put in their journals and their logs that they had found paradise. And that's exactly what it is. We lived to make as small a human footprint as possible. It was about being part of the environment. So to be able to go back to that, to reclaim that, to understand what that means would be Land Back.

When we're talking about Land Back, we're talking about menistik, the whole island, all of North, Central, and South America. And we don't call it Turtle Island, that's an Anishinaabe description. That's the land that we were connected to, given to us by the Creator Himself, to be in direct kinship with. That is why we have Mother Earth, Grandmother Moon, Grandfather Sun, all those grandfathers watch over us, including the sky, the stars, all the celestial beings, all the deities that live on this Earth. We are supposed to be in direct kinship with them and to be able to relive that, to experience that. To be able to run those medicine paths, to be able to collect that earth medicine would be amazing. That medicine runs all the way to South America from here. So every year we would be going down to South America. That path is where we would collect our herbs and medicine, and we would trade along the way.

We have an expansive Cree Nation. I think it's the largest

Indigenous Nation on this continent. We have stories about how we got to have differences in the Cree Nation, why we have Plains Cree, Woodland Cree, and how that happened. At one time, all Indigenous people spoke the same language. And there is a story in our Creation Story as to why that happened. Cree is such an expansive language that there are four ways to say everything in Cree. Plains Cree have one or maybe two ways, and the Woodland Cree, they have maybe one or two ways. If we brought all of those languages together then we would know all of the Cree language. If we were to experience all the land again, we would learn that whole language. No one would not speak that lower Cree anymore. It would be that high philosophical Cree, what I call the "real Cree" because we would have the opportunity to have a more direct relationship to the land and you'd understand what it is and how you fit into it and what the Earth is giving up for us, for us to live. There is no word in our languages for survival. It is living it up with the deities! But we don't have that opportunity anymore to have that kind of relationship. Those sacred places for us – which are the doorway to Mother Earth, where the first couple was created, at Cypress Hills – to be able to experience those sites without those borders anymore ... to know where those other sacred places are ... we would have the ability to be in relationship with all that we are supposed to be, to visit those places where those deities live.

The land is also how we directly connect to our nimosom tek and nokom tek (very old sacred Grandfathers and Grandmothers). It is said that nothing is lost because the prayers of our Old People are so powerful that they sit on the land, so when we do ceremony and pray, we pick up the prayers and knowledge they left for us.

All I speak of is what I believe Land Back means. Just not the language, how we will connect again to that language, what it means, and not just what we see and hear on Earth. How we are so connected to the land leads us to be connected to the universe because the very language allows us to do that.

okîsikô iskwêw nitsîhkâson. ★

**EMILY RIDDLE** is nehiyaw and a member of the Alexander First Nation in Treaty 6. She once again lives on her own territories in amiskwaciwâskahikan. She is a researcher, writer, and library worker, who sits on the board of advisers for the Yellowhead Institute, a First Nations-led think tank based out of Ryerson University.

## Settler FAQ

Brooks Arcand-Paul and Nickita Longman help clear up some of the frequently asked questions about the Land Back movement

#### BY DAVID GRAY-DONALD

Brooks Arcand-Paul is a nehiyaw napew (Cree) from kipohtakaw (Alexander First Nation) in Treaty 6 territory. Brooks is a litigator whose practice includes Aboriginal, employment, and corporate/commercial law, with particular expertise in First Nations matters.

Nickita Longman is a member of the Land Back editorial collective.

### WHY DOES LAND BACK NEED TO HAPPEN? WHY ISN'T THE LAND RIGHTFULLY CANADA'S NOW?

**Brooks**: When Indigenous Nations entered into treaties with the Queen, they never intended to transfer the land to Canada. There was never the legal consideration from Indigenous Nations (i.e., a land transfer offer) required for the land to be given to Canada. Treaties allowed settlers to occupy lands, and both sides promised to work in harmony and to be peaceful with one another. Indigenous Nations have held up their side of the bargain for over 300 years, whereas the successor state of Canada continuously fails to honour the treaties. This includes relying on the legal fiction that the land could be "owned" by Canada.

**Nickita**: Land Back needs to happen so all other aspects of Indigenous livelihood can return with it. Land Back means nourishing our relationship to all things on the land, but it would also mean getting back in touch with our languages and our traditional familial and governing systems, and creating a better relationship with healing and medicine.

# WHAT ABOUT LANDS COVERED BY MODERN TREATY AGREEMENTS (MTAs)? ISN'T THAT LAND CANADA'S?

**Brooks**: No, if you look at MTAs, particularly more recent ones like the Yukon Umbrella Final Agreement, signed in 1993, you will see there is language about including Indigenous Peoples in decision–making over the land, waters, and resources in those Nations' traditional territories. This kind of relationship between Indigenous Nations and Canadians is one of the closest Land Back situations we have gotten to date. However, Canada still breaks these agreements at a similar rate as the other treaties made over the past 300 years (see the Supreme Court decision *Nacho Nyak Dun v. Yukon*).

# HOW DO I SUPPORT THIS MOVEMENT IF I DON'T HAVE LAND? I RENT AN APARTMENT FROM A LANDLORD.

**Brooks**: Petition your government and call your elected representatives and ask for Canada to honour the treaties. Demand the inclusion of Indigenous Peoples at the table to make decisions alongside the (mostly) non-Indigenous governments that make decisions over our lands, waters, and resources.

**Nickita**: Advocate for defunding the police in urban centres. Work toward municipal goals that centre the needs of Indigenous communities, including affordable living, access to mental health resources, harm reduction, and livable wages. Everyone is better situated to work toward Land Back when their basic needs are being met.

# WHAT ABOUT LANDS WHERE THE INDIGENOUS TERRITORY SPANS COLONIAL BORDERS, LIKE PROVINCES OR THE U.S. BORDER? HOW WOULD YOU APPROACH THOSE?

**Brooks**: Borders are a colonial construct. Any border was imposed unilaterally, without consulting the Indigenous Nations that would be impacted. Resolving these issues is not difficult. In Canada, provinces should include Indigenous Peoples, from the bottom up, in discussions about interprovincial borders. Between Canada and the U.S., recognition of the Jay Treaty should be Canada's first step. Canadian institutions need to break down the idea that Indigenous Nations are bound by one country or the other. (See the upcoming Supreme Court of Canada hearing of the 2019 appeal, *R v. Desautel*, which affirmed that Indigenous Peoples living outside Canada who were separated from their ancestral territories by international borders may be entitled to rights under Section 35 of the Canadian Constitution.)

**Nickita**: The concept of Land Back precedes the creation of borders. It would mean dismantling borders.

# IF LAND BACK HAPPENS, DO SETTLERS HAVE TO LEAVE THE CONTINENT? WHAT LAND CAN SETTLERS LIVE ON?

**Nickita**: I do not think displacement and erasure are core values of the Land Back movement; however, if violent extractive and capitalistic goals are what some settlers desire, I do not feel as though there is room for them in achieving Land Back. ★

**DAVID GRAY-DONALD** is a settler in tkaronto (Toronto), and works as a non-fiction acquisitions editor at Lorimer & Company Publishers. He was the publisher of *Briarpatch* from 2017-2019.

# 100 YEARS OF LAND STRUGGLE

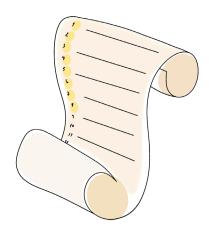
A timeline of Land Back events from the past century

#### BY MIKE GOULDHAWKE

ART BY JESSICA WYLIE (BONNECHERE ALGONQUIN)

#### 1921

**Jean Baptiste takes a stand.** As settlers are increasingly given Native land by the government, a Wet'suwet'en man refuses to leave his home and promises to physically fight until the end for it. The Department of Indian Affairs backs down and creates the "Jean Baptiste #28" reserve, which still exists today.



#### 1938

**The Métis Population Betterment Act is passed.** Through negotiations with the Alberta government, Métis community organizers, including Malcolm Norris and James Brady, secure 12 settlements for Métis people, eight of which remain today. In the 1960s, Brady and Norris inspire the next generation of Métis activists – particularly Maria Campbell and Howard Adams, who become two of the most influential writers and organizers in the Red Power movement across Canada.

#### 1959

The Council House is reoccupied by traditionalists at Six Nations of the Grand River reserve and is raided by the RCMP. The police force and the Indian Act band council system was installed on the reserve in the 1920s, against the will of the people and in violation of the Two Row Wampum treaty and Haldimand Proclamation. In 1928, the Haudenosaunee (Six Nations) confederacy began holding annual border-crossing marches at Niagara Falls to uphold the Jay Treaty of 1794.

#### 1961

From Red Power to Land Back. The National Indian Youth Council forms in New Mexico at a meeting of people from various Indigenous Nations and coins the slogan "Red Power." The *Vancouver Sun* prints an article full of racist clichés, with the headline "Indians Want Their Land Back," about the demand of the Tsawout community on Vancouver Island to have either their Treaty Rights to fishing restored or all of their land returned.

#### 1964

#### From Puget Sound to Alcatraz Island.

The Survival of American Indians Association is formed and begins a series of "fish-in" actions, demonstrations, and reoccupations in the Puget Sound area of Coast Salish territory in Washington State and the Vancouver area. Očhéthi Šakówiŋ people hold a demonstration on Alcatraz Island, also citing Treaty Rights and jurisdiction, like their Coast Salish counterparts up the coast.

#### 1967

Skwxwú7mesh Nation mothers, out of concern for their children, form a **human blockad**e and use a gate to stop rush-hour commuter traffic from cutting through the Xwemelch'stn (Capilano 5) reserve in North Vancouver. The mothers say they had to act themselves because the band council wouldn't. South of the border but still within Coast Salish territory, Janet McCloud of the Tulalip reservation in Washington State writes in The Humanist about Indigenous women's traditional status and control over their territories, saying, "We must be given back all our lands reserved under the treaties so that we will have a land base."

#### 1968

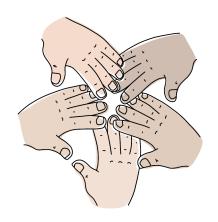
The Akwesasne Mohawk community blocks the international border bridge on their reserve in response to the Canadian government's refusal to respect the Jay Treaty and free movement for Mohawk people across their own territory. Forty-two adults and seven juveniles are arrested and charged, with all charges

soon dropped except those against Kahn-Tineta Horn, a Mohawk woman from Kahnawá:ke.

#### 1969

#### Alcatraz Island in the San Francisco Bay is occupied by the Indians of All

**Tribes** for a year and a half, inspiring more actions throughout California and the United States. Radio Free Alcatraz broadcasts for most of that time, relayed by stations in the Bay Area, Los Angeles, and New York City, spreading the message of Red Power far and wide, from the source.



#### 1970

Occupations multiply, as the Blue Quills residential school and NewStart adult education and vocational school are occupied by Cree, Dene, and Métis people in Alberta and converted into Native-run institutions. Occupations of Fort Lawton and in Tacoma in Puget Sound, as well as by the Pit River Tribe in California, lead to dozens of arrests.

#### 1971

# Métis women form a committee against the Adopt Indian Métis program of the Saskatchewan government and secure a meeting and slight concessions. Dene and Cree people from the Cold Lake, Saddle Lake, and Kehewin reserves in Alberta, who are opposed to government cuts to reserve education, pull their children out of schools and occupy the Department of Indian Affairs

office in Edmonton for six months, until 1972, when the minister, Jean Chrétien, finally agrees to provide funding for a new school. Chrétien and Prime Minister Pierre Trudeau were still reeling from the defeat of their 1969 White Paper, a plan to phase out the Indian Act without recognizing Indigenous Title.



#### 1973

#### Wounded Knee and the Calder deci-

**sion.** Following the Trail of Broken Treaties 1972 protest to Washington, D.C., in which the Bureau of Indian Affairs offices were occupied, and the Custer courthouse riot in South Dakota early in 1973, traditional Lakota people and American Indian Movement members reoccupy Wounded Knee at the Pine Ridge reservation for 71 days, under siege by heavily armed U.S. government forces.

The Supreme Court of Canada makes its first major decision on Aboriginal Title, in a case brought forward by Nisga'a Chief and politician Frank Calder, recognizing Aboriginal Title prior to colonial occupation, but with a split opinion on whether or not it was ever extinguished by colonial governments. In 1998, the Nisga'a Final Agreement removes the Nation's lands from the Indian Act and allows for them to be converted into fee simple private property.

#### 1974

#### **Armed Indigenous actions take place**

as Anicinabe Park is reoccupied in Ontario and a Secwépemc Nation blockade is set up at Cache Creek in BC. The Native People's Caravan travels from Vancouver to Ottawa, clashes with police at the Parliament buildings, and establishes a Native People's Embassy in an abandoned building. Ganienkeh is reoccupied by Mohawk people in New York State.

#### 1976

#### Twenty-six Stó:lo people are arrested

after occupying a building formerly used as a nurses' residence at the site of the former Coqualeetza Indian Hospital and residential school in Chilliwack, B.C., as one of a series of occupations of buildings at the site throughout the 1970s. In 1973, the Coqualeetza Cultural Education Centre had opened there, and an "Addition to Reserve" process still remains underway to turn the site into reserve lands.



#### 1977

Wolastoqiyik (Maliseet) women from the Tobique community occupy the band council offices and arts and crafts hall over loss of status and housing due to sexist discrimination in the Indian Act. Sandra Lovelace of Tobique takes her status case to the United Nations Human Rights Committee. In 1979, dozens of women and children from Tobique walk from Kanehsatà:ke to Ottawa to protest their loss of status and adoption rights.

In 1981, the UN committee decides in favour of Lovelace and finds Canada to be in breach of Article 27 of the International Covenant on Civil and Political Rights. Along with court challenges by Indigenous women from other communities, mounting pressure leads to amendments to the

Indian Act in 1985 that partially mitigate sexist discrimination. A century earlier, the General Council of the Six Nations had objected to the Gradual Enfranchisement Act's exclusion of Indigenous women based on marriage.

#### 1981

### Indigenous women occupy the Department of Indian Affairs offices

in Vancouver over housing, social conditions, and fishing rights. Fifty-three people, mostly women, are arrested and charged with mischief, and a judge later complains that the Crown is wasting the court's time with the charges.



#### 1989

Sinixt people set up a long-running camp and blockade of highway construction over an ancestral burial ground in B.C. In 2017, Richard Desautel, a Sinixt man from the Washington side of the border, wins a court case over hunting in B.C. and the Crown loses its appeal. While the Arrow Lakes Indian Band had been declared extinct by Canada in 1956 and remaining members had moved to the Colville reservation in the United States, they began reclaiming their land and rights on the Canadian side of the border in 1989.

#### 1990

#### The "Oka Crisis" grips Canada,

centred on the Mohawk community of Kanehsatà:ke, where the police and Canadian military lay siege to the community over a golf course expansion, leading to solidarity blockades and actions by Indigenous communities across the country. In South America, Ecuador is also rocked by a nationwide Indigenous uprising with blockades. The Zapatistas of Chiapas, Mexico, later tell the Mohawk people of Kanehsatà:ke that their own 1994 uprising was partly inspired by the Indigenous resistance in the north.

#### 1992

### Indigenous women start the annual Women's Memorial March in

Vancouver's Downtown Eastside, leading in part to the National Inquiry into Missing and Murdered Indigenous Women and Girls and Downtown Eastside community initiatives like the Red Women Rising report in 2019.

#### 1995

**Paramilitary police attack land defenders** at Gustafsen Lake in Secwépemc territory in B.C. and Anishinaabe territory at Ipperwash in Ontario. Dudley George is killed by Ontario Provincial Police, but the land at Aazhoodena remains as reclaimed territory. The Ts'Peten (Gustafsen Lake) defenders inspire the emerging Native Youth Movement in B.C. and their opposition to the B.C. treaty process.

#### 1997

The Delgamuukw-Gisday'wa Supreme Court decision confirms part of what Gitxsan and Wet'suwet'en Hereditary Chiefs had brought forward in both their 1977 declaration of sovereignty and 1984 court challenge: that their Aboriginal Title to the land had never been extinguished by colonial governments.

#### 1999

**The Burnt Church crisis** erupts after the Supreme Court of Canada affirms the Peace and Friendship Treaties of the 1700s, which had secured unhindered Mi'kmaq Title and Treaty Rights over their territory. Even a so-called "moderate livelihood" fishery remains unacceptable to police, settlers, and politicians, who react with violence against Mi'kmaq people for simply exercising their rights.

#### 2004

Kanehsatà:ke Mohawks stop their community's police force from being taken over by outside officers and start an active process of decommissioning the police station and the force itself.

#### 2006

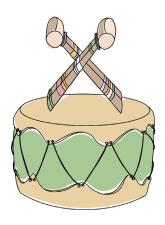
**Six Nations of the Grand River women begin land reclamation** at a housing development near the town of Caledonia, Ontario. After a failed provincial police raid, the province buys the land and agrees to negotiate with the traditional council. Land defender Doreen Silversmith travels to Oaxaca, Mexico, the site of a simultaneous popular uprising, and the state with the highest percentage of Indigenous language speakers in Mexico.

#### 2012

**The Musqueam community reoccupies cosna?om** in South Vancouver, with a 200-day-long vigil against a condo development project. In 2018, the City of Vancouver "donates" the land as fee simple property to the band council, while still charging fees for the land transfer, land title, and registration, with taxes also payable to the federal government for the transfer.

#### 2013

Idle No More round dances, drum groups and flash rallies sweep across Canada in opposition to the Harper government's omnibus legislation affecting environmental assessment protections. The Elsipogtog Mi'kmaq community blockades and successfully shuts down a natural gas fracking development project, leading to a heavily armed RCMP raid and dozens of arrests.



#### 2014

The Tŝilhqot'in people win a Supreme Court of Canada case confirming Aboriginal Title to specific territory for the first time, but the decision also maintains the right of Canada to infringe upon that title and reiterates the doctrine of discovery as the basis of Canada's sovereignty. The Klabona Keepers of the Tahltan Nation blockade Imperial Metals' Red Chris copper and gold mine as part of their ongoing struggle in defence of their land, as when Elders had been arrested in the 2000s in a battle with Shell.

#### 2015

**The Lelu Island camp** is set up by people of the Tsimshian Nation, who declare victory over the proposed development

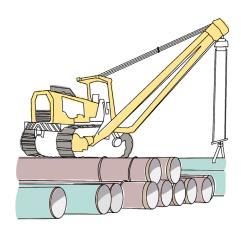
of a liquid natural gas project two years later, in 2017, as Petronas abandons their plans. The Prince Rupert Port Authority bans development around the island in 2019.

#### 2016

Kahnawá:ke Mohawk community members hold a CP railway blockade in solidarity with the Očhéthi Šakówiŋ (Dakota, Nakota, and Lakota) people of Standing Rock, who are blocking an oil pipeline development project with their own massive solidarity camp. Black Lives Matter women organizers join in solidarity with Indigenous people occupying the Toronto offices of Indigenous and Northern Affairs Canada, in response to the suicide crisis at the Attawapiskat First Nation, a Mushkegowuk (Swampy Cree) community in northern Ontario.

#### 2019

Land Back memes take Native social media by storm, launched by creators like Dene memer Nigel Henri Robinson and Arnell Tailfeathers of the Kainai Blood community. "Land Back" and "Oceans Back" start showing up as slogans on banners at actions and rallies, including the international climate summit and march in Madrid, Spain, as Indigenous youth spread the message far and wide.



#### 2020

Wet'suwet'en people evict the Coastal GasLink company from their territory, sparking solidarity actions and blockades across the country, as well as multiple police raids, including in Ontario at the Tyendinaga Mohawk community, where two camps are set up to block the CN railway line. While charges have been dropped against Wet'suwet'en people and their supporters, they remain outstanding against the Tyendinaga Mohawk (and also possibly Gitxsan Nation) land defenders, who engaged in solidarity actions. ★

MIKE GOULDHAWKE is a Métis and Cree writer with family ties to Treaty 6 territory (Prince Albert and Mont Nebo) currently living in Skwxwú7mesh, Səlílwəta? and xwməθkwəyəm territories (Vancouver, B.C.).



IN THE MARGINS

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DEADLINE
DECEMBER 1, 2020
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#### ART BY KIM GULLION STEWART (MÉTIS)

"In my art practice, the pieces I create add depth and emotional meaning to concepts or ideas that are difficult to express in any other way. This piece is called "Wahkohtowin" – a Cree word which can mean kinship, unity, and interconnectedness. On this map from Dent's Canadian School Atlas, printed in 1947, I have beaded my floral pattern in an act of "countermapping," which now provides an alternative – perhaps cultural – representation of the area."

# LAND AS A SOCIAL RELATIONSHIP

The land has always been here and we've always been reclaiming parts of it. So Canada's challenge is how to keep us off of it, and how to keep us from holding onto the idea that it's right for us to reclaim it.

#### BY MIKE GOULDHAWKE

n a YouTube video from January titled "#LANDBACK Update from Gidimt'en Territory," Denzel Sutherland-Wilson of the Gitxsan Nation reflected on the eviction of the Coastal GasLink pipeline company from the lands of the Wet'suwet'en Nation nine days earlier. "People get confused about what we want as Native people. It's like, 'what do you want?' ... Just Land Back. It's funny, though. When I said that to my dad, you know, to Gitxsan-Wet'suwet'en people, if you tell them about Land Back, they're like, 'We never lost the land anyway.' Which is true."

As Indigenous Peoples, we have never completely lost our connection to our lands and waters, nor our collective understanding of ourselves as Peoples, despite Canada's ongoing violent occupation of our territories, repeated displacements of our communities, and various attempts to assimilate us into its political and economic order.

Canada has shifted its colonial tactics back and forth over time. It has used warfare and diplomacy, removed entire communities, and removed our children from our communities. But all of its tactics share the same goal: to eliminate the political alternative and resistance to Canada that

Indigenous Peoples represent.

And we as Indigenous Peoples have used various means of resistance over the years as well – from armed conflict, to directly petitioning politicians while voting and hiring lawyers were both banned under the Indian Act, to unarmed blockades and occupations to stop settler development projects.

#### WHERE DID THE LAND GO?

In 1911, the chiefs of dozens of Native bands in British Columbia wrote to the federal minister of the interior, petitioning for an acknowledgment of their land title, which the provincial government had been refusing and which remains an outstanding point of conflict to this day. "If a person takes possession of something belonging to you, surely you know it, and he knows it, and land is a thing which cannot be taken away and hidden," they wrote. "We see it constantly, and everything done with it must be more or less in view."

Since Canada can't hide our Peoples' lands, it seeks to remove our consciousness itself and break our mode of social relations. But outright violence and repression alone don't remove our collective consciousness, so the state has

resorted to a variety of increasingly insidious tactics.

While Canadians have been content to view residential schools and other Indian Act restrictions merely as unfortunate episodes of history to be put behind us, Indigenous child apprehension to non-Native foster care homes continues unabated. At the same time, massively disproportionate incarceration rates for Native people have been escalating over the past decade.

When resistance breaks out, like it did with the cross-country Wet'suwet'en solidarity movement at the beginning of this year, the police are brought in to remove us from our own lands, and the Canadian state and corporate media work overtime to falsely portray the conflict as being only a criminal matter, invoking Canada's rule of law while ignoring Indigenous laws.

After the so-called "Oka Crisis" of 1990, when Indigenous people across the country set up blockades in solidarity with the Mohawk community of Kanehsatà:ke, Canada revved up its response on two tracks at once: tighter control of the media when responding to direct actions, and policy manoeuvres around municipal-style self-government and "reconciliation."

The land has always been here and we've always been reclaiming parts of it. So, Canada's challenge is how to keep us off of it and how to keep us from holding onto the idea that it's right for us to reclaim it.

#### WHOSE LAND?

Non-Native people, both those for and those against Indigenous resistance, often oversimplify our struggle as being just about who owns the land, whether it belongs to Canada or our Peoples. But just as importantly, it's about *how* the land is owned – how we relate to it, how we relate to each other through it, and who "we" are as Indigenous Peoples.

In settler-colonial societies, land appears as an immense accumulation of property titles. To traditionalist Indigenous Peoples, in contrast, land is not a thing in itself but a social relationship between all living and non-living beings.

Settler state policy is war by other means, working to replace our full sovereignty and jurisdiction over our lands and waters with mere municipal powers, delegated from the provincial and federal governments above, and opening the way to further corporate development.

Canada seeks to replace our traditional forms of governance – which crucially involved women, non-binary, trans, and Two-Spirit people – with its own patriarchal political forms, like the Indian Act's band council system or other government-funded bureaucracies. How we relate to the land is tied to who we are. When we say Land Back, who is the land supposed to be going back to, and in what form?

Kainai Nation (Blood Tribe) leader Marie Smallface Marule commented on this dynamic in her 1984 article on Native governance, saying, "The coercive imposition by the Canadian government of an elected form of government on Indians is in direct conflict with traditional forms of government. The elective model is based on individual ownership of land and the delegation of authority from above, and

it has created serious problems in our Indian communities. This is particularly true among the prairie tribes, where there has always been a strong tradition of decision–making by consensus rather than by individuals in authority."

#### **RELATIONS BACK**

Canadian Indigenous policy currently promotes so-called self-government agreements (including modern "treaties" in British Columbia) and various means for First Nations bands to opt out of the Indian Act, either partially or completely.

This also involves converting reserve and non-reserve Traditional Lands into private property (known as "fee simple") and making permanent agreements with cannot buy land and own it like you own a car. Yet, we do own the land in a different sense, which is explained in the answer of John Mattinas, who states that as much as we 'own' the land, the other beings on the land (animals, plants, rocks) own the land as well, meaning that we were put on the land by the Creator, and everything on the land belongs there and can use the land."

Land is the terrain upon which all our relations play out, and it can even be seen as a living thing itself, constantly shaping and being shaped by other life forms. Land isn't just a place, it's also a territory, which implies political, legal, and cultural relationships of jurisdiction and care.

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band councils that forbid them from ever bringing forward court cases on Indigenous Land Title in the future (such as in the Tsawwassen First Nation Final Agreement of 2007). The goal is to create economic certainty for settler corporations looking to invest in developments on Native land.

However, this attempted swindle is not always successful – like, for example, in 2018, when the Lheidli T'enneh community (of the Dakelh people) voted no to a "treaty" under British Columbia's modern process.

Mushkegowuk (Swampy Cree) writer Jacqueline Hookimaw-Witt explained in her 1997 thesis, based partly on interviews with Elders, the difference between the Cree concept of land ownership and the colonial concept of private property: "You

Settler claims to sovereignty and private property are also relational – that is to say, transactional. They reflect the relationship between an individual citizen and their state, as well as a particular way of relating to one another and to the world – social and economic systems of domination, individualism, competition, and exploitation.

Traditional Cree laws like sihtoskâtowin (coming together in mutual support) and miyo-wîcêhtowin (the intentional cultivation of good relations) stand in stark contrast to this settler system, which is based on private and individualized rights to property and political representation.

After armed Métis resistances in 1869-70 and 1885 in different parts of our territory, Canada created land commissions to distribute what they called "scrip," entitling Métis families to money or individual parcels of land as private property in fee simple, in exchange for extinguishing our Indigenous Land Title. In practice, however, due to oppressive social conditions, our people were faced with limited options and were often swindled out of our land and scrip by settlers and their land-speculation companies.

The need to restore healthy relations challenges the imposed structure of the colonial system. Our relations need space on which to unfold – that is, our lands, water, and clean air. When we say Land Back, we also mean Relations Back.

#### STEALING US FROM THE LAND

Allyson Stevenson, a Métis professor and the Gabriel Dumont Research Chair in Métis Studies at the University of Saskatchewan, has written extensively on the removal of Indigenous children from their families as a colonial method of elimination, something she points out wasn't particular to Canada but was also used in "the United States, New Zealand, Australia, and, in different ways, Latin America."

Stevenson has also written about Métis women's opposition to the Adopt Indian Métis program in Saskatchewan, where Indigenous children in Saskatchewan in the 1960s and 1970s were the targets of an aggressive advertising campaign for placement in white foster homes, even resulting in Indigenous children being sent to live with white families in other countries.

In 1971, the Métis women's committee took to the pages of *New Breed* newspaper to argue against white foster home placement and the Adopt Indian Métis program ads, calling for major changes such as a special all-Indigenous-staffed foster home separate from the welfare department (the latter of which they called "repressive and discriminatory").

"We want our children to be brought up as Métis and not as middle class pseudo-whites," they wrote. "These children belong in our Métis culture and nation. We are opposed to a foster home scheme as a relocation or integration program. We are opposed to the impersonal and dehumanizing institutional experience imposed on our foster children by white staff."

#### THE VIOLENCE OF POLICY

Overt colonial violence is never far from the surface in Canada. RCMP and Ontario Provincial Police attacks on Wet'suwet'en and Tyendinaga Mohawk land defenders at the beginning of this year have been followed in more recent months with fatal settler violence against Métis hunters in Alberta, as well as multiple killings of Indigenous people by Winnipeg and Toronto police and by RCMP officers in New Brunswick.\*

Despite the empty rhetoric of "reconciliation" (we never had a positive relationship in the first place, from which we can rebuild), colonization remains a physically violent process wherever Indigenous people find ourselves, whether in rural areas, in the cities, in the prisons, or in foster care homes.

Though not as obvious as outright police invasion, settler state policy is just as harmful and even fatal. Neglecting to provide basic services such as water, housing, and health care is also a form of violence, as is the absolute failure of the state to do anything about the epidemic of violence against Indigenous women, girls, and non-binary and Two-Spirit people despite acknowledging it as genocide last year. All of these forms of violence undermine our traditional governance systems and ultimately provide settlers with privileged access to our lands.

Colonial tactics change over time, but the colonizers' overall strategy has been a consistent war of attrition, attempting to wear us down in the long run and to ultimately remove the challenge that our collective Indigenous consciousness and resistance poses to the claimed sovereignty of the settler state.

Reconstituting our diverse relations, our laws, and value systems is key to

successfully retaking our land and to not only surviving but creating a life worth living for all of us. It is essential for our relations to grow as they need to be strongly rooted in the material and spiritual reality in which we live, on our territories (cities are also part of the land), and in solidarity with other oppressed people who are also struggling, reciprocating the solidarity they have shown to us in our times of resistance. \*

\*The Indigenous people who have been killed by civilians, by police, or in police custody are Jacob Sansom, 39; Morris Cardinal, 57; Eishia Hudson, 16; Jason Collins, 36; Stewart Andrews, 22; Regis Korchinski-Paquet, 29; Chantel Moore, 26; Rodney Levi, 48. May they rest in power.

MIKE GOULDHAWKE is a Métis and Cree writer with family ties to Treaty 6 territory (Prince Albert and Mont Nebo) currently living in Skwxwú7mesh, Səlílwəta? and xwməθkwəyəm territories (Vancouver, B.C.).

# Thank you.

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# Land Back in action

From land trusts to mushroom permitting, here are some examples of what Land Back looks like on the ground

INTRO AND CASE STUDIES 1, 2, & 3 BY **RILEY YESNO**CASE STUDY 4 BY **XICOTENCATL MAHER LOPEZ**ART BY JESSICA WYLIE (BONNECHERE ALGONQUIN)

henever I publicly talk about Land Back, someone will inevitably ask me the same question: "What does Land Back really mean?"

More often than not, I will answer with something short like, "it means give the land back." As to-the-point as that answer is, I know it isn't the answer they are necessarily looking for. The concept of Land Back, particularly for many non-Indigenous folks, can seem confusing and abstract. People want to know what is being done and what they can do to help the movement.

While it is only in the past couple of years that Land Back has entered national dialogues, Indigenous people have always found ways to assert their jurisdiction despite their displacement and forced alienation from the land. What's more, some non-Indigenous people have acted as accomplices in the Land Back movement – finding ways to pay reparations and subvert the systems of oppression that have often benefited them, in the spirit of Land Back.

This piece explores four case studies to show concrete ways that Land Back is taking place on the ground. Hopefully these examples can provide some clarity about what Land Back means and looks like, perhaps functioning as a starting point for non-Indigenous people to join the Land Back movement and begin reconciling their relationship to these lands.



#### **PAYING RENT**

One way non-Indigenous people are materially supporting the Land Back movement is by paying monthly or annual fees to the Indigenous people whose land they occupy. This can be done on an individual basis by setting up a relationship with an Indigenous community's administration – like Hereditary Chiefs or a reserve band office – though these groups don't always have structures in place to facilitate Land Back initiatives. In other cases, there are organizations that have been created for the purpose of facilitating action toward Land Back.

Real Rent Duwamish (RRD), created by the Duwamish Solidarity Group (DSG) in 2017, is one such project. DSG is a working group within Seattle's Coalition of Anti-Racist Whites – it is, in their own words, "an effort to develop authentic relationships with Duwamish people and support them in ways they determine best achieve justice and community."

Real Rent Duwamish was created in partnership with the Duwamish Tribe – the first people of what is currently called Seattle and one of the signatories of the Treaty of Point Elliott. In 1855, the Duwamish "ceded" 54,000 acres of their homeland in exchange for hunting and fishing rights and guaranteed reservations. But

a decade later, settlers petitioned to block the establishment of a Duwamish reservation near the city of Seattle. Today, the Duwamish still do not have their promised land base and have been denied treaty rights, since the U.S. government does not recognize them as a tribe. Real Rent Duwamish encourages non–Indigenous people living and/or working in Seattle to donate a self-determined sum of money every month as a form of restitution to the Duwamish people and as a way of adhering to the spirit of the Treaty of Point Elliott.

The Duwamish Solidarity Group suggests meaningful and sustainable amounts to donate – like \$18.55 per month to

symbolize the treaty of 1855. As of this writing, 7,319 people are active monthly donors or "rent payers."

The Real Rent Duwamish project is entirely volunteer-run, so 100 per cent of the "rent" goes to the Duwamish Tribal Services, who – according to the RRD website – have used the income to support "social, educational, health, and cultural services," including a free museum and community centre. The money is not controlled by the Duwamish Solidarity Group and is directly deposited to Duwamish Tribal Services once donations are made online. As the RRD website says, "our government hasn't honoured the treaty, but WE can."

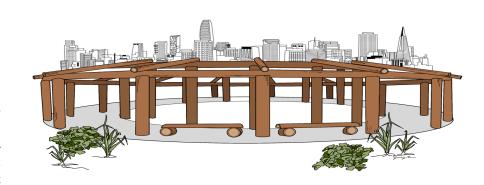
# 2. LAND TRUSTS & TAXES

The Sogorea Te' Land Trust was launched in 2015 by two Indigenous women: Corrina Gould and Johnella LaRose. A land trust is a non-profit organization that acquires land in order to help protect it; Sogorea Te' is just one of many land trusts on Turtle Island that are returning land to Indigenous communities.

The Sogorea Te' Land Trust is helping return Chochenyo and Karkin Ohlone lands in what is currently called San Francisco Bay back to Indigenous stewardship. The land trust aims to "acquire and preserve land, establish a cemetery to reinter stolen Ohlone ancestral remains and build a community center and round house so that current and future generations of Indigenous people can thrive in the Bay Area."

Because they aren't federally recognized tribes, Ohlone communities have no reservations or land base and are unable to collect certain taxes on their land. *CounterPunch* reports that the remains of thousands of Ohlone ancestors are currently warehoused at UC Berkeley and in museums in the Bay Area. Without land, the Ohlone people have nowhere to practise ceremonies, or reinter their ancestors.

The land trust encourages individuals and organizations to pay a voluntary



"Shuumi Land Tax" ("shuumi" translates to "gift" in Chochenyo), which the land trust uses to buy parcels of land in the Bay Area. Suggested shuumi amounts increase based on the size of one's home or the cost of one's rent.

In 2016, with the help of over 900 investors and a community loan fund, the non-profit food sovereignty group Planting Justice took out a \$600,000 loan to buy a two-acre plot of land in what is currently known as Oakland. Sogorea Te' currently uses some of that land for ceremonies and cultural activities – but once Planting Justice pays off the loan, the entire plot of land will go to the land trust.

Though, like many Indigenous Peoples, Gould and LaRose don't think land should be purchased or owned, they found that calling shuumi a "land tax" was a useful framing for non-Indigenous people who primarily understand land as property. "I think that people understand

what that word 'tax' means," Gould explained to KALW, a local public radio station in so-called San Francisco, "and I think they are willing to be able to participate in that kind of way."

Contributing to land trusts is one of the most effective ways to return physical land to Indigenous Peoples. The Canadian federal government allows for First Nations to increase their reserve land base by adding land to an existing reserve or creating a new reserve – however, the process is slow and complicated. Alderville First Nation near Rice Lake, for example, has been in the process of applying for additions to their reserve lands since the 1980s.

Walpole Island First Nation near Sarnia established a land trust in 2008. It is the oldest known Indigenous–led land trust in what is currently called Canada, and it works on conserving land within the First Nation's traditional and unceded territory.



#### **PERMITS**

Land Back may not always look like returning physical land, though. It can also mean that Indigenous people are able to exercise their rights to self-government on their lands and enforce laws and regulations in ways they see fit.

The Tŝilhqot'in Nation is a great example of an Indigenous Nation asserting rights and jurisdiction over their land. The nation is comprised of six member communities located in so-called British Columbia. In 2014, the Tŝilhqot'in Nation's inherent rights to self-governance were affirmed by the Supreme Court, and in 2018, the Tŝilhqot'in introduced regulations that required all non-Tŝilhqot'in people to acquire a permit in order to harvest morel mushrooms on their land.

The permits cost \$20 for pickers and \$500 for buyers. During

the summer of 2018, each permit lasted 90 days and was only valid in designated mushroom harvesting areas; the other areas were reserved for use by the people in the community or for conservation. All proceeds from the permits went directly to "ensuring designated campsites are kept clean with adequate facilities."

The regulations also included a "leave no trace" policy, where individuals who camp and harvest on Tŝilhqot'in lands must not damage or pollute the lands or waters, or they will have their permit revoked and face a fine. The Tŝilhqot'in used their own community-based governance structures to make these decisions in regard to their territories (though for education and enforcement of the

regulations, they had help from Canadian conservation officers, natural resource officers, and the RCMP). In addition, Tŝilhqot'in members were able to give feedback on what they saw happening on the land over the course of the harvesting season.

"The management of the mushroom season was a step in the right direction," said Chief Joe Alphonse, tribal chairman of the Tŝilhqot'in National Government in a media release following the 2018 harvesting season. The release added that the Tŝilhqot'in were not only asserting their jurisdiction and protecting their nen (land) and tu (water), but that the people in their communities saw real economic benefit from the initiative. Revenue from the permits has allowed for the nation to award contracts to local companies to build outhouses and garbage bins. At an individual level, many Tŝilhqot'in members bought and sold mushrooms, bringing another source of income into their households.

### HOUSING

Land Back means being able to live safely and well on the land, considering the needs of both present-day people and generations to come. But on and off reserves, housing for Indigenous people is often overcrowded, poorly maintained, and built from shoddy materials. A 2014 study shows that in some Canadian cities, over 90 per cent of those living on the streets are Indigenous. But many Indigenous communities are fighting this crisis by taking housing into their own hands. One example is the One House Many Nations (OHMN) project.

Started by Idle No More, the One House Many Nations campaign both "raises awareness about housing conditions and pressures governments to live up to their Treaty, moral, and legal responsibilities, in addition to providing homes," according to the Idle No More website. The campaign started by building one small house in Big River First Nation, after which people came



together to do community design workshops in the Opaskwayak Cree Nation. At an international design competition in 2017, prototype plans and a demonstration model home won the top prize – and the model became the first OHMN house in the Opaskwayak Cree Nation.

Since then, OHMN has continued to design and work toward constructing a village of homes in Opaskwayak Cree Nation and elsewhere. They aim to make the energy-efficient small homes and portable units, known as the Muskrat Huts, with locally-sourced sustainable building materials. The same people who will live in the houses are involved in designing and building them – training and creating jobs for local residents.

Houses are not just a place to live — they are places to cook, organize, share language, and pass on community knowledge. In many cases — like that of the Tiny House Warriors, a group of Indigenous land defenders building tiny solar—powered houses on unceded Secwepemc territory to halt the construction of the Trans Mountain pipeline — building and enforcing sovereignty over housing is a way for Indigenous Peoples to refuse displacement and erasure from ancestral lands by resource extraction or colonial policies. ★

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XICOTENCATL MAHER LOPEZ is a Two-Spirit Tlaxcaltec Nahua and Newfie, based out of Treaty 3 territory. He is an advocate for

Indigenous sovereignty, and when he is not writing about Indigenous issues he is an artist and Che Guevara enthusiast.

#### **NOW AVAILABLE**



Jen Gobby has been actively involved with climate justice, anti-pipeline, and Indigenous land defense movements in Canada for many years. Bringing their incredibly poignant insights into dialogue with scholarly and activist literature on transformation, she weaves together a powerful story about how change happens.



# **QUOTES FROM THE UNDERGROUND**

"Sovereignty is the supreme right to govern yourselves, to rule yourselves. Indians used to be able to control and exercise that right, now we have to work to get that right back."

-GEORGE MANUEL, CANIM LAKE ELDERS TALK

"The challenge ahead for Indigenous people contesting the foundations of capitalism lies in questioning who benefits from economic success, and who pays the cost of exploited land and resources."

-Dara Kelly, "Feed the People and You Will Never go Hungry: Illuminating Coast Salish Economy of Affection"

"'Give it back means to restore the livelihood, demonstrate respect for what is shared – the land – by making things right through compensation, restoration of freedom, dignity, and livelihood."

– SYLVIA MCADAM SAYSEWAHUM, NATIONHOOD INTERRUPTED: REVITALIZING NÊHIYAW LEGAL SYSTEMS

"some of y'all bout to be real mad at me, but it must be said the act of looting is exponentially more revolutionary than the act of voting"

-TWITTER USER @6OAT6MILK6

"I am a part of this Creation as you are, no more than, no less than each and every one of you within the sound of my voice. I am the generation of generations before me, and of generations to come. I am not a citizen of the United States or a ward of the federal Government. I have a right to continue my cycle in this Universe undisturbed."

-ANNA MAE PICTOU AQUASH

"The state has always placed limits on Indigenous efforts to protect our lands and our peoples with clear demarcations between moral and 'legitimate' forms of defending our rights – usually negotiations between state–sanctioned Aboriginal leadership and the crown, along with symbolic acts of peaceful and non–disruptive demonstrations sanctioned by Canadian law – and tactics that disrupt the economic and political systems, like blockades."

-LEANNE BETASAMOSAKE SIMPSON, "BEING WITH THE LAND, PROTECTS THE LAND"

"They tell me the road block was illegal, when in fact their occupation of the Black Hills is illegal. I have every right to be there. Treaties are the supreme law of the land and we never sold the Black Hills. I come from a long line of land defenders that have fought for our sacred Black Hills, and we won't stop until Hé Sapa is rightfully given back to the Lakota."

-NATAANII MEANS

# BACK 2 THE LAND: 2LAND 2FURIOUS

Molly Swain and Chelsea Vowel of Métis in Space discuss Métis futurisms and how they started their Land Back project

BY MÉTIS IN SPACE

### MÉTIS IN SPACE IS A PODCAST, SO WHY TF ARE WE DOING LAND BACK?

Métis in Space is an Indigenous feminist science fiction podcast that, over the years, has evolved to encompass much more. While podcasting and Land Back might seem like wildly disparate projects, they are in fact closely related. We see our Land Back project, 2Land 2Furious, as a natural outgrowth of our work in Indigenous – and particularly Métis – futurisms. Métis futurisms, like Indigenous futurisms more broadly, resist the colonial narratives that Indigenous people don't exist in the future and have no future; that we as peoples are disappearing and dying out; that we are unmodern and unmodernizable. Métis futurisms, which we build in the podcast by speaking back to colonial speculative fiction tropes and imagining decolonized futures, are intimately tied to the land. Land Back is Métis futurism in a very material sense – it's how we build, remember, and reclaim our relationships with one another and the land, how we enact fundamental principles of Métis governance. When we take the land back we also take the future back from the colonizer. So Land Back means space for us to do the work of bringing those futures into being.

Two governance principles that underpin our work are wahkohtowin, or "being in relation with," and kiyokêwin, or "visiting." When we have guests on the podcast, we take care to host them in accordance with our responsibilities, which means spending time chatting around the kitchen table, going to karaoke, making and eating a good meal, and more. This contributes to building and maintaining strong relationships with our guests, who come from many different Indigenous Nations. 2Land 2Furious extends our relational responsibilities out of the urban centres we've lived in for the past six years in ways that prioritize our community and Indigenous governance on our lands.

#### **HOW DID WE DO THE THING?**

Challenging the concept of land as property by purchasing land under colonial property regimes is a troubling contradiction. Canada is a legal fiction based on the assertion of Crown sovereignty over all lands, but fictional or not, it's backed up with militarized force and we have to take that into consideration. We looked at some other Land Back projects for guidance on this. A number of them exist on so-called Crown lands, and Indigenous Peoples asserting their rights to these lands exist within a complicated web of Canadian case law that is often misapplied and maliciously enforced. The best tactic in these situations has been constant physical presence on the land, so that state agents do not simply come in and bulldoze everything while you're away. But we knew that we would not be able to mount that kind of occupation at this point in our lives.

Another barrier to asserting our rights by squatting on Crown land is the fact that the traditional territories surrounding Edmonton are fairly densely populated and Crown land is heavily used. The likelihood of conflict with state forces and rural residents is heightened as a result, and we do not have the kind of resources necessary to mount an extended occupation in the face of this potential violence. We would be unable to protect anything we built, or store supplies, and we could not ensure the safety of the people who we want accessing the land.

Purchasing land in fee simple provides some of the strongest legal rights under colonial law and ensures some level of permanence so we can do long-term planning and building. We have seen a number of Land Back projects take this route, either by receiving gifts of land or raising funds to make purchases directly. Following the example of the Sogorea Te' Land Trust, which "facilitates the return of Chochenyo and Karkin Ohlone lands in the San Francisco Bay Area to Indigenous stewardship," we opted to create a land trust through the legal vehicle of a

non-profit organization. This ensures that any deterioration in our personal financial situations would not endanger the land and force us to sell it off, precisely in the way many Métis were dispossessed of land. It also prevents any of us from personally profiting from the land. A land trust also allows us to create certain caveats for use of the land, which reduces its desirability for farmers and developers.

We certainly could not afford to purchase land ourselves, and while we were able to hold our noses and dive into the fiction of land-as-property as a means to an end, there was no fucking way we were going to buy our own land back. Settlers need to foot that bill, either by gifting land back or helping with the funds needed for Indigenous people to reclaim their lands!

We began raising money, expecting a medium—to long–term timeline to having enough funds. However, within just a few weeks, a sugar settler contacted us from across the medicine line and offered to give us enough money to buy a quarter section. All of a sudden, things kicked into high gear: we contacted a real estate agent and a lawyer and then started looking for suitable land!

A quarter section of land is a whopping 160 acres and a common division in rural areas. Land prices vary greatly depending on the rural county. Lac Ste. Anne County, for example, is a much poorer area than Pembina County, which means it has lower land prices.

Even so, the way in which land is valued under settler colonialism rarely makes sense. Lac Ste. Anne County is an exercise in futility; there, farmlands were created from the destruction of ecologically important wetlands and muskeg. We discovered that

land described as "mostly wooded" meant the land was predominantly untouched wetlands, bursting with biodiversity, and apparently extremely undesirable on the real estate market. Quite a few of the pieces of land we looked at had pipelines and gas installations on them, and the private security that accompanied them was an uneasy presence. Other areas abutted multi-use trails, and we were uncomfortable with the idea of settlers raging through on their ATVs.

The first piece of land we saw was partially cleared for hay, partially wooded wetland, and the majority of a freshwater lake populated by ducks, geese, swans, and loons. We saw signs of deer, elk, and moose. We walked through an area with low-bush cranberry, wild mint, and other food sources. We weren't sure at the time that it was the perfect spot until we did a bit more looking, and circled back to this quarter section. Soon, we made an offer, and the sale went through!

### PRIORITIES: HOW DO WE GET THE LAND SET UP?

To have people out on the land, there are a few things we

absolutely need to get set up. There is currently no road access into the land, so we have to hire someone to build us a driveway. We'll have to pay to have a well dug for fresh water, because hauling water in for drinking, cooking, and washing would make it difficult to host visitors.

Before we can begin building anything even semi-permanently, we will need safe storage (most likely sea cans), so that the materials and supplies we bring out there aren't stolen or destroyed; we are, after all, surrounded by white people. We will be able to squeak by for a while with outhouses, but composting toilets are a better sewage solution, and eventually we are going to need comprehensive sewage infrastructure. We'd hoped to get most of this done this year, but like with everything else, COVID has slowed our plans down considerably. All of this is quite expensive, and we need to keep fundraising to cover the costs.

### WHAT DO WE SEE THE LAND BACK PROJECT DOING?

We want our work with and on the land to be primarily rela-

No settler ownership schemes even begin to approximate Indigenous land ownership traditions, so our governance and care for the land will be always already constrained by the state, for as long as the state lasts (hopefully not that much longer).

tionship— and capacity—building, with a focus on research and cultural activities geared toward urban BIPOC in the neighbourhoods we live in — so-called "inner city" Edmonton. While we don't yet know exactly what that will look like, we are committed to doing and facilitating this work in the spirit of solidarity— and community—building. The idea is not that we will run all, or even a majority, of the programming that occurs on the land — we both work full—time and have other obligations in addition to 2Land 2Furious, and neither of us are qualified to run ceremonies. But we recognize that access to land free from state and settler monitoring and constraints is a huge barrier to cultural engagement and knowledge—generation for many low—income urban folks.

When we were looking for land, we wanted (and found!) topographical diversity that could support a variety of interests and projects. We hope to engage with Indigenous scientists and Knowledge Keepers to do the work they are interested in, whether that looks like prairie biome rewilding, water revitalization research, traditional food systems work, ceremony, or language camps.



ART BY CAITLIN NEWAGO (BAD RIVER BAND OF LAKE SUPERIOR CHIPPEWA INDIANS)

Another thing we have committed to from the outset is centring LGBTQ2S+ people and youth in our work. Lac Ste. Anne County and surrounding areas have seen a surge of Christian evangelical organizations buying up tons of land, especially along lakes, for youth camps, retreats, and the like. For many people who have less access to non-urban spaces, these Christian groups might currently be the only way they are able to make it out of the city. Many of these groups are explicitly cisheterosupremacist, so it's important to us that we create space – especially cultural and ceremonial space – that is supportive of and safer for queer, trans, and Two-Spirit youth, and also that we are not reliant on working with or engaging groups that hold repressive, colonial views on gender and sexuality. In our view, land governed in a good way through Métis governance is queer land.

#### WHAT CHALLENGES DID WE FACE?

Comprehension has been a major challenge for this Land Back project. From the very beginning, we had difficulty getting people to understand what we were trying to do. Our real estate agent had never dealt with a land purchase like this, and the sellers were also curious about our plans. The banks were suspicious about such a large sum of money and the fact that it was coming from someone across the medicine line. The lawyer we hired had set up land trusts before, but nothing that focused on the kinds of cultural activities we want to organize around.

This led to some stressful moments. A lot of paperwork was needed, and we were worried this might scare off the donor, so we need people to be aware that this is not a simple process! Sending such large sums across the border meant we had to somehow pigeonhole our project into something comprehensible to the banks, and our difficulty with that almost kiboshed the deal, because they did not want to release the money in time for the sale to go through. To prevent the land sale from falling through,

Chelsea had to leverage her credit card for a deposit, taking a major risk that the donor wasn't just fooling around. Don't do this, folks.

Even worse, we weren't yet set up as a non-profit organization, so the contract for the sale was between Chelsea, personally, and the sellers, with a provision that as soon as the non-profit was incorporated, the land would be transferred to it. Despite repeatedly explaining the situation to the real estate agent and to our lawyer, something got missed, or wasn't possible, and for 11 days Chelsea was personally on the hook to complete the purchase. This meant that if the donor pulled out, the seller could sue Chelsea and demand she come up with the purchase price! A significant number of our hairs turned grey over this. Thankfully, things worked out, but these pitfalls are very serious and need to be addressed if others want to start Land Back projects through similar mechanisms.

Another major challenge has been transportation. For example, Chelsea's licence has expired, and she has no vehicle. We also know that transportation is a major barrier for a lot of inner city folks, so providing appropriate transportation is going to be an essential part of this project. Accessibility needs to be built in from the beginning – so, for example, that transportation will need to accommodate wheelchair users, and getting out onto the land has to be similarly accessible.

Obviously the pandemic has also created a number of challenges and slowed things down considerably. Our aspirations for Land Back outpace our availability, as we all have other obligations, so keeping things small and sustainable means taking the time to prioritize and plan beyond our lifetimes.

In addition, it is absolutely essential that we form good relationships with our neighbours, and like all relationships, that will require ongoing effort. Our safety depends on these relationships. A major reason we chose this particular piece of land is because it is not directly off the highway, so it is less

visible to passersby, and there is a big section that is not visible to adjoining property owners.

Another challenge is backseat project management. Since we first began talking about embarking on this wild journey, everyone and their auntie seems to know best and has no problem telling us what we should be doing. Often these suggestions far outpace our actual capabilities, and sometimes they are outright contrary to the reclamation that we want to do.

#### WHAT ARE THE ISSUES WITH LAND BACK?

Like with a lot of other opportunities Indigenous people have fought for over the years, there is always the issue of both outright settlers and pretendians (non-Indigenous people who pretend to be Indigenous) taking control of Land Back projects. There are already many settlers running land trusts who, in our opinion, could turn those trusts over to Indigenous control. Maintaining as much autonomy as possible throughout this process, and ensuring that the land trust remains in Métis hands (we are known as "les gens libres" and "the people who

On private land, in cities, on the keemooch, on Crown lands, on reserve and settlement lands, Land Back is happening all over the place, and we are grateful to be able to join this collective work.

own themselves" for a reason!) have been strong priorities for us. Right now, that looks like ensuring that the state-mandated "directorship" of the project is composed of Métis we personally know and trust. This will allow us to take the time to develop a strong political and interpersonal culture for the project so that when we pass the land along, we know that it will be held with care. This is also a governance issue, as having Métis women and non-binary people making the controlling decisions and setting community standards is a reclamation and embodiment of what we want to see in Métis governance on a larger scale.

Another issue is the general reality that land ownership options are extremely limited under settler law. There is no land ownership scheme that is not subject to Crown expropriation and control. We can't create independent micronations or declare our small piece of land liberated from settler meddling. No settler ownership schemes even begin to approximate Indigenous land ownership traditions, so our governance and care for the land will be always already constrained by the state, for as long as the state lasts (hopefully not that much longer). We can't rely on state instruments to ensure the future of the land: it's relationships, not the state, that will protect the land trust for future generations.

Another real problem that stems from settler land ownership

schemes is that these schemes cannot account for the shared jurisdiction that characterizes much of traditional Indigenous landholding practices. There is also the issue of who gets to decide what happens to land when it is gifted to the nation or nations on whose territory it lies. When settlers want to give land back, who do they contact? State-recognized bodies like the Métis Nation of Alberta (MNA) headquarters ... or a reserve band office? Often these organizations simply don't have anyone they can dedicate to facilitating a Land Back process with individuals or non-state groups. In addition, as two women who find ourselves disagreeing with a lot of the politics and actions of our Nation's governing institution, we frankly don't want or need our land to be subject to the MNA's control or policies, either. So we haven't answered the question of who to contact to give the land back. One option we've been pondering is the establishment of a regional inter-Nation coalition, hearkening back to historical alliances like the nehiyaw-pwat, that would include not just state-recognized leadership but also other invested communities who could make decisions together to

administrate Land Back lands in the best interest of all involved.

#### CONCLUSION

We have shared some of our processes and thoughts on 2Land 2Furious, but there is no one-size-fits-all Land Back playbook that will work for everyone, everywhere, all of the time. On private land, in cities, on the keemooch, on Crown lands, on reserve and settlement lands, Land Back is happening all over the

place, and we are grateful to be able to join this collective work. Our ultimate goal is to once again hold and govern Indigenous lands without *any* Crown title; it would just be Indigenous Land. Land Back projects are strong assertions of Indigenous sovereignty wherever they are found, and we hope to continue to struggle with and learn from everyone doing this work in a good way.

#### **HOW CAN YOU SUPPORT THE PROJECT?**

To learn more about Back 2 The Land: 2Land 2Furious and to check out the Métis in Space podcast, see: www.metisinspace.com. To support the project, you can donate to our GoFundMe at: https://ca.gofundme.com/f/back-2-the-land-2land-2furious ★



OTIPÊYIMISIW-ISKWÊWAK KIHCI-KÎSIKOHK MÉTIS IN SPACE, hosted by Chelsea Vowel and Molly Swain, is an Indigenous feminist science fiction podcast (and now Land Back project!) that brings into conversation critiques of mainstream portrayals of Indigenous people with anticolonial futurities and imaginings. Métis in Space is part of the Indian & Cowboy Media Network, and can be found at metisinspace.com or through purveyors of fine podcasts everywhere.



# mâmawiwikowin

#### Shared First Nations and Métis jurisdiction on the Prairies

#### BY EMILY RIDDLE

ART BY MADESON SINGH (MIKISEW CREE FIRST NATION)

ike any prairie NDN, if I fulsomely examine my family tree, it becomes quite obvious that kinship systems are expansive and borderless on the plains. Though I am nehiyaw, the roots of this tree include Métis, Anishinaabe, Dene, and Haudenosaunee Peoples as well. This tree contains people on treaty lists and people who took Métis (or "halfbreed") scrip. Sometimes it was merely colonial processes that turned an Indian into a half-breed or vice versa. Many people left treaty to take scrip because they were in a dire situation and knew they would get more money up front.

Though from the perspective of the Crown, both treaty and scrip extinguish Aboriginal Title, the benefits of treaty for First Nations people exist as long as there are babies born – many of us continue to receive annuity payments, have hunting and fishing rights on our Treaty Lands, and more. In contrast, while scrip was a larger payout of \$160 (later increased to \$240), it was a one–time occurrence that does not continue to benefit descendants like treaty does. From the perspective of the Canadian government, even though they agreed to honour treaty "as long as the sun shines, the grass grows and the

river flows," eventually they expected that Indians would die out and they would no longer be required to provide us with treaty benefits.

In the end, after all this turmoil, I was born a Status Indian registered to the Alexander First Nation with a nehiyaw mom and a white dad. Due to the constraints of the Indian Act and my Métis ancestry, if I reproduce with someone who does not have Indian status, my children will be eligible to become members of the Métis Nation of Alberta (MNA) but ineligible to be members of my First Nation or access Treaty 6 Rights,

despite having a mother who does not identify as Métis. This is not unusual. Many Métis identify as treaty descendants on the Prairies. These categories and lands were never easily divided. This is something we contend with to this day and it is important to consider when we discuss what it would mean to get our land back.

If you are not confused by this point, you should know that discussion of kinship and shared territories has existed on the Prairies since time immemorial, but it has recently been made much more complex by settler-colonial occupation of our lands, genocidal laws and policies, and development and extraction of resources in what are now the Prairie provinces. I start with this personal reflection on Prairie kinship because I believe it demonstrates this very complexity and plurality. Many other Prairie NDN writers and academics have written about this, including Lindsay Nixon, who writes in *nîtisânak* about "the parts of my family's identity that cannot be restrained by colonial law and categorizations of our communities."

My family tree is partially the legacy of the nehiyaw-pwat or Iron Confederacy, which was a political and military alliance of Prairie Indigenous Nations – including the Métis – which was solidified during the fur trade. It was the decline of this fur trade and the purposeful obliteration of the buffalo that weakened our political alliance. After the 1885 Resistance, our collective governance fractured. As the settler-colonial project was furthered on the Prairies, the divide between Métis and First Nations has widened.

Unfortunately, the Iron Confederacy has seemingly been revived as the Iron Coalition, a group whose sole purpose is achieving Indigenous ownership in the Trans Mountain pipeline. The leadership of this coalition includes men from the Fort McKay Métis, the Papaschase First Nation (which is not recognized as a First Nation by the federal government), and the Alexis Nakota Sioux

Nation.

Over time, the kinship between Métis and First Nations people has been eroded. Both "Métis" and "Indian" (i.e., First Nations) are categories enshrined in Canada's Constitution. Under the umbrella of First Nations, there are many nations. In many cases, Métis communities share more cultural commonalities with First Nations relatives near them than the Métis far away in other provinces. Prairie NDN writers and academics such as Jessie Loyer, Rob Innes, Daniel Voth, Matt Wildcat, Molly Swain, and others have demonstrated that Prairie NDN governance has more fluidity than current colonial structures to the federal and provincial governments, who – while they may hold the practical, everyday jurisdiction over our lands – have no way to prove that they have title to them.

In British Columbia, one of the biggest concerns with the ongoing effort to negotiate treaties is the issue of overlapping territories. Though the process was started in 1992, only three treaties have been concluded through the treaty negotiations process. Union of B.C. Indian Chiefs Grand Chief Stewart Phillip told CBC he opposes the process, since he's worried that the rights and Indigenous Title of those who aren't participating in the treaty process could be infringed

European political traditions would have us believe that being sovereign means asserting exclusive control over a territory, whereas prairie NDN political traditions teach us that it is through our relationship with others that we are sovereign.

allow us to enact. We are all connected and in kinship with each other, even if we do not always acknowledge this and even if our "official" leaders do not recognize or act on it.

In 2018, the Métis National Council passed a resolution and released a map detailing the Métis homeland, which included the entirety of the three Prairie provinces and parts of British Columbia, Ontario, the Northwest Territories, and the United States. This map sparked much controversy on social media with First Nations people in the Prairie provinces, many of whom denied Métis claims to this land altogether, particularly in Blackfoot territory. In the end, if we are to rebuild our complex kinship systems and reclaim jurisdiction over our territories, we must do so with one another. We have prioritized appealing upon by other First Nations that are actively negotiating for these lands.

As I mentioned, from the perspective of the Crown, Prairie Indigenous Peoples ceded our lands by signing treaties, so we do not commonly have comprehensive land claims agreements like those in B.C., where treaties were never signed. However, various Métis governments in Canada are moving forward with land claims, including the Manitoba Métis Federation, which, in 2013, was recognized by the Supreme Court of Canada as the body that represents Manitoba Métis for the purpose of a claim against the Crown.

We are now living with the imposition of settler law, and it is difficult to think about how we might share territory once large parts of the Prairies are repatriated. If individual settlers

wish to give their privately owned land back, they must choose an individual, a First Nation, or a Métis government as the recipient of the land. Recently, the federal government simplified the Addition to Reserve process, allowing First Nations to more easily convert land in fee simple to reserve lands, but converting privately owned land to reserve land can still take years. Though reserve lands can be shared by multiple First Nations (for example, Pigeon Lake 138A is shared by the four bands of Maskwacis), there is currently no way to recognize shared Métis and First Nations jurisdiction under Canadian law. There is also no established legal process for Métis to add land to the eight Alberta Métis Settlements. Many historic Métis communities on the Prairies that Métis people may want to reclaim are significant areas for First Nations as well.

There are many examples of this on the Prairies, though the one I think about the most is a lake in my territory it's known as manitou sakahikan (spirit lake) to the nehiyaw, wakamne (god's lake) to the Nakota, and Lac Ste. Anne in French. It was considered a sacred space and a neutral zone, meaning that it was shared by many different nations and that war was not allowed in the area. The village built on the shore was one of the first Métis communities in Alberta to include permanent structures, and the first Catholic mission. The lake is now the site of the Lac Ste. Anne Pilgrimage, which is attended by many different Indigenous Peoples from the Prairies and beyond. On the shores of this lake now lies the Alexis Nakota Sioux Nation, and many Métis people still live in proximity to Lac Ste. Anne. Land Back requires we consider how we may deal with areas of shared jurisdiction and areas of spiritual significance.

I often think of what could have been had the Treaty 6 commissioners agreed to Chief Piapot and Chief Big Bear's request for a large reserve in the Cypress Hills to house all Indians and half-breeds within their kinship systems. Of course, this request was denied and later in 1878 the Métis of the Cypress Hills hunting brigade petitioned for a reserve again. The Métis have long been petitioning for land bases and it would not be until the Ewing Commission in the 1930s that the Métis had an official land base, with the creation of 12 Métis settlements in Alberta. Still, just as reserve lands are not spacious enough to house all First Nations people, a small fraction of Métis in Alberta live in the remaining eight settlements. On the Prairies,

close political confidantes and collaborators. Joseph Dion, one of the founding members of the Métis Association of Alberta, was an enfranchised Indian from the Kehewin Cree Nation. He was the nephew of Chief Big Bear and continued the tradition of advocating for Métis relatives.

Earlier I mentioned that the Prairies are borderless. By this I do not mean that Indigenous Nations do not assert jurisdiction over particular territories, nor am I denying the violent existence of the United States/Canada border that runs through the territories of many prairie

I often think of what could have been had the Treaty 6 commissioners agreed to Chief Piapot and Chief Big Bear's request for a large reserve in the Cypress Hills to house all Indians and half-breeds within their kinship systems.

it is largely assumed that Aboriginal Title has been extinguished through the Numbered Treaties and scrip, though we know the consensus among First Nations and Métis is that our lands remain unceded. The Prairie provinces have provided prosperity to millions of people, and yet most Prairie NDNs do not live wealthy lives, through either settler or Indigenous understandings of wealth.

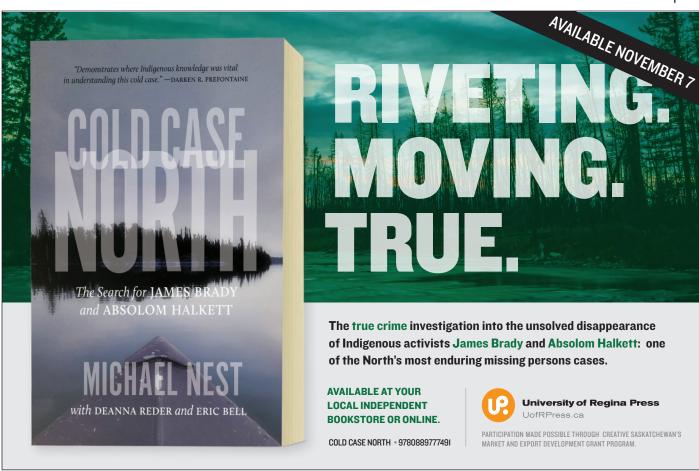
Though we often think of Métis and First Nations governance being siloed from the treaty era onwards, since we have been divided through settler legal systems, there are many examples of continued kinship and co-operation. Malcolm Norris, who helped establish the Métis Association of Alberta and the Métis Association of Saskatchewan, and Johnny Callihoo, who helped establish the League of Indians of Alberta, were

Indigenous Nations. European political traditions would have us believe that being sovereign means asserting exclusive control over a territory, whereas Prairie NDN political traditions teach us that it is through our relationship with others that we are sovereign, that sharing is not a sign of weakness but of ultimate strength and diplomacy. nehi-yawak know that vulnerability is strength and choosing to share land with other people is an example of this. \*



EMILY RIDDLE is nehiyaw and a member of the Alexander First Nation in Treaty Six. She once again lives on her own territories in amiskwaci-

wâskahikan. She is a researcher, writer, and library worker, who sits on the board of advisers for the Yellowhead Institute, a First Nations-led think tank based out of Ryerson University.







#### ART BY DR. LANA WHISKEYJACK

"This is my vision of being an ayisîyiniw ôta asiskiy (a human of this earth). My first language is nêhiyawêwin. I dream nêhiyawêwin is spoken gently to me in utero, sung to me as I enter this physical world, and that I am raised with words that nurture my ahcahk iskotew (Spirit Fire). I dream I am intuitively connected to all my relations within the earth and cosmos. Mostly, I dream of nikawiy (my mother) walking and talking in beauty. I dream that she never suffered from the attempts at genocide, colonization, and trauma so that I could walk, talk, and think in the beauty of nêhiyawêwin."

# Reconnecting to the spirit of the language

The languages are of this land, and the land holds spirit; therefore, the land is the spirit of the language.

BY DR. LANA WHISKEYJACK AND KYLE NAPIER

#### nêhiyawêwin glossary

All of these words are in pâskwâwinêhiyawêwin, or Plains Cree (Y-dialect).

asinîy-mosômak – grandfather rock ayîsinîwak – beings of this land namoya kinistotên – I do not understand nêhiyawak – Cree people nêhiyawê – speak Cree nêhiyawêwin – Cree language nêhiyawê apsis – I speak Cree a little nitanis – my daughter nîtotemak - relatives nohkom – my grandmother nosim – my granddaughter mâci-pekiskwetan – beginning to speak micow – eat/feast sâkâstênohk - toward the sunrise tânisi kiya? – how are you? wahkohtowin - kinship system

ohkom only spoke her first language, nêhiyawêwin, before she left into the spirit world.

Her yellow-speckled brown eyes would recognize me during our brief quiet visits in her hospital room. "nitanis..." she would trail off while telling an important story, speaking only nêhiyawê. My heart would crack a little, fragmented, not understanding the medicine in the words of her story.

I arrived on one particular visit, when she was sitting wide awake with a container of blueberries, happy to see me. She only ate blueberries during the last journey of her physical life.

She greeted me with strong hugs, and began telling me her news in nêhiyawêwin.

With sadness in myvoice, I responded, "nohkom – namoya kinistotên – nêhiyawê apsis."

She looked so tenderly into my teary eyes, "nosim – the language is within you. Don't forget. You will remember. micow – eat."

Those were the last English words she said to me. It was also the last time we visited. I think about nohkom's words,

especially when I hear nêhiyawêwin speakers shaming non-nêhiyawêwin speakers for not speaking the language.

Then I remember the Old Ones' beautiful teachings: "Language is spirit and our words are medicine."

I was at a community gathering a few years ago that began with a Pipe Ceremony, and this was followed by teachings of Knowledge Keepers.

The first speaker began by saying, "Our spirit world only understands in nêhiyawêwin."

Again, the shame of not being fluent swelled outside of me, flowing into tears of guilt and pain.

When I returned home, I wrote my language declaration to be fluent in prayer and conversation by the time I am 50 years old, only a few years away. When I shared the language declaration with some of my spiritual family, one responded with, "It takes four years to learn fluency."

#### mâci-pekiskwetan

This began my serious language revitalizACTION.

I researched methodologies for (re) connecting to the spirit of the language, looking for the meanings within the spirit

of language – specifically nêhiyawêwin, and the complexity and depth of meaning when we say "language is medicine."

The goal of this research, titled *Spirit of the Language*, is to work with nêhiyawêwin teachers and learners to discuss the "spirit of the language" conceptually, to identify the causes of disconnect from the spirit of the language, and to share suggestions as to the ways to reconnect with it.

Kyle Napier and I are nîtotemak and have worked together as colleagues on past projects. I secured funding to hire Kyle as a graduate research assistant. He began a tedious literature review, looking at the laws and policies that have contributed to the disconnection between ayîsinîwak and the spirit of the language.

After researching the disconnect from the spirit of the language, Kyle and I began reaching out to interview language warriors, educators, and learners to learn more about the spirit of the language from those who are reconnecting themselves or others to the Indigenous languages of their lineage.

#### THE LAND UNDERFOOT

Spruce trees blew past on both sides, as dirt and gravel mist whirled in a torrential kilometre-long cloud behind us.

We took a vehicle with four-wheel drive, starting the journey on the potholed, construction-choked Edmonton roads and ending on the bumpy gravel reservation roads of Ministikwan 161.

If we hadn't taken a four-by-four vehicle, we'd have been hitchhiking like my brother – whom we saw and picked up along the way.

The route allowed me to drop my brother off with my sister, who'd just had a newborn enter the world. After speaking nêhiyawêwin to my new nephew and dropping off my brother, we drove the next hour or two to Ministikwan.

We pulled up and parked, only to be greeted by an old friend whom Kyle had never met in person before.

"tânisi kiya?" Kevin asked Kyle.

kâniyâsihk Culture Camps is a yearround land-based nêhiyawêwin immersion program in Ministikwan. Kevin Lewis started kâniyâsihk with his doctoral thesis, which he'd grown and built upon throughout the years with his students.

I had adopted Kevin as my little brother when we were both doctoral students at University nuhelot'ine thaiyots'i nistameyimâkanak Blue Quills. We three – Lana, Kyle, and Kevin – have all worked together on different nêhiyawêwin revitalization projects in years past, but this was the first time we would all be working on something together.

We're all related in some way, after all. Kyle and I were invited to sleep inside the school building, sharing the space with a few of the other mature students in the cots set aside for guests.

We introduced ourselves in nêhiyawêwin and were comforted by a blanket of stories and laughter into the night.

#### sâkâstênohk

The sun rose, illuminating each building at the camp. Except for the teepee, each building mostly resembled a small trapper's cabin.

At our own time and pace from wherever we were staying – whether kâniyâsihk or Ministikwan – the two dozen of us found our way down past the east-facing teepee doors and the blooming July garden, into the communal kitchen.

Among us at kâniyâsihk Culture Camps were Elders, learners and their children, relatives, a few other academics, and members of the media.

The students would be presenting their learnings from the program since they began it nearly a year earlier. They shared their explorations through digital stories and gave workshops on topics such as art through birchbark biting, learning the language through the land, the use of flashcards for learning, familiarity and relationality with medicines and plants, and use of motion for active, full-body learning.

That evening, we held an ancestral Bear Sweat Ceremony in nêhiyawêwin. Walking up, you could smell the fire and feel the heat from the glowing asinîy-mosômak.

The first dialogue circle was held in

the afternoon of the second day, after breakfast and more presentations from the learners.

Kyle and I gathered a few chairs together in a circle in the teepee, and Kyle – rather unceremoniously, but importantly – set out two digital recorders.

Those who chose to share their words passed around a small, palm-sized birch-bark canoe, which was used similarly to a talking stick.

Despite somehow thinking we would close the dialogue circle early, people shared their stories and contributions around pâskwâwi-nêhiyawêwin from afternoon's daylight into the evening dusk.

Because people took their time to answer earnestly from their heart, we ended up having to hold a second dialogue circle the next day to answer the next few questions.

nêhiyawêwin and other Indigenous languages are spiritual – and we can connect to that spirit through the language, ceremony, and the land.

#### **SOURCES OF DISCONNECT**

The languages are of this land, and the land holds spirit; therefore, the land is the spirit of the language.

When discussing Indigenous language revitalization, we must also acknowledge what has disconnected us from the spirit of the language in order to propose how we reconnect.

Based on Kyle's literature review, we determined that the roots of language trauma are drawn from three main sources: colonization, Catholicism, and capitalism. The consequences include:

- massive population losses among Indigenous Peoples due to sickness and disease;
- the near-extinction of many subsistence animals on the continent due to the international fur trade and other capitalist forces;
- the governmental sway of industries and their effects on the environment; demands for power

   whether through oil and gas or for electricity;
- · mandated removal and relocation

- of Indigenous Peoples from their ancestral homelands, as especially felt on reserves;
- the Indian Act's illegalization of ceremonies such as the potlatch, the Sundance ceremony, dance, and regalia;
- the government's further institutionalized legislation of land held by Indigenous Peoples, such as the pass system, which required Indigenous people to obtain permission from an Indian agent before leaving the reserve;
- the ongoing enfranchisement of Indigenous women to dictate assimilation through patriarchal policies and provisions maintained by Canada;
- the ongoing forced sterilization of Indigenous women, and the ongoing legacy of Missing and Murdered Indigenous Women, Girls, Men, Boys, and Two-Spirits;
- criminalizing living on the land and not in municipalities;
- the appropriation of Indigenous languages to produce Catholic and other Christian texts in native languages;
- Indigenous children's mandatory attendance at residential schools and "Indian day schools" on this continent;
- the ongoing removal of Indigenous children from their families into foster care through the child welfare system;
- and the compounding environmental destruction and degradation of the land, drastically impacting the ways of being for ayîsinîwak and species held in kinship.

### LAND BACK AND LANGUAGE BACK

Like many other Indigenous revolutionaries, it was in the years when ceremony had been banned that my great-grandfather, Mamistahp Cardinal, went into hiding deep in the bush, emboldened by his culture and language embedded in ceremony,

and away from the Indian agent's pernicious eyes.

He did this so that my grandfather, along with many others, could heal themselves and pass on the teachings to the next generations, so they could then also heal themselves in perpetuity.

ayîsinîwak hold relational kinship with the water, the land, and all our living relatives, including the Four-Legged Nation, Water Nation, Sky Nation, and Plant Nation. I think of the historical and current provincial and federal legislation – like Alberta's Bill 1, designed to protect industry development on unceded ayîsinîwak land and criminalize those protecting their ancestral kin.

I personally think of my disconnection to the spirit of the language via my blood relatives' traumatic experiences when they were caught speaking nêhiyawêwin at Blue Quills Indian Residential School.

Blue Quills opened in 1931, but it has a history unlike other residential schools. In 1970, those living on reserve in St. Paul, Alberta, held a 17-day sit-in at the residential school. The sit-in worked, and by the end of the summer, ownership of the building was transferred to the Blue Quills Native Education Council.

The school, surpassing its legacy of colonization, then became the first First Nations-owned university in North America. In 2019, they changed its name to University nuhelot'ine thaiyots'i nistameyimâkanak Blue Quills.

In 2017, I graduated with my doctorate degree of iyiniw pimâtisiwin kiskeyihtamowin(ipk), or Indigenous Life Knowledge, from the University nuhelot'ine thaiyots'i nistameyimâkanak Blue Quills.

Just as we reclaimed Blue Quills in 1970, to now reclaim our Indigenous ways of being and teaching on my home reserve, we must also reclaim the land in order to strengthen our own relationship with our Indigenous languages.

I am truly humbled by the selfless gifts of knowledge that each relative shared in the interviews and dialogue circles when reflecting on the Laws of Land: kindness, truth, strength, and sharing.

In all of our interviews with nêhiyawêwin-speaking Elders, learners, and teachers across Treaty 6, we learned that the land is integral to Indigenous language revitalization, as the land and the language are inherently and intrinsically connected.

The two consistent teachings that were shared are that the spirit of the language is love and that language is our connection to the land and the cosmos. The (re)connection to the spirit of the language must begin with valuing all living beings as our relatives, what we call wahkohtowin.

Consider your own communication carefully. Do you express each word, phoneme, or non-verbal expression with love in relationality?

nêhiyawêwin allows us nêhiyawak to speak in this way.

In moments when guilt and shame of language loss begin to poison my heart and mind, I sit with a bowl of blueberries, feasting on the sweet, delicious medicine my nohkom also enjoyed. I'm reinvigorated with each berry's individual flavour, remembering my ancestors, and turning their words of encouragement into action.

"nosim – the language is within you." ★

DR. LANA WHISKEYJACK is a treaty iskwew from Saddle Lake Cree Nation. In 2017, Lana completed her iyiniw pimâtisiwin kiskeyihtamowin doctoral program at University nuhelot'ine thaiyots'i nistameyimâkanak Blue Quills, a former Indian Residential School attended by two generations of her own family. Lana is currently an assistant professor in the department of women's and gender studies, University of Alberta and is the lead researcher with the *Spirit of the Language* project.

KYLE NAPIER is a Dene/nêhiyaw Métis from Northwest Territory Métis Nation who has dedicated himself to Indigenous language reclamation with the languages of his lineage. He has worked with his nation for four years and is now completing his master's thesis with the words of community members from his home region to address Dëné Dédliné Yatí revitalization, reclamation, and acquisition. Kyle is a graduate research assistant with the *Spirit of the Language* project.



EARRINGS BY AMBER SANDY (ANISHINAABE FROM NEYAASHIINIGMIING)

"These statement earrings were made with tufted caribou hair on home-tanned deer hide with galvanized silver steel-cut beads. Using natural materials like caribou hair and home-tanned deer hide is my way of recognizing my teachings to respect the animals that we harvest, and to use as much as possible. Natural materials are highly valued when used in Indigenous adornment, yet many Indigenous Peoples have been forcibly removed from the land and do not have access to the land or materials that our ancestors used."

# Becoming intimate with the land

A roundtable discussion with three Indigenous women hunters on patriarchy, spirituality, and what they want settlers to know about hunting.

#### BY ALEX WILSON

unting is often thought of as a masculine activity. To make the link between hunting, land use, and Land Back, Alex Wilson spoke to three Indigenous women hunters about patriarchy, spirituality, and the joys of being on the land.

**Angela**: My name is Angela James. My last name comes from my husband's family from the Xwisten Nation in B.C. I'm from the Beaver and Bigstone families in Treaty 8 territory within the Bigstone Cree Nation. I live on reserve. I was born and raised in Sandy Lake. I work here, I live here, I raise my family here right on the land my grandparents lived on.

**Tanya**: My name is Tanya McCallum, I am a Woodland Cree from northern Saskatchewan, Pelican Narrows. I currently live in an urban setting, Prince Albert, which is four hours south of where I come from. I was raised by my grandparents, and I have two daughters. The first form of my education was living off the land. I continue to live off the land.

**Michela**: Tansi, my name is Michela Carrière. I'm from the Saskatchewan River delta near Cumberland House. I grew up on the trapline about 50 kilometres from Cumberland House and that's where I am now. We're surrounded by the woods and

this is where my parents raised me, hunting, fishing, trapping. My grandfather has been here since the 1930s and then before that the Cree people were always here along this river. Now my business is canoe guiding. I teach people about canoeing and harvesting medicines and my connection to the land.

**Alex**: What kind of hunting do you do?

**Tanya**: I hunt for sustenance, to feed my family. I don't do any sport hunting whatsoever. That's just the way I was raised – we didn't hunt for the biggest antlers or anything like that. The cost of food where I live gets expensive, so, for example, we harvest the moose in the fall.

**Angela**: As a kid I used to think that ketamahkseyah (we were poor) because we grew up with fish and moose and duck and rabbit and wild, organic food. And the other kids down the street, they would have mac and cheese and the newest thing that you saw on that one channel you got on TV back then. But we grew up on sustenance, too, and our teeth were perfect, we had no teeth problems. Kids have too much sugar in their diet today, whereas our food doesn't when it's off the land.

**Michela**: The hunting I do is for sustenance, what we can eat. I've gone out moose and deer hunting with my dad. We do a lot of bird hunting, ducks and geese and grouse, which is my favourite kind of hunting. We do some fishing but mainly with fishing nets. Just yesterday we had a fresh meal all from the land – vegetables from my garden and fish. It was so delicious.

In the winter, we've done a lot of trapping. It's changed over the years, though. The hydro dam really affected the environment. We don't hunt as much. It's been around 10 years since we harvested the moose, because the floods have done so much damage. We don't trap as much for a living as we used to, but we still do trap and we use every part of the animal. We use the furs for making clothing; either I harvest the meat for myself or for our sled dogs; and I use the bones for artwork.

**Alex**: Hunting is sometimes thought of as a masculine activity or even as a "sport." What are some experiences or observations that you have, specific to being a woman who hunts, traps, or fishes?

**Angela**: My dad would take us out on the land when we were small, but that changed when we hit puberty – when we were around 10 or 11 – and we just weren't allowed to go anymore. I used to wonder about that, and I hated it. I really so badly wanted to be a boy because boys were allowed to do so many cool things compared to girls, I thought. And that's why I am the way that

I am: I have a bow, guns, and I have knives too. I just love to do things like that because when I was younger I was limited and not allowed.

**Alex**: When did you start hunting again after you were prohibited as a girl?

**Angela**: I always did. I'd sneak off and follow my brothers, who were 10 or 11 years old, going off by themselves for the whole day. I'd go walk with them and hunt with them. I'd always help with cutting the moose meat, the fish, and the rabbits. I kind of always did hunt, you know – on the sly, on the keemooch (in secret).

When I got older, no one could tell me what to do. My husband, he bought me a gun for Valentine's Day or something – it was a semi-automatic .22 – and my dad was a little worried. But I was so happy! I said, "This is way the heck better than flowers! Flowers die. This, I can use." [laughs]

**Tanya**: I can totally relate to Angela. I grew up with my grand-parents out on the trapline. There were hunters, fishers, gather-

When I visited my grandmother, she would be hungry for wild meat. I thought to myself, "I better start hunting, because someone's got to provide for my grandmother." That's when I took up hunting.

ers, trappers – but I saw that no females hunted in my family. My uncles and my grandfather did all the hunting, while my grandmother stayed home and took care of whatever my grandfather brought home. That's all I knew.

Because my grandparents were very heavily influenced by the churches, patriarchy played a big role in my family. My grandmother was a woman of few words; the residential school system took a toll on her. She was there from the age of five – so what she knew was what she learned from the church.

Even though the females did not hunt, I would follow my brother like you did, Angela. By the time my grandfather passed away, I had graduated high school and moved away. When I visited my grandmother, she would be hungry for wild meat. I thought to myself, "I better start hunting, because someone's got to provide for my grandmother." That's when I took up hunting, about 25 years ago.

I started watching hunting films because I didn't really know how to hunt. My partner at the time was a big-time hunter but he couldn't teach me hunting because he is Métis and he couldn't hunt with a Treaty person. We hunted together but he couldn't shoot – so I became the shooter.

I passed on those traditional teachings to my daughter, who's now 22, and she's been hunting since a young age. In the past three years, she started killing deer and moose. I go out on my own a lot, and being out on that land just soothes the soul. I gather my thoughts. Sometimes I actually kind of cross my fingers hoping I don't see a moose, because if I do, that's hours of work for me [laughs]. Being out on the land is just kind of my thing.

**Michela**: I was never really raised with my parents being strict about "this is how women should act, this is how men should act," mainly because my mom was kind of a renegade that way.

Even so, my sister and I were encouraged to stay close to home. My grandmother said the wolves could smell you – she had all these stories about how it was a little more dangerous to be a woman in the woods. There were smaller rules I remember, like if you're a woman you weren't allowed to step over top of

the fishnet or step on top of the beaver house because there was some sort of energy that could ... I don't know, it wasn't ever really explained.

My brother went to school in town when he was 14, so it was just me and my sister and my dad. There were no other men around, so my dad taught us everything he knows about trapping and hunting. He didn't have any issues with that, he never made us feel like we were different in that way

**Alex**: How do you see women and hunting being a part of the Land Back movement?

**Tanya**: I was watching a video of my great-grandmother, who was interviewed in 1992, and the interview had to do with women's roles and child-rearing. At the time, my great-grandmother was in her mid-8os, so when she's talking about the past, she's talking about way back. She talked about how hunting used to be a partnership between the male and the female: they both went out, they both hunted, they did whatever they could to survive. When the churches came - with patriarchy and colonialism – that's when she started to see the shift. They were nomadic people, so she talked about how when she was little they would move around and people followed the animals. But over time they got restricted to traplines, and they were told, "This is your block, this is your trapline, you can only hunt in this area." In her age she saw this shift where hunting became this male-dominated sport. That shift was something she observed in her daughter (my grandmother). I am glad my mother has me as a role model, as a woman who hunts, because I had to search YouTube to find that history myself. And I don't want my daughters going through that.

I don't sit around all day talking to my kids about hunting — they just learn by being on the land with me, by observing. They pick up those things from me — their mother hunts so they can do it too, and they pass it on. When we talk about Land Back, when I refer back to what my great–grandmother had to say, I'm going back to those traditional ways, going back to how it was.

**Michela**: When I go out hunting or fishing or trapping it's a really intimate relationship with the land. So I think that's how it brings the land back to me. The land becomes a part of my heart and soul and I really want to do more to advocate for the environment around here. It helps me learn the language, because when my dad, who speaks Cree, is out in the woods, he can describe and tell stories. Sometimes when we're out there he'll only speak Cree and those stories come back to him. And then I'll learn more about the trails and the areas where my grandfather and great-grandfather used to hunt and trap, and it kinda helps me teach the next generation – my nephews and

There's more to hunting than just coming home with the game. They need to know that hunting is almost a ceremony, because that animal is a sentient being. They're giving themselves to you to use for sustenance.

my niece. Or whenever I bring people paddling through here, I actually have stories to tell them. I can tell them, "This is my intimate connection with the land, you can't take this from me, ever, because it's a part of my DNA." I learn about the values of the land, because when you're out on the land you learn how to work together as a group, you learn how to listen, you learn about patience.

**Angela**: When you reconnect with the land, and our survival from it, it really makes you realize how small we are as human beings. We are not as big as we think we are. And when you reconnect with the land, you also reconnect with our spirits, and we are empowered, and it helps the Land Back movement.

**Alex**: Is there anything you'd like Canadian settlers to know about hunting, Indigenous hunting rights, and women in hunting?

**Tanya**: There's a lot of anger toward Indigenous people because treaty people have the right to hunt year-round and settlers don't. What I would like to tell them is that there's more to hunting than

just coming home with the game. They need to know that hunting is almost a ceremony, because that animal is a sentient being. They're giving themselves to you to use for sustenance. And we do protocols, we give tobacco, we say a prayer, we have some kind of offering. And we use every part of whatever we kill – nothing goes to waste. Say, for example, when I see a report of a moose that was shot and only the hind quarters were taken, my first thought is, "That can't be an Indigenous person, because we take everything. We can't let any part of it go to waste."

**Angela**: To be honest with you I don't really know what my hunting rights are. I saw three moose not too far from here in a farmer's field, and my sister was yelling at me, "You have your gun! Why don't you just shoot?" I thought about many things at that moment, like how our treaty and hunting rights are limited but the moose is still free, for now – not like how we live.

On the Métis settlement I used to work at, a hunter was telling me she went hunting with her husband and she shot this moose and this farmer came and gave them shit. And she said, "Well, I shot it, and it jumped over your fence and died here, so it's okay." It made me wonder, whose land was that before that fence was up? Why can't we hunt to feed our families when some people own so much land?

But what I want them to know – not just settlers, but a lot of our own people, who are very lost when it comes to protocol and realizing that we are all connected – is that the moose, the bear, the elk, the muskrat, the fish, all these animals, these beings, they're our relatives. You've got to honour that protocol, honour that connection, that we are part of something bigger than all of us, we aren't almighty human beings at the top of the food chain, 'cause we're not. You take away our guns, you take away our bows, you take away that technology and go out on the land, see how big we are. We're not.

**Michela**: There's the Treaty Rights, there's the Canadian law, but there's also the rights within our own culture, and that's what we pass down – like how to respect those animals and when to hunt. Those are really important. I wish that the greater public knew about those as well.

For me, as a Métis person, I don't have the rights to go and hunt anywhere at any time of the year. But specifically here at Big Eddy Lodge (named after the big eddy in the river where the water slows down and fish gather), on the trapline, I have rights to hunt for sustenance. But I still have to pay taxes and a lease for that right to hunt, trap, and guide. I would love to be a female hunting guide and take women and kids to teach them how to hunt, but I have to pay for the right to do that. I think there's a misconception that as Indigenous people we're living lawless, or not paying for our rights. But it's different across the board, there are all sorts of rules affecting us.

**Alex**: What words do you have for the next generation?

**Tanya**: There were times I got discouraged for being a female hunter, especially with my male peers. When the topic of hunting comes up, and I hop in there and start talking about it, it's like they're not even hearing me. It's like they're jealous, like I shouldn't even be talking about it, it's a male thing. "Don't be discouraged" is what I gotta say. Just do it. Do it for enjoyment, for sustenance.

**Angela**: Don't be ashamed of what the land has to offer to your family and your body. It's not a brutal thing, hunting. We do it for survival, only when we need to. Our relatives are not trophies to be hung on walls. Let them go, let their spirits go, let them make that journey. I hope that you reconnect with your own spirit, out on the land, so that you find your way back, and not get so lost in the busyness of the world.

**Michela**: Be curious and start doing some research by asking questions. If you know anybody who hunts, don't ask them *how* they hunt, just ask them what their best hunting stories are. Any hunter loves to tell stories – especially in our area, Cree hunters love to tell stories. If it's a humorous story, then you learn about the mistakes that they made. Or if it's a beautiful story you learn about the protocol and the respect that they give the animals.

APTN has a lot of really cool hunting and cooking shows around harvesting animals. Definitely watch *Merchants of the Wild*, that's a really good show that I was involved with about some young Indigenous people getting back to the land and how difficult it can be but how rewarding it also is. And then my advice is to just get out there and do it.

The stories I have from my dad about how he started hunting – he would borrow his dad's gun and go out on his own, and start shooting birds in the backyard, and he was only five years old at the time. Now, I wouldn't recommend doing that exactly, but he would just go out on his own and practise gearing up: putting on the right outfit, going out, realizing there are too many bugs, going back and putting on a bug suit, then realizing it's too hot and going back. Know how to be comfortable. You don't have to go out there and harvest an animal right now. Someone told me, "We call it hunting, we don't call it killing." It's a blessing to even see an animal. Most times you won't see or harvest anything. But it's a beautiful process, going out there for that feeling of calm and peace. It's not always about getting an animal to provide for your family, it's about going out and getting active. Becoming intimate with the land. ★

Read a longer version of the roundtable at briarpatchmagazine.com.



**ALEX WILSON,** Opaskwayak Cree Nation, is a professor in the college of education at the University of Saskatchewan. Her work focuses on land-based education, queering education, and the protection of land and water through sustainable housing.



BY ADRIENNE HUARD AND JACQUELINE PELLAND

ART BY SUMMER-HARMONY TWENISH (ALGONQUIN ANISHINABE FROM KITIGAN ZIBI)

# SEXUAL SOVEREIGNTY

Indigenous sex workers continue to pave the way for sexual liberation. How is this fundamental to Land Back?

hen we talk about "land," we refer to the inherent connection Indigenous bodies have to territory — we cannot separate the two. Land and Indigenous bodies are tied together; they are mirrored entities, reflecting our relationships to ceremony, language, our relations and kin, and our Indigenous technologies. The safety of our land also means the safety of our bodies. Pushing for pleasure, desire, love, and consent are ways that we reclaim our sexual sovereignty, which translates to our agency as Indigenous women, Two-Spirited,

trans, and gender-variant people.

Taking a harm-reduction approach, we will address the importance of safe spaces for sex workers and people employed in the sex work industry. Sex workers have been and are on the forefront of sexual liberation, reclamation, and body sovereignty for Indigenous people.

The dehumanization of sex workers stems from the same violence enacted on our Missing and Murdered Indigenous Women, Girls, Trans, and Two-Spirits (MMIWGT2S). The

misogyny, racism, and whorephobia we experience is rooted in white supremacy, which views our bodies as disposable whether or not we do sex work. We are coded as "Other" and therefore automatically sexualized – it's a "damned if you do, damned if you don't" situation.

But these same misogynist, transphobic, anti–Two–Spirit, and anti–sex work frameworks have seeped into some Indigenous spaces. When we attend ceremony and Indigenous community gatherings – spaces that should be healing and positive – we are often made to feel shame and guilt. These are manipulation tactics introduced by the church to weaken our communities and are sustained through white supremacist capitalist systems. Normalizing sex work ensures our safety in society, since normalization allows us access to information on safer sex practices, reproductive rights, sexual and gender expression, consensual

relationships, and more. In addition, sex work is an important source of body sovereignty and autonomy for Indigenous women and Two-Spirits. We want to reject the idea that sex workers withdraw from traditional values and Indigenous knowledge systems, arguing instead that loving ourselves and our bodies is an important act of defiance to colonial trauma.

## HOW DOES RETURNING LAND TO INDIGENOUS COMMUNITIES AFFECT US AS SEX WORKERS?

**Jacqueline**: I believe Land Back affects every single thing we do. Being able to join spaces created and led by people who are Two-Spirit, trans, and gender-variant brings us peace and solidarity in an otherwise violent and scary world. Returning land is a way of actively correcting ongoing white supremacy, whether the land is returned by a government or by a non-Indigenous individual land "owner."

Land Back as a concept is the acknowledgement that harm has been done to Indigenous Peoples and our kin of colour — most notably Black trans women and trans women of colour who are, and have always been, at the forefront of sex workers' rights advocacy. Land Back as an action means creating, shaping, and/or healing physical space to best suit our needs for safety, community, and identity. Land Back would mean that every choice that Indigenous Two-Spirit people make for themselves is truly free and consensual, not based on scarcity of resources or threats of violence. We would all have easy access to the food, housing, health care, and community spaces we need to thrive and live our most authentic lives.

**Adrienne**: The concept of land is intrinsically tied to the Anishinaabeg body – the land reflects our languages, our ceremonies, and our bloodlines. When we as Indigenous people

are displaced from our lands — often as a result of resource extraction and always as part of a colonial attempt to assimilate and disempower us — we lose the ability to make decisions about our own lives and communities. This loss of self-determination is magnified for Indigenous Two-Spirits, trans, gender-variant people, women, and queer folks. When we connect to land, we move toward freedom to live our Indigenous truths — the strength of our communities depends on our cultural, spiritual, and physical safety. The freedom to express our sexuality and gender identity liberates us from the confines of colonial ideologies and allows us to truly love our bodies as Indigenous women and Two-Spirits. When I say "Land Back," I mean that Indigenous people have sovereignty over their bodies and what they choose to do with their bodies. And when we centre sex workers, we establish that all Indigenous bodies are sacred.

"This makes me think of the common argument that sex work is a colonial concept and that participating in it means you are inherently anti-Indigenous because our ancestors supposedly never did it.

Well, I have news for you: our ancestors also never used toaster ovens, but here we are."

## AS AN INDIGENOUS SEX WORKER, WHAT DO YOU NEED MOST FROM YOUR COMMUNITY TO FEEL SAFER?

Jacqueline: Safety is crucial to me in this line of work as a Métis femme. And on top of this, the reality is that many of our community members who experience more barriers to safety and opportunity in society than I do turn to sex work for a variety of reasons, like employment discrimination in corporate settings, or being unable to work elsewhere as a result of being traumatized by systemic violence. I've heard many times that what we need most is ceremony that isn't framed as a tool to "save" us. What we also need is for people to stop thinking that sex work is the reason for the crisis of MMIWGT2S, that all MMIWGT2S are sex workers. Because if you look at the root of this crisis, it's that society as a whole is taught - through the media, in schools, and by the law - that Indigenous trans people, women, and girls are disposable and not worthy of living. We deserve respect, no matter what kind of work we do. We need support from our communities to achieve that reality. Otherwise, our oppressors will have succeeded in turning us against ourselves.

**Adrienne**: To be entirely transparent, I am not currently

working within the sex work industry (though my return is likely). But when I was, I really could have used acceptance within my community and ceremony without having my work stigmatized. Depending on who is leading it, our Sweat Lodges often incorporate sharing circles and during them, I was never truly able to be honest about my life. I still have a hard time with it as a pole dancer and performer. I wish narratives around sexual expression weren't discouraged during ceremony, when sexual expression is such a normal part of our lives as Indigenous people. Unfortunately, Christian and Victorian mentalities have seeped into our communities, introducing shame and guilt to weaken the strength of our sexual autonomy.

## HOW HAS PARTICIPATING IN THE SEX WORK INDUSTRY AFFECTED YOUR PERCEPTIONS OF SAFETY IN SPACES?

**Jacqueline**: Sex work has shown me how we as Indigenous women get short-changed (literally) all the time: we're expected to be matriarchs, maids, cooks, academics, social workers, change-makers, and protectors. We are taught to have zero boundaries, especially around love and sex, I find. I finally learned the meaning of "No' is a full sentence" when doing sex work. Sex work has also taught me how important it is to have our own spaces so that we can recharge and just be ourselves for and with ourselves. In my experience, and based on my conversations with other Indigenous Two-Spirit people and women in my life, not having opportunities to reconnect with ourselves re-creates trauma, isolation, and shame. Recharging can happen through medicine picking, being in ceremony, visiting with our community, and more. But there is a huge lack of adequate support and resources, which is why ceremony that is accepting of all of us is crucial to our collective well-being. Sex work has also taught me how important it is for Indigenous and Black communities to stand in solidarity with one another. In general, though, I always felt unsafe before doing sex work, and I still do. That is simply the unacceptable and heartbreaking reality of being an Indigenous Two-Spirit person in so-called Canada.

**Adrienne**: Sex work has certainly opened my eyes in terms of the overwhelming and disproportionate incarceration and criminalization rates of Indigenous women and Two-Spirits (as well as Black and POC sex workers). I believe this perpetuates society's belief that it's acceptable to not only over-police Black and brown bodies but to also enact violence on them. It's a scary world out there. Doing sex work has made me a stronger person by granting me permission to establish boundaries for my own agency and safety. It is then up to others to honour those boundaries and respect my work and how I treat my body.

#### WHAT ARE SOME OF THE ISSUES WITHIN THE COLONIZED MODEL OF SEX WORK INDUSTRIES?

Jacqueline: Currently, strip clubs are most often dedicated to straight men with lots of money, and strippers there are forced to adhere to white supremacist standards of beauty (being cisgender, thin, white, and conventionally attractive). Also, customers often assume they can ask or do whatever they want to me once they learn I'm Métis, which is not okay. As workers, we have few to no rights: cops, club managers, and customers all abuse their power over us workers because they know the law isn't on our side. There are so many confusing legal loopholes and contradictions that can be hard to navigate when you don't have the language or knowledge of how the colonial legal system works. Then, on top of that, people tend to assume we don't deserve being treated like human beings.

Adrienne: I often think about my choice to pursue sex work as a way to make ends meet. At the time, I was doing my second undergraduate degree, working two part-time jobs while also doing an unpaid internship at a gallery (which was a requirement for my program). I remember that I simply could not pay rent or my bills and, honestly, a job is a job. People often function under this binary mentality that they are either "for" or "against" sex work without discussing the complexities of lived experiences. This makes me think of the common argument that sex work is a colonial concept and that participating in it means you are inherently anti-Indigenous because our ancestors supposedly never did it. Well, I have news for you: our ancestors also never used toaster ovens, but here we are. I'm tired of this colonial trope that we are stagnant people – unchanging and stuck in a static past. The beauty of the Anishinaabeg is that we are always evolving and fluidly in motion – adapting to our world while staying grounded in our Anishinaabe ways of being.

#### HOW DOES RECLAIMING OUR BODIES -THROUGH GENDER, SEXUALITY, SEX, PLEASURE, AND CONSENT - RELATE TO LAND BACK?

**Jacqueline**: Our bodies are one with the land; this is just how life has been taught to me and how I experience it as a Two-Spirit Métis person. This means that when there is destruction and harm done to the land, we feel it too. On the flip side, when I and others engage with the land in play and peace, we're able to feel those same things as well. As a Métis Two-Spirit femme, I've also been taught my whole life that I as a woman exist to give service to others at my own expense. That means when I engage in consensual sex, when I experience pleasure, when I express my gender and sexuality, I'm rejecting white supremacist ideas of who and what I am supposed to be. Land Back offers a space where I can fully assert those things about myself with freedom and confidence and that others can do the same, too.

**Adrienne**: I constantly revisit Leanne Betasamosake Simpson's discussion on an Anishinaabe concept called Biskaabiiyang,

which is a verb used to describe returning to ourselves, spiritually and physically. The fight to reclaim our bodies as Indigenous Two-Spirits and women defines our own physical self-determination − and no one else's. That means we can use contraception, we can terminate a pregnancy (I have stories of my ancestors using medicines to do this, so don't @ me), we can have consensual sex with whomever we like, we can dictate our own weight, we can pleasure ourselves, and we can express our gender identity however we goddamn want. Returning to ourselves inherently means loving the bodies that our ancestors gave us. ★

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ADRIENNE HUARD is a Two-Spirited/Indigiqueer Anishinaabekwe registered at Couchiching First Nation, Ontario and born and raised in Winnipeg, Manitoba. She is an MFA candidate at OCAD University in the criticism and curatorial practice program, a Sundancer, a hard femme, and a pole dancer/performer.



JACQUELINE PELLAND is a Two-Spirited Métis woman from Winnipeg, Manitoba. She is a multi-disciplinary artist, a Sundancer, a law student at the University of Manitoba, a semi-retired stripper, and an advocate for all things decolonial.

#### SINCE TIME IMMEMORIAL

BY FRANCINE MERASTY
(PETER BALLANTYNE CREE NATION)

I've heard these words
Spoken repeatedly
As a child
The story of my
Indigenous history shared
With audience after audience
Burned into my memory
We've been here since time immemorial

It means a time So long ago People have no knowledge of it

How long has your family lived in Saskatchewan? My law school application asks I pause for a moment Then write Since time immemorial

Before Saskatchewan was, we were

Nobody questioned my answer ★



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#### PHOTOGRAPH BY LACIE BURNING (MOHAWK)

Blockade Rider is a portrait of M.V. Williams, a Skwxú7mesh/Wet'suwet'en photo-based artist. They straddle a concrete blockade underneath the Lions Gate Bridge that sits on their territory, with a lasso in hand. The image comes from the artist's experiences witnessing land reclamation at Kanonhstaton in Six Nations. This image was shot before Wet'suwet'en solidarity protests in February 2020, and the Six Nations blockade of a housing developmentw at 1492 Land Back Lane.

## This Prairie city is land, too

I wonder what it would mean to walk freely on my own lands without fear of surveillance by white prairie settlers and criminalization by the institutions that serve their interests.

#### BY LINDSAY NIXON

hat does Land Back mean for Indigenous Peoples who live in the city? As a Cree-Métis-Saulteaux person who grew up in Regina and lived in Edmonton for six years, the first thing that comes to mind is the urgency of dismantling the surveillance mechanisms of the prairie settler state.

During my teens in Regina, I was a street-involved, houseless youth who would hang out downtown, which always seemed to make me hyper-visible to white settlers who wanted to police my presence: the parents who told their white children that they can't play with "Indians"; the teachers who viewed my sexuality (namely, the time I drew a boy's name in a heart on my desk) as a danger to impressionable young men; the old white women who would give me dirty looks downtown; the doctor who almost killed me by giving me inadequate health care; and so many other people who always let me know while growing up that I was different. I carried those feelings of inadequacy with me when I moved to Edmonton and made my home in communities populated by folks who are considered socio-economically disadvantaged, whatever that means. The surveillance followed, too. During this time, I was assaulted one block away from my house, while walking home, by Officer 3191 of the Edmonton Police Service, though I was never placed under arrest. The criminalization did not ease.

I've wondered what it would mean to walk freely on my own lands without fear of surveillance by white prairie settlers and criminalization by the institutions that serve their interests. I have always felt and known that the city was land, too. I had solidarity with other street-involved Indigenous youth based

on our shared experience of state violence. I know now that surveillance and violence against us is a way of continuing to remove us from the land. Surveillance is how my sovereignty was – and is – taken away from me; how I am told every day in the prairies that I am less-than.

There's a strange dualism of being an Indigenous person who loves white people who harbour unchallenged racist values — it's a form of race consciousness. I know that Indigeneity is not often talked about in academic studies of race, but I stand by my choice to do so. What else is visible surveillance and criminalization on the basis of being a part of a cultural group, if not racism? Being an Indigenous kid who grows up and realizes how much your white family functions through racism, and continues to normalize racism in your presence, is the basis of adult trauma work for many mixed, adopted, and foster care NDNs. Indigenous youth don't need university degrees and academic language to make our experiences of racism valid — we have been working through these concepts in our minds, through our bodies, and within our own families for a long time.

I've questioned if empathy could heal the relationships that create racist attitudes in the present. I wanted to know: what were the rhetorics in white settler families that informed their internalized racism against Indigenous people and caused them to surveil, and perhaps dehumanize, me? What caused them to have physical reactions to Indigenous bodies in Prairie cities? I dreamed that if I have the embodied gestures of my ancestors – my ability to share song and story, or my scrappy, fire-starter ways – then perhaps they do too; and that was a place from which to start healing.

Why did someone at the Sage Creek Liquor Mart call the police on Eishia Hudson the day she was shot to death by the Winnipeg police? Why have we allowed the Saskatoon police force to stop, question, and document any Indigenous person on the street? Perhaps they were emboldened after the justice system failed to hold them accountable for the starlight tours? Why did the white people at Wascana Lake refuse to call for help the day that Darlyn Johns drowned, even though his friend desperately begged to borrow the phones of onlookers for half an hour after Johns disappeared in the water? Why did white farmers in Saskatchewan use the shooting death of Colten Boushie as a platform for their white nationalist politics? These aren't rhetorical questions. I wanted to know because I imagined that, if I had proof, somehow anti-Indigenous surveillance in the Prairies would be undeniable; that if white people saw the ways they hurt Indigenous peoples by surveilling our bodies, perhaps they would have empathy with us, too.

I posted on Twitter asking if there were any white folks who

might be open to sharing with me their experiences of racism within their own families. I received over 70 messages from white settlers who wanted to process, with an Indigenous person, instances of anti-Indigenous racism within their family.

Reading these confessions felt so hollow.

There was no resolution for me in their words, which only hurt to read.

Surveillance is, by definition, an unequal power relation: the person surveilling has power over the person being surveilled. Certainly, I can attempt to surveil

white supremacy from the outside, but it would never have the same impact – and even if I did get "proof" I was being surveilled, I knew it would never be enough to change white people's behaviour. Evidence of police brutality in the form of body camera videos, for instance, has not stopped police officers in Canada and the U.S. from killing Black and Indigenous people; nor has it facilitated healing, justice, or closure for Black and Indigenous communities. The white settlers who contacted me did not want to support my truth. They wanted a quick solution to alleviate their guilt. They wanted confession. They wanted to be able to buy their freedom from complicity in white supremacy through creative philanthropy.

The anti-Indigenous rhetorics I am describing, the ones that are used to legitimize the surveillance and policing of Indigenous presence in the Canadian prairies, hearken back to conflict between early white settlers and Indigenous populations. As Gina Starblanket and Dallas Hunt have written in their book *Storying Violence: Unravelling Colonial Narratives in the Stanley Trial*, the shooting death of Colten Boushie and subsequent trial of his killer, Gerald Stanley, provides a gutwrenching example of how Indigenous presence is seen as a

threat to settler-colonial safety in the Canadian Prairies, and it is policed as such. In a *Globe and Mail* article, Starblanket and Hunt argue that Canadian settlement relies on the ideal of patriarchal nuclear families, at the centre of which is the white farmer's ownership of his kingdom – the open prairie – where his castle lies. This image upholds a cult of toxic white masculinity in the Prairies, which is necessary to protect the safety of white settler children, wives, and property, even if that means criminalizing and killing Indigenous people.

Technology has become interwoven with race and surveillance in the Prairies. What comes to mind when I think about the digital surveillance of Prairie Indigenous communities is Facebook Karens. White women in the prairies will take to Facebook to have long arguments on posts, coming out in favour of policing and criminalizing Indigenous people in the Prairies. Following the Stanley trial, I saw these arguments play out on my white family's Facebook walls.

I thought back to high school and the platforms I used, like

The city is land, our bodies are the land, so please, white settlers, give Indigenous street-involved youth our body sovereignties and our geographies back.

MSN Messenger and Myspace (to date myself). I found that, based on the codes I received on social media from skinny white scene kids, I would police myself, reminding myself what was and wasn't attractive - what was deemed right. I would find myself changing my appearance to make myself blend in more. I'd dye my hair and buy clothes that I thought conveyed that I had access to resources. I aligned myself with more liberal, white, and white-coded friends. Indigenous surveillance and policing is personal, intimate, and embodied. And the cycle repeats forever, as Starblanket and Hunt note. White women police me in order to advocate for their own safety and to protect the nuclear colonial family structure and the men at the helm of "good" white prairie families. Police then criminalize Indigenous presence in the city on behalf of white prairie families. I modify my body and actions to be less surveilled (which, I acknowledge, is an immense privilege). And it all maintains the order of white supremacy at the expense of Indigenous life in the Prairies.

By looking to white prairie communities for an answer about why they dehumanize me, why they couldn't have empathy for me and the forms of violence I have experienced because of my hyper-visible presence in the city centres of Regina and Edmonton, I realized they didn't even know what caused it because all they knew was rigid conformity that maintained the status quo – and thereby their own power – in the Prairies. I wasn't searching for proof. I wanted closure. I wanted to heal. And I've done enough community healing work to know that closure and self-worth don't come from others; it comes from within. Heal yourself, and you heal your descendants. Heal your kin, and you heal yourself. That is something that white people will never understand because they are so disconnected from their own territories, so deeply entrenched in the racist ideologies of colonialism that inform their identities.

Land Back is actively working toward the decriminalization of Indigenous youth in the city to ease these forms of surveillance and death. White people should actively put their bodies and resources on the line for Indigenous youth who are criminalized in their communities. And, yes, Land Back is filming Karens who are harassing Indigenous youth and posting those videos online so they, too, can know what it's like to be constantly surveilled. Land Back means that white people, including elderly folks, will be called out and will no longer get a pass for casually naturalizing forms of racism. Gen Z came to the game ready to fight.

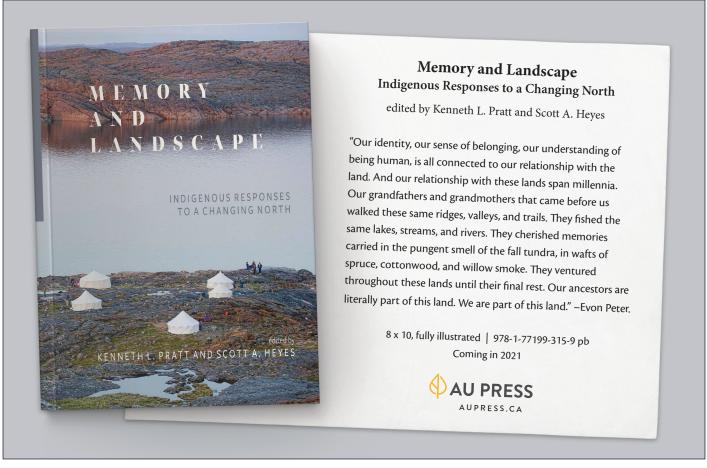
Land Back is for Indigenous Peoples in the city, too. Land Back is reclaiming physical and temporal space in the Prairies. Land Back in the city is the embodied resurgence of street-involved

and houseless youths. We need to be safe on our own lands. Land Back is defunding the police. Land Back is taking care of our bodies. When you're without a home, your body is your only home. Land Back is taking care of each other. Land Back is better harm reduction for drug users in the city, with white settlers funding these kinds of supports. Land Back is shelters for trans and queer Indigenous youth, who are often not allowed in women's shelters because those shelters demand binary gender presentations. Land Back is wet shelters. Land Back is more infrastructure for houseless communities, generally. Land Back is the decriminalization of youth sex work. Land Back is ending the policing of Indigenous drug users and suppliers.

The city is land, our bodies are the land, so, please, white settlers, give Indigenous street-involved youth our body sovereignties and our geographies back. Stop criminalizing us. Stop normalizing our death. Kill the racist settlement rhetorics in your own minds and families. ★



LINDSAY NIXON is an assistant professor in Ryerson's English department, researching Trans NDN digital creators and things. Nixon's first book, *nîtisânak* (Metonymy Press, 2018), won the 2019 Dayne Ogilvie Prize and a 2019 Quebec Writer's Federation first book prize and has been nominated for a Lambda Literary Award and an Indigenous Voices Literary Award.





By jaye simpson ART BY WHESS HARMAN (CARRIER WIT'AT)

# Land Back means protecting Black and Indigenous trans women

Historically, Black and Indigenous trans women were honoured within our communities. Today, Land Back means undoing transmisogyny in our movements and restoring the cultural importance of non-colonial gender identities.

n the winter of 2016, I dreamed incessantly of the front lines, of putting my body in front of police, bulldozers, and extractive corporations to ensure Indigenous sovereignty. During this time, my social media was filled with constant updates on Standing Rock, abundant with #NODAPL in every post. I was paying close attention to what was happening with the Standing Rock Sioux Tribe and their opposition to the Dakota Access Pipeline that would cross through their sacred and sovereign land. I was preparing myself to make the journey to the Oceti Sakowin camp when the Obama administration denied a key permit for the pipeline. I was no longer needed across the medicine line. My dreams were filled with the image of hundreds of bison cresting a hilltop, dust clouds surrounding the herd, the sound of their tremendous hoofbeats resounding on the horizon.

Seven months later, I started medically transitioning, and with that came the realization that my relationship with the front lines would change. Earlier in 2016, news broke of a string of suicides and suicide attempts in Attawapiskat First Nation

in Ontario, a result of poverty, intergenerational trauma, and hopelessness under colonial rule. The small, fly-in community of barely 1,500 was shaken. I responded by organizing a rally at my university and educating people about the mental health crises happening in Indigenous communities across Canada.

Being read as a man at the time, I noticed how I was listened to and respected more than my co-organizers, who identified as women. I had been quite public about being non-binary in 2015, but I was still perceived

as male; many people simply could not wrap their heads around what "non-binary" meant in Kamloops, British Columbia. As the hormones took effect later that year, I began to present more and more feminine. It seemed that my non-binary identity was still hard to comprehend, even more so in many of the Indigenous circles in which I ran. Though my pronouns didn't change, I began to get misgendered more often; it looked like using "they" was easier when I wasn't changing my hormone levels.

This February, I found myself in a collective of Two-Spirit and Indigiqueer youth who worked separately and together to plan actions and participate in blockades in support of the Wet'suwet'en People, who were fighting against Coastal GasLink's illegal occupation and development of their sacred and sovereign territory. It was two years after I had experienced numerous instances of transphobia during a 2018 action where I helped to block the gates to the Kinder Morgan pipeline expansion on Burnaby Mountain. It took years to find this collective of Two-Spirit and Indigiqueer youth; we organized by creating strong whisper networks, and we rallied and disrupted the settler state across this so-called country. Many actions, barricades, and sit-ins occurred, all demanding that Indigenous sovereignty

be respected and that the RCMP vacate Wet'suwet'en yintah.

I took solace in the knowledge that some of us were trans, and all of us were unapologetically queer. But I still couldn't shake the fact that on many of the front lines I occupied, I was the only Indigenous trans woman I knew of. So many of my sisters are dead. So many of us barely make it out our front doors – some making it just far enough to the cities, where we meet a crueller fate. So few of us make it to the front lines, and even fewer survive them. No matter how much I tried to push away these unsettling feelings, it's become very clear: NDN Country is extremely transphobic and is very complicit in killing Indigenous trans women. It's not alone. I haven't yet experienced a community where transphobia was absent – not even the LGBTQ2S+ community has kept their hands clean.

No matter the circumstance across the "Americas," the language around queerness is colonial, and the word "queer" is ill-equipped for talking about gender through a decolonial lens. While "queer" literally means "out of the ordinary," many nations

To know my people historically would have fought *for* my life makes it even more devastating to see the lives of Black and Indigenous trans women end in violence.

across Turtle Island had different relationships to those we now call "queer." Often in these communities, we were revered, honoured, and given leadership positions because we were believed to walk through many worlds, to see beyond what was in plain sight. To know my people historically would have fought *for* my life makes it even more devastating to see the lives of Black and Indigenous trans women end in violence. This shift – from honouring to killing Black and Indigenous trans women – was the result of the cultural and physical genocide we experienced and the theft of the land we safeguarded.

In fact, colonizers turned Indigenous trans women into monsters, for it was easier for them to justify the slaughter of our people to God if we were monsters. Across our territories we were demonized, turned into the villains, and killed. Who knows how many stories were lost in this culling? How many of us were storytellers, parents, and ceremony leaders? Now NDN Country is rife with men leading ceremonies and protocol, forcing Indigenous women to merely watch, many not even allowed to touch a drum.

How can Land Back be fully realized and actualized without prioritizing the most marginalized among us? To return the land

is one thing, but who the land goes to and who it is governed by is important. In her essay for *GUTS Magazine*, "(Indigenous) Governance is Gay," Emily Riddle helped me fully realize that NDN self-governance must include Indigenous women, queer, trans, and Two-Spirit kin: "even though we have been shut out of what are generally deemed spaces of Indigenous Governance and Politics, governance is merely about how we relate to each other as collectivities," she writes. Riddle unearths the mechanisms by which colonial patriarchy has not only impacted our traditions and cultures, but how it has also allowed numerous Indigenous trans women to die.

I know from personal experience that the transphobia in our communities is enough to kill us. But I can only speak to my own Indigeneity and not to visibility racialized trans women's experiences. When racism, poverty, and patriarchal coloniality all come into play, BIPOC trans women experience much more violence and diminished access to resources (such as medical care, hormones, housing, and mental health care) than their cis and

Every week, I hear about Black trans women dying gruesome and violent deaths. Each time, I let their name sit on my tongue and weigh heavy; names I'll only ever see immortalized on Instagram grids and Twitter hashtags. Monika Diamond. Riah Milton. Dominique "Rem'Mie" Fells. Brayla Stone. Nina Pop. I am sure there are many more, deadnamed and misrepresented, experiencing more violence even after their deaths.

white counterparts.

To fail to include our Black peers in our Land Back movement speaks to our legacy of anti-Blackness. It also disregards the displacement and trauma we both have experienced on these lands. Indigenous people were killed for the land, but it was so often enslaved Black people who built the cities we now call home.

Today, our access to self-representation and public queer existence is thanks to Black and brown trans women and sex workers who rebelled against police brutality and discrimination. My ability to exist today as an Indigenous trans woman is thanks to Marsha P. Johnson, Miss Major, Felicia "Flames" Elizondo, Aiyyana Maracle, and so many more I can't name.

To protect, prioritize, and platform Black and Indigenous trans women in social movements – especially ones fighting for Land Back and environmental justice – we must undo our own abhorrent transmisogyny without placing this labour on Black and Indigenous trans women. I am exhausted from constantly having to hold back my traumatized and very emotional response to transmisogyny in order to educate someone on how they just hurt me. In the Land Back movement there must be space made for Black and Indigenous women to self-actualize themselves and feel safe participating in this reclamation work. The work

of advocating for and protecting Black and Indigenous trans women must be taken up by cis, white, non-Indigenous, and non-Black people. It's your job to betray the very patriarchy and transmisogyny that upholds the current colonial state.

Land Back is about so much more than its origins as a meme and more than just returning the land. It's about restoring the cultural importance of non-colonial gender identities and responsibilities and shedding the colonial grasp that suffocates us all (though some more than others). For Black and Indigenous trans women, Land Back is the promise of safety, of being able to self-actualize, and to not just survive, but thrive. We must ask who isn't in the room, why they aren't there, and if it's safe for them to join. That's our work, our duty, and our responsibility – to make sure our movements unabashedly welcome trans women. Those participating must be aware, mindful, and prepared to do what it takes to not only achieve Land Back,

The work of advocating for and protecting Black and Indigenous trans women must be taken up by cis, white, non-Indigenous, and non-Black people. It's your job to betray the very patriarchy and transmisogyny that upholds the current colonial state.

but to be in relation with Black and Indigenous trans women, have the hard conversations, and be uncomfortable in growing and ensuring the survival of Black and Indigenous trans women.

I'll leave you with this: How have you participated in transmisogyny? How have you been anti-Black? How have you maintained colonial gender roles? I ask these questions because you have done so. Everyone has, and you must be responsible for your own education and growth. This is important in being accountable to the many Black and Indigenous trans women we've failed and continue to fail. \*

This story was financially supported by a bursary from the Journalists for Human Rights' Indigenous Reporters Program.



**jaye simpson** is an Oji-Cree Saulteaux trans woman from Sapotaweyak Cree Nation. Their work, including poetry, prose, essays, and fiction, has appeared in numerous magazines. Their first book of poetry, *it was never going to be okay*, is forthcoming this fall. *Headshot by Divya Nanray*.



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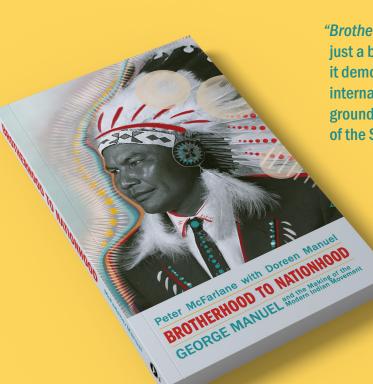
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## Whose land is it, anyways?

An interview with Ginnifer Menominee on treaty holders and Indigenous jurisdiction

#### BY XICOTENCATL MAHER LOPEZ

ince we are so often displaced from our home territories and living on territories that are not ours, agreeing on what Land Back can look like in cities is difficult. What an urban Inuit community needs will be different from what an urban Ojibwe community needs – these needs arise from each Nation's distinct histories and struggles under colonialism.

To understand what Land Back could mean in cities, I interviewed my sister, Ginnifer Menominee, an Ojibwe and Potawotami Anishinaabe Bear Clan woman from Wasauksing First Nation. She is the coordinator of the Indigenous Healing and Wellness Program (IHWP) in Guelph, Ontario. The IHWP started in 2017, and it provides traditional healing and cultural resources to uplift the health of Indigenous individuals and community.

Guelph is situated on the territory of the Mississaugas of the Credit, an Anishinaabe nation, on land governed by the Between the Lakes Purchase, or Treaty 3. The treaty was signed in 1792, when the settlers of British North America needed land to house a large influx of Loyalists and allies from the Six Nations Confederacy who lost their homes fighting on the side of the British during the American Revolutionary War. The land was purchased from the Mississaugas with the understanding that the communities would reside peacefully alongside each other, since these were the Missisaugas' ancestral lands and home to important river networks of trade. Rivers and lakes were never considered a part of the treaty – these are invaluable and are meant to be kept by Mississauga women. It is the Mississaugas who are the inherent rights holders and treaty holders of the land and waterways on which Guelph is situated.

When I ask her about the importance of treaties, Ginnifer explains that we must create concrete relationships with the ancestral inheritors and treaty holders of the territory on which we live. To put it simply, who claimed the land they now call Guelph before the settlers squatted?

She talks about her relationship with Nancy Rowe, an Anishinaabekwe from the Mississaugas of the Credit. Nancy is the director of Akinomaagaye Gaamik, a traditional Anishinaabek roundhouse used for workshops and education, based out of the Mississaugas of the Credit First Nation.

"That's really a vital relationship," Ginnifer tells me. "She actually informs how I deliver programming. Often I respectfully go to her and say, 'I would like to have youth come out and learn about building a canoe.' Because it involves not only learning how to harvest, it involves knowing the times when you can do this, how to build it, the science and geometry. I think

that is giving that inherent knowledge back to our kids."

"I think that the treaties in this area, like the Dish With One Spoon as well as the treaties with the Mississaugas, really inform how I deliver programming. Without that we're disrespecting the grandchildren that might come forward, and they're not going to understand why we're bringing culture and ceremony back." She says that in order to be aligned with Anishinaabe governance, we need to respect the next seven generations of Mississauga children, who will be the inheritors of these lands and treaties. "Like why are we taking care of the water? And if we're bringing about teachings, are those teachings from this territory?" she adds.

She says that without letting treaty inform her programming, "It's like me bringing in Cherokee teachings in this territory. I mean there might be some Cherokee people, but this is Anishinaabe territory. Why would I be teaching Cherokee teachings?"

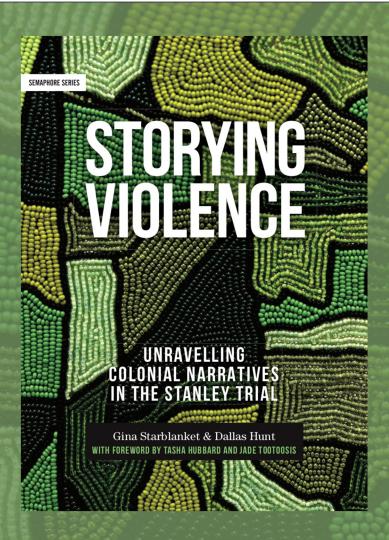
"Nancy always has this way of saying that it's like me going into Sioux territory and saying that I want to teach your grandchildren, so I just walk into your house and I start teaching your grandchildren about Anishinaabe ways. But you're the grandmother; you want them to be taught in the way that Sioux are brought up. So the grandmother has every right over her grandchildren to say 'No, I don't want you teaching them that way."

The question of "whose land is it anyways?" is one that's often forgotten or pushed aside when making broader calls for decolonization or Land Back. But treaty holders' rights are inherent, and we should remember that we shouldn't pan-Indigenize while trying to find solutions for ourselves in urban centres. We can demand Land Back without appropriating inherent jurisdiction, and remember the intentions of the treaties governing these lands. Through a shared understanding and recognition of these treaties, their true intentions can be enacted by both Indigenous people and settlers. The treaties will dictate Land Back, as these treaties are what our ancestors agreed upon for the shared use of this land. It is our duty to enact them, since we are all treaty people. \*

Read a longer version of this interview at briarpatchmagazine.com



XICOTENCATL MAHER LOPEZ is a Two-Spirit Tlaxcaltec Nahua and Newfie, based out of Treaty 3 territory. He is an advocate for Indigenous sovereignty, and when he is not writing about Indigenous issues he is an artist and Che Guevara enthusiast.



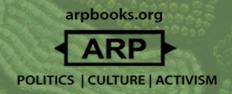
Storying Violence demands that we create a safer world for our beloved Indigenous youth, who just like Colten Boushie, have every right to go swimming with friends, laugh and feel joy in their ancestral territories. This is simply a must read for all Canadians.

—Leanne Betasamosake Simpson, author of As We Have Always Done

Accessible and theoretically astute, Starblanket and Hunt bring to life the meaning of Treaties and Indigenous relationships to land and life, while demonstrating that settlers such as Stanley have long been provided license to disregard our humanity through the deeply embedded colonial and racist practices of Canadian law, founded in its primacy of private property and defended by judges, lawyers, prosecutors and police officers.

—Verna St Denis, Professor of Critical Race Studies, University of Saskatchewan

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The Gidimt'en checkpoint gate. This is where armed RCMP invaded on February 6, 2020, arresting 14 land defenders.

#### BY JEROME TURNER

PHOTOS BY MICHAEL TOLEDANO

## MANUFACTURING WET'SUWET'EN CONSENT

Why the Canadian government and industry are doing everything they can to avoid consulting with hereditary leadership on Wet'suwet'en yintah

he Wet'suwet'en system of hereditary government remains in place, as it has for more than 10,000 years. But if you talked to the Canadian government or TC Energy – the company currently forcing a pipeline through Wet'suwet'en lands – you would never know it.

Canada and its resource extraction companies have been on a centuries—long campaign to eradicate Indigenous hereditary leadership and replace it with municipal—style governments. Today, gaining "Indigenous consent" is fast becoming a vital component of industrial projects in so–called Canada — to placate the courts, but mostly to keep the public's support in an age of "reconciliation." But the question of *who* can give consent on behalf of an Indigenous community and its territory is hotly contested.

#### THE STRUCTURE OF TRADITION

The bahlat, Wet'suwet'en for "feast hall," is the hub around which Wet'suwet'en culture and governance revolves. For a decision to become law, it needs to be communicated in the Witsuwit'en language and affirmed orally in a bahlat by the House Chiefs (called Dinize') and house group members. In bahlats, traditional names are passed from one generation to the next; business is conducted; and, most importantly, people learn how they can fulfill their role in their house. Decisions are made carefully and with great consideration for their potential outcome. Others, even those from outside the Wet'suwet'en community, can share information or join discussions about a topic, but a Dini ze' has final say over what transpires on their house's territory.

There are five Clans and 13 house groups within those Clans. Each house group has a Dini ze', and four house groups currently have vacant Dini ze' seats. Dini ze' of each house group are responsible for the people and territory attached to the names they hold.

Hereditary names are created when a great event occurs on

a specific part of the yintah – meaning that the power of hereditary names comes from the land. The story of the event is often made into a song, which is sung in the feast hall. A name is passed on to another member of the house – based on their integrity and character – when the previous holder of the name dies.

New names can be created, but it rarely happens with names as big as Dini ze'. Gidimt'en checkpoint spokesperson Molly Wickham's name, Sleydo', is new, but it's a name for a relatively small position. Sleydo' received the name in recognition of her work for the Gidimt'en Clan and the nation as a whole.

The land is the basis of Wet'suwet'en life. Wet'suwet'en yintah is 22,000 square kilometres, and the territory is abutted by the lands of the Tsimshian, Haisla,

Gitxsan, Dakelh, and Sekani Nations. Prior to colonization the Wet'suwet'en and their neighbouring nations were highly interconnected. The borders between territories fluctuated as battles occurred and land was ceded and regained over millennia. Trespassing laws, even within a nation's own territory, were such that if one was caught taking food from anyone else's territory without permission, the penalty was likely death. Obtaining permission from a Chief to set foot on their territory has always been part of how nations in the northwest of what is now called British Columbia have kept their people safe and managed their resources. These internal structures and the strong value placed on permission is part of the reason the Wet'suwet'en repeatedly stand in the way of projects, like the Northern Gateway and Coastal GasLink (CGL) pipelines, that move forward without obtaining proper consent.

#### THE IMPORTANCE OF WIGGUS

In 2014, Sleydo' moved with her family onto C'as Yikh, the yintah of the C'as Yikh Clan. She was inspired by members of the Unist'ot'en Clan, who began reoccupying their lands in 2010 in order to stop the now-defeated Enbridge Northern Gateway pipeline. "The instructions [for Sleydo'] to be on the land came from me," Dini ze' Woos tells *Briarpatch* over the phone from his home in Burns Lake. Woos is the Chief of the C'as Yihk (Grizzly) House of the Gidimt'en (Wolf and Bear) Clan

C'as Yikh is the territory that the RCMP's paramilitary force invaded in January 2019. In July 2019, a wooden gate was constructed near the 44-kilometre mark on the Morice River Forest Service Road near Houston, B.C., to block CGL workers from returning to work after Wet'suwet'en Hereditary Chiefs evicted CGL. CGL was granted an injunction by the B.C. Supreme Court to remove the barrier so workers could return. The RCMP were

| CREST | CLAN                              | HEAD CHIEFS<br>HOUSES  |
|-------|-----------------------------------|--|
|       | Gidimt'en<br>(Wolf & Bear)        | Woos Gisday'wa Madeek<br>C'as Yikh Kaiyexweniits Anaskaski                                 |
|       | Gil Seyhu<br>(Big Frog)           | Goohlaht Knedebeas Samooh<br>Yex T'sa wil'anhl Yex T'sa wil k'us Kayex                     |
|       | Likhts'amisyu<br>(Fireweed & Owl) | Kloum Khun Smogelgem<br>Medzeyex Tsaiyex   |
|       | Tsayu<br>(Beaver)                 | Kwees Namox<br>Djakanyex Tsa K'en Yex  |
|       | Laksilyu<br>(Little Frog)         | Wah Tah Kwets Hagwilnegh Wah Tah K'eght<br>Kwen Beegh Yex Gen Egh La Yex Tsee K'al K'e Yex |

The five Wet'suwet'en Clans each have two or three houses, and each house has a Head Chief. Crests by Jamie Davis (Gitxsan/Nisga'a).

ordered to enforce the injunction, which sparked a standoff in February 2020 that captured national and international attention.

Woos was, in part, raised on the land and has not let his years at the Catholic-run Lejac Residential School get in the way of his ability to live as traditionally as he can. It is the teachings Woos received from his family and other Wet'suwet'en that guide his actions in a respectful way – which Woos admits has been a learning process. "It's all respect," he says – or, in Witsuwit'en, "wiggus."

"It's bred into us from when we are young. That wiggus is still with us," he adds. "My father told me this: 'Do not laugh at people. Do not get people to fight with one another. Do not get into quarrels that are not necessary. Otherwise, you're gonna put me to shame even though I'm no longer around."

Canada and the RCMP have yet to display wiggus for the Wet'suwet'en People, Woos says. "They don't understand us. They don't understand our connection with the land, our language, or our cultural ways."

#### WHO CONSENTS?

Canadian governments and TC Energy have avoided dealing with the hereditary system while trying to get the CGL pipeline built. But they still need some Indigenous leaders to give consent for the pipeline to go ahead, especially when the pipeline is being built on unceded land.

As the Yellowhead Institute's Land Back Red Paper notes, "Supreme Court cases Haida Nation v. British Columbia (Minister of Forests), 2004; Taku River Tlingit First Nation v. British Columbia (Project Assessment Director), 2004; and Mikisew Cree First Nation v. Canada (Minister of Canadian Heritage), 2005 ... estab-

lished that the federal and provincial governments have a duty to engage with First Nations when their established or asserted constitutional or treaty rights may be impacted by government actions." In the same vein, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) – which was voted into law in B.C. – enshrines Indigenous people's right to free, prior, and informed consent to any "legislative or administrative measures that may affect them."

But *who* they need to obtain consent from – and who is considered a legitimate authority to speak on behalf of an Indigenous community – is a matter of dispute.

Governments and corporations tend to prefer consulting with band councils, which are often more likely than Hereditary Chiefs to give resource extraction a green light. These councils – composed of a Chief and councillors – are elected by an Indigenous community called a band (or more commonly, a First Nation). A band usually holds and governs reserve land, and band members can live on or off reserve. Band offices receive funding from federal government departments to run programs,

operate schools, and maintain roads. Band offices were first created in the 1876 Indian Act, and at the time the government aimed to assimilate Indigenous people by imposing municipal-style governments while extinguishing Indigenous culture.

Dsta'hyl, Wing Chief of the Tsaiyex (Sun House) of the Likhts'amisyu (Fireweed and Owl) Clan, doesn't mince words about band councils. "They're an imposed puppet government put in place to serve Canada," he says over the phone. "Every two years you get a new council put in. It's really hard for them to put something together that has any significance."

Band offices, which Dsta'hyl views as municipal governments, provide jobs on reserves, but there are also drawbacks to relying on government-directed programs, he says. "[Canada] forced First Nations into an entitlement situation across the country with the Indian Act. Promises, promises, promises and always a shortfall. Always a shortfall. This enabled them to be able to exploit all of the resources off of our territory."

And when the Canadian government and industry consults with band councils *instead* of hereditary leadership, it's a delib-

"The more they can drive a wedge between municipal [band] governments and hereditary governments the more comfortable the federal and provincial governments are carrying on with business as usual,"

erate choice. CGL has claimed unanimous Indigenous support for the pipeline, due to signing benefit agreements with 20 band councils along the CGL pipeline route. But the councils' reserve lands are a fraction of the Wet'suwet'en Hereditary Chiefs' 22,000 square kilometres of unceded traditional territory, which includes land where the pipeline would be built.

Several families within the Wet'suwet'en Nation have members employed by band office programs, but they are also part of the hereditary system and have a place in bahlat. "The more they can drive a wedge between municipal [band] governments and hereditary governments, the more comfortable the federal and provincial governments are carrying on with business as usual," says Dsta'hyl.

"These are problems that we've been faced with for the last hundred years or so and we don't expect them to go away soon. Resistance has been here since contact," he continues. "Our people and our Chiefs have always known that we are being treated unfairly by being pushed off our own land."

#### WHO'S BEHIND THE WET'SUWET'EN

#### MATRILINEAL COALITION?

Since signing agreements with band councils didn't quash dissent, the government and industry tried to create and legitimize external groups to consult with, like the Wet'suwet'en Matrilineal Coalition (WMC).

The WMC came to life in 2015, as a joint project between CGL, the Ministry of Indigenous Relations and Reconciliation, and the WMC's three founding members. CGL and the provincial government each kicked in \$60,000 in funding for the WMC. The money went to developing a website, a social media presence, and running workshops for Wet'suwet'en people to "discuss decision-making processes for economic development opportunities, specifically natural gas development."

The WMC project description and proposal was obtained via a freedom-of-information request and shared with *Briarpatch*. Aside from "establish website for ease of information sharing," the project description bullet points read as duties already existing in the Wet'suwet'en hereditary system.

The WMC's founding members, Darlene Glaim, Gloria George, and Theresa Tait–Day, once held Dini ze' names: Woos, Smogelgem, and Wi'hali'iyte. Each were stripped of their Dini ze' names in a feast hall for different reasons. Regardless, each remains part of the hereditary system and can voice concerns in the bahlat should they choose. (Tait–Day was banned from

attending bahlat, so she needs to hold a feast to make amends prior to being allowed back in the hall.)

In 2016, a Haida clan similarly stripped two Hereditary Chiefs of their titles after they were found to have secretly supported the Enbridge Northern Gateway pipeline. And before that, members of the Gitxsan Nation seized the office of Elmer Derrick for eight months, after he became the first Hereditary Chief to support the same pipeline.

In early 2019, Tait–Day spoke at a gala event attended by industry and government in Ottawa. She was there on behalf of the First Nations Major Projects Coalition, a group that provides support for First Nations participating in resource extraction projects. The gala occurred a month after RCMP raided the Unist'ot'en checkpoint on Wet'suwet'en territory. In her speech, Tait–Day said the only way for Indigenous people to climb out of poverty is to hold an equity stake in projects occurring on their territories, pointing to the Haisla as an example for others to follow. The Haisla Chief and councillors took their Hereditary Chiefs to court for libel in 2007, and since winning the suit have operated unilaterally out of the band office — which gives credence to the tactic on paper but does not extinguish hereditary rights or title.

#### **NEGOTIATING FOR JURISDICTION**

In late February, the federal and provincial B.C. governments

Fron left to right: Dini ze' Namox of the Tsayu Clan, Dini ze' Madeek of the Gidimt'en Clan, Dini ze' Gisday'wa (Fred Tom) of the Gidimt'en Clan, and Dini ze' Kloum Khun of the Likhts'amisyu Clan.



and the Wet'suwet'en Hereditary Chiefs created a memorandum of understanding (MOU), with the WMC permitted to sit in for part of the negotiations. The CBC billed the MOU as an agreement that "outlines steps for transferring control of territory to traditional leadership," and the agreement does affirm that "Canada and British Columbia (B.C.) recognize that Wet'suwet'en rights and title are held by Wet'suwet'en Houses under their system of governance."

But as Mohawk policy analyst Russ Diabo writes, the language in the MOU "is an indicator that the Crown governments will take a narrow legal position in the negotiations," limiting what Wet'suwet'en title and rights will be "recognized" in the final agreement, and holding the right to veto the whole process.

As Diabo writes, the outcome hinges on how the Canadian government will interpret the 1997 *Delgamuukw-Gisday'wa* Supreme Court decision, and they seem to be insisting that the landmark decision gave the Wet'suwet'en only "potential" – not definite or established – Aboriginal Title over their yintah. On March 10, Carolyn Bennett, minister of Crown-Indigenous relations, told the standing committee on Indigenous and northern affairs, "We need to be clear that the [Supreme] Court did not, at that time, grant title to their lands."

"I believe that this arrangement with the Wet'suwet'en people will now be able to breathe life into the *Delgamuukw-Gisday'wa* decision so that future generations do not have to face conflicts like the one that they face today," Bennett added.

"The signal the federal Deputy Minister of Crown-Indigenous Relations sent to the Parliamentary Committee was that the Wet'suwet'en MOU will be subject to the same policy framework for negotiations, as all other Indigenous (First Nations, M[é]tis[,] Inuit) groups are facing across the country," Diabo writes — a framework under which First Nations "will end up as ethnic municipalities, with their reserve lands converted into private property and their rights to the overwhelming bulk of their traditional territories extinguished in perpetuity."

The jurisdiction of the Wet'suwet'en Hereditary Chiefs is at the core of the MOU, but what that means on the ground will depend on Canada's willingness to listen to the Hereditary Chiefs.

Signed before the Canada-wide lockdown as a result of COVID, the MOU set a timeline of three months to negotiate an affirmation agreement for Wet'suwet'en rights and title – a period that would have ended on August 14, 2020. But at the time of writing, negotiations are ongoing, with a new goal to reach a negotiators' understanding by mid-October. The MOU, furthermore, doesn't address the CGL pipeline or RCMP presence in Wet'suwet'en territory.

#### **FUTURE OF THE YINTAH**

"When the MOU came about and the government started pushing for it we were like, 'Okay, you need us more than we need you.' That's the bottom line," Woos explains.

Money isn't vital for revitalization to happen, he says, and

Dsta'hyl agrees. "What we're doing with the whole decolonization process is moving people back onto the land [and] showing [government] what reconciliation looks like on the ground," says Dsta'hyl. "It's really important to us to continue building communities out on the territory."

In 2019, a smokehouse, cabin, and checkpoint were built on Gidimt'en territory, following instructions from Woos. On Likhts'amisyu yintah, where a previous village used to be, members are building a new cabin, kitchen, and dining and bunkhouses, all at the behest of Likhts'amisyu Hereditary Chiefs.

"We're revitalizing, we're finally restoring our traditional ways out there on the land," says Woos.

Woos feels the inability of the Wet's uwet'en and the Canadian government to communicate comes down to the spirit of the languages themselves. "The English language and the way we communicate with it is not us. It creates a total misconception. It makes people compete with each other and makes people think of a hierarchy," he says. "[Wet's uwet'en people] are not like that. We speak the truth in our language. The reason we speak in our language to fellow Hereditary Chiefs is we talk about all that our ancestors left behind. We talk about all the instructions, traditional ways, cultural ways left behind by those ahead of us."

As optimistic as Dsta'hyl is about the future of his Nation, he isn't willing to wait for any other government to say what he can or can't do on Wet'suwet'en yintah. "It took us this long for the word 'title' to roll off the provincial and federal government's tongue. Right up to now they were in complete denial. We're in quite a dilemma as to how we forge ahead considering all the roadblocks the government has been putting in front of us."

CGL employees, escorted by armed RCMP officers, posted a notice on Woos' smokehouse on C'as Yikh, stating the structure will be torn down because it's in the path of CGL's right of way. More recently, on Canada Day 2020, a convoy of vehicles from Gitxsan territory to Witset was met with RCMP, despite the convoy being on reserve and only peacefully making speeches and singing songs.

The Wet'suwet'en continue to demand that the RCMP vacate the yintah, Dsta'hyl says. "That's always going to be up front and centre. We are going to require free, informed consent before any industry or government moves ahead on our territories. The pipeline wasn't even in place and they called it an 'essential service' without even talking to us. It's a pretty sad state of affairs when they claim rule of law is the highest priority. When they can't even follow their own law, there is no law," he added. ★

This story was financially supported by a bursary from the Journalists for Human Rights' Indigenous Reporters Program.



JEROME TURNER is an award-winning journalist of Gitxsan descent, raised by grandparents who were both Hereditary Chiefs. He aims to share stories that help connect communities, with the goal of building a better landscape of ideas.



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As many of us are settlers, it's our responsibility to acknowledge that the land we reside on has been inhabited by Indigenous peoples since time immemorial.

It's time we recognize the damage that ongoing colonialism is causing and continue the conversation about reconciliation.



#### BY CHLOE DRAGON SMITH AND ROBERT GRANDJAMBE

ART BY MONTANA CARDINAL

(BIGSTONE CREE NATION - NEHIYAW/APIHTAW'KOSISAN (CREE/MÉTIS/GERMAN/HUNGARIAN))

## To Wood Buffalo National Park, with love

After a long legacy of power and control by Parks Canada, this story imagines how Lands and Peoples could once again live in healthy reciprocity.

#### **GLOSSARY**

We use both Cree and Dënesųliné words to demonstrate the languages of our two families and the predominant languages of this Land.

ejëre – "bison" in Dënesųłiné mostos – "bison" in Cree seyaze – "my child" in Dënesųłiné nipsi – "willow" in Cree (pet name for a child)

In this article, we capitalize Land as a way to convey its encompassing importance. When we speak of (L)and, we acknowledge that it includes Peoples, cultures, languages, and knowledge.

tanding on the shores of Pine Lake, the wind ruffles my hair, rippling the surface of the water with the same gentle tendrils that envelop my body. We are one, the lake and I. We always have been, and we always will be. The contentment of being together again fills every cell in my body and manifests in a deep breath – of knowledge, time, and love. I look around and I see my home. I see the rocks and soils that carried my ancestors with grace. I see the trails of the bison that fed us and kept us warm. I see the temples where we prayed.

Family who had long passed and were buried, they are here still.

Pine Lake is an oasis, a clear turquoise gem of an inland lake surrounded by thousands of kilometres of boreal forest. It's hard to imagine that violence occurred here, but it did. Some of it was obvious, but much of it was insidious, the kind that wears you down over time. My journey back home took generations and it took casualties ... however....

In Wood Buffalo National Park, we are now home

After more than a century of outside control on the Lands of our ancestors, the colonial model of national parks was finally overturned in the largest park in Canada, Wood Buffalo. We did away with arbitrary borders and rigid regulations. People can breathe as part of the Land once again. Here's a cup of tea, dear seyaze – let me tell you how we did it.

First came the reckoning.

It can be difficult to reflect on our own wrongdoings and how they hurt others. This takes tremendous strength for anyone. You will learn this as you get older, sweet nipsi – it is a hard lesson that we all have to go through in order to grow. For taking this step, and admitting their wrongs, we are proud of the institution of Parks Canada. It was many years ago, in the year 2021 – 99 years after the establishment of Wood Buffalo

National Park – when Parks Canada and the Government of Canada apologized.

As part of this apology, Parks Canada travelled to each of the 11 Indigenous Nations, councils, and locals who call this Land their traditional home. They shared their vulnerability as an institution, but also held themselves accountable for their actions as individuals with free will. They acknowledged the injustices that they carried out as an arm of the colonial system of governance. They called each injustice by name.

It is not out of bitterness or hatred that I share this history with you, seyaze; knowing what happened is part of the healing process.

Parks Canada began by apologizing for the trauma they inflicted when they created the park in 1922. The park was established with the mandate of "offer[ing] a variety of visitor experiences," but it was not in collaboration with the people on the Land. The entire concept of the park was imagined within a colonial mindset, which meant that our Indigenous systems never did fit the mould. Much like a museum exhibit, parks were meant to be preserved and admired, but not wholly participated in. That didn't leave much room for us, the people who lived here.

In fact, many of us were banished from the park, some even jailed for practising our ways of life, like hunting, trapping, and fishing. Indigenous Land-users spoke of a culture of fear instilled by park management practices — we learned to hide our guns and remove the feathers from our hats when the Parks Canada wardens came. People on the Land were discouraged, shut out, and purposefully tangled in red tape up until 2021. These rules were written into Canadian law and Parks Canada regulations, so there was no disputing them. For 99 years, it felt like death by a thousand cuts.

These are the reasons it took such an effort to get people back on the Land, like we see today. I know it's hard to imagine now, but up until 2025, there weren't many of us left at all. This wasn't by accident, seyaze. Our families lived through three generations of systemic obstacles to playing a role in the park's care. Our cabin applications were denied, and cabins were even dismantled by Parks Canada. There were strict rules around what animals we could harvest, how, when, and where. Though there were trapping areas designated by the government, this wasn't our way and there were almost no active trappers remaining by 2020. When we were barred from accessing our traditional

lands – for which we had a responsibility to care – we were forced to hunt and trap on others' traditional lands. This caused terrible division. Anyone who managed to live or harvest in the park had to be strong, for they had much to overcome.

Another piece of Parks Canada's apology had to do with the bison. One of the original inhabitants of the park were wood bison – they differ from plains bison on the Prairies. You can recognize a wood bison, nipsi, for wood bison are truly massive, with rugged

humps on their backs. Because of their prominence in this area, the park was named Wood Buffalo National Park (although, as we know, "buffalo" is not the right term, since buffalo come from South Asia and Africa!). No matter what we call them today – "bison" in English, "ejëre" in Dënesųliné, "mostos" in Cree – they have been important for our people since time immemorial. The way we protect ejëre is by maintaining a healthy relationship with them – understanding that our fate is tied to theirs and being part of one another's lives. This includes harvesting ejëre for food and all we do, including ceremony.

Fundamentally, protection means having people out on the Land. I know you're aware, my nipsi, that the ejëre went through much turmoil under the governance of Parks Canada as well. Part of that was because the harvesting of ejëre was not permitted in the park until 2021, and, at times, Indigenous Peoples were prosecuted and expelled from the park for their harvests. Outside the park boundary though, anyone who wanted to shoot ejëre east of Highway 35 in Alberta, could. This is the utter madness of colonial borders.

Between 1925 and 1928, plains mostos were introduced in an effort to increase the number of animals in Wood Buffalo National

Park. This brought disease – tuberculosis and brucellosis – which killed many of the native wood mostos. The herds of plains and wood mostos intermingled, producing a hybrid species. Parks Canada also sold mostos for meat until the early 1970s. They herded animals into pens, and many died in the process. Of the mostos that survived, an estimated 4,000 were slaughtered and sold down south. More were culled afterward, to try to eliminate the disease that was brought in. Because of the declining numbers of mostos, wolves were poisoned to try to lower the number of wolf kills. This did not help, as poison seeped into the ecosystem, affecting everyone and everything in the park – including mostos.

I know it hurts to hear these stories, my darling nipsi. It hurts me too to hear how ejëre have been treated here, and even more so when the injustices that were carried out against us were in the name of protecting ejëre.

It was never about the bison.

We know now that the treatment of Land, Peoples, and mostos was part of a larger governance approach aimed at control and commodification. Logging was carried out on traditional lands in

Until 2021, the park was ultimately a thing to be owned by Parks Canada – not self-determined, living, breathing Land the way we know it to be.

the park and lumber was sold to support exploration and mining in Uranium City. Commercial fishing was permitted on Lake Claire within the park boundary. Profits did not go to the Indigenous communities in the park, where they could have created circular reciprocity with the Land. Some will say this all happened a long time ago, but remember, these were not isolated events. Up until 2021, injustice changed shape, but it did not go away. Always look at the big picture, my sweet seyaze. It's not that commercial activity is a bad thing, but any activity without notions of balanced, local economies is bound to affect abundance over time.

The Land is rich, and it wasn't long before big resource extraction projects nudged up against the boundaries of the park. When the wind blew from the south, you could smell the foul odour of sulphur from the tarsands and see a haze in the distance. Even when we melted winter snow for drinking and other uses, we saw a sheen on the surface of the water. The threat of Teck Resources' Frontier mine – one of the largest open-pit tarsands mines ever proposed – loomed 30 kilometres south of the park, until it was (at least temporarily) defeated in 2020. The Site C dam, along with climate change and withdrawals of water from the Athabasca River, further dried up the waters of the

Peace–Athabasca Delta. When the waters were low, it became difficult for us to travel along the rivers and lakes. Three dams along the river all released or retained water at will, making water levels and erosion patterns unpredictable.

Until the apology of 2021, the park was treated as a thing to be owned by Parks Canada – it was not self-determined, living, breathing Land the way we know it to be. With this mindset, it could be pieced away as different assets – for conservation, environment, commerce, or anything else. That's right, seyaze. Parks was trying to protect Land with the same mindset that caused the problem. That's why so many things went wrong under its care. For us, the Land never could be owned or categorized, nor could it be separated from people. The way Parks Canada understood "effective protection" of the Land was not the same way that we did.

So, along with Parks Canada's apologies came their recognition of the true guardians of this Land. Recognition that – before Canada stepped in – this area had been governed successfully for millennia by people on the Land, through holistic and cumulative worldviews and our own dynamic laws. They recognized that all our systems were built to work with the plants, animals, waters, rocks, and thick delta mud of this specific Land. They expressed deep sorrow for the loss of knowledge that had occurred over 99 years. They promised to do whatever they could to support us in rebuilding our systems. Because of Parks Canada's authentic apologies and recognition, your ancestors decided to restart the conversation about solutions.

After agreeing to work together, the next step was to address the condition of the park. A century without proper care had left the Land in a dire state. In 2020, we saw declining numbers of mostos and wolves – the same species that the park was established to "protect" in the first place. Forest fires had been burning

out of control, and invasive species were moving in. People had been almost completely removed. Without people on the Land, there was no way to stop, or even notice and understand, the deteriorations. UNESCO's World Heritage Committee warned that if actions were not taken to improve the situation, the park was to be placed on their site List of World Heritage in Danger. From every perspective, it was clear that we were at an all-time low.

How could we work together to build abundance once again?

Luckily, neither we nor our kin across the continent ever remained idle. In 2018, a passionate and dedicated committee developed recommendations for Indigenous Protected and Conserved Areas (IPCAs). IPCAs, by definition, are Lands that are governed by local Indigenous communities, according to their

own laws and knowledge systems. Parks Canada supported this process from the beginning.

We decided there were steps we could take to listen to the Land and to each other once again. We could use IPCA models to rebuild Wood Buffalo from the inside out, with love.

As you know, my nipsi, we now call this governance system the Ejëre Mostos Relational Alliance in honour of our new-old governance approach. It wasn't hard to bring the people together – though for a time, it seemed as if it might be. Canada's politics of division tore us apart for many years, as they have all over Indian country. Once our leaders recognized what we had in common – namely, our struggles with Parks Canada and other Crown agencies – we were able to turn negative attention away from each other and move forward very quickly.

Instead of focusing on our individual rights, we were reminded of our collective responsibility to the Lands we share. We realized that we had no obligation to carry on as we had been doing, and with that we overcame the unhealthy jealousy, greed, and hierarchy that had poisoned our relationships for over 100 years.

In the Alliance, each of the 11 Nations, councils, and locals who call this Land their home now govern together. We have developed a network of overlapping IPCAs within the park boundaries. Each one works not according to colonial borders, but with the contours of the Land. We each take primary responsibility for the areas closest to us. Guardians and Land users are the heartbeat of the system. They move as the bison do, informing the collective Alliance of what needs to be done to create and maintain abundance. In this way, while we govern the Land, we do not own it.

The laws protecting the park through Canada's National Parks Act remain; however, they are one layer of legislation that



Wood Buffalo National Park. Photo by Chloe Dragon Smith

functions alongside – but cannot override – the Indigenous laws of the IPCAs. None of the Nations have veto power, either, and we must work through our disagreements by consensus. This can take a long time, but it is in everyone's best interest to find ways forward. We strive always for an ethical space of engagement, where our laws and our ways of knowing, doing, and thinking work respectfully alongside one another, never impeding or superseding each other. The Land tells us what needs to be done, and ultimately, our responsibilities are to listen and participate. We are all bound by the laws of the Land.

Today, instead of "bilateral" meetings with Parks Canada, all of the 11 Nations, councils, and locals meet with one another whenever needed. This is important, because to be accountable, we hear what is said firsthand. When we meet, we share food and hospitality. Everything that is said is made available to the public, and we upload videos of our meetings to a website. We use new technologies to achieve the long-standing cultural value of openness. Our governance structures are not permanent; rather, they are fluid and adaptable. We establish them when needed and remove them when no longer necessary. This means leadership is never absolute. Like the Peace River, it curves and winds.

As has always been our way, we welcome all people. Parks Canada is still here, too. They bring their strengths to the table, adding their voice and expertise, but they no longer make the rules. The Alliance hires them to do specific scientific studies. They also maintain and build roads to ensure people always have access to the park. They help to build cabins for guardians and community members. We believe they are doing their best to restore equity, and when asked they carry out duties in service of the Alliance so that Indigenous Peoples have time to be on the Land.

It is in the name of effective governance that the Alliance prioritizes Indians on the Land, above all else. The regulations and legislation of Parks Canada were once intended to ultimately eliminate us from the Land. But we long ago recognized that the systems of colonial control and division that were suppressing our Peoples had no power if we remained present. The Land has the answers we need. And so we do everything possible to support people getting out onto the Land. We remove red tape. We ask Land-users what they need, and we find creative ways to support everyone through our IPCAs, no matter which family or community they come from.

Our goal is to create sustainable futures where our Peoples can live in two worlds – as part of the Land with all the integrity of our own systems, and part of the modern economy. Because the Land gives us the knowledge we need, it follows that people on the Land are the conduit between systems of governance, economics, health, education, and conservation. That is why guardians, trappers, hunters, gatherers, educators, and knowledge holders are essential to the success of the Alliance.

Together, seyaze, we have become the strongest "park" in Canada, because we have the advantage of diversity. We have

so many different people who care. We all have our roles, our strengths, and also our weaknesses. We support each other in a messy and beautiful web of reciprocal relationships, just like the Land. And just like the Land, we cross colonial borders physically, mentally, emotionally, and spiritually. We recognize that we don't fit within straight lines, and we must have the courage to continually cross borders to be true to our identities – being ourselves is the most basic tenet of our laws. Everything comes together on the Land, and so that is where we are now.

In Wood Buffalo National Park, we are now home.

Today, I watch my children running and playing in Pine Lake's clear waters, our warm boreal oasis. Loving how they laugh and splash and chase each other freely, my heart aches from the weariness and also smiles with the same satisfaction of a muscle after working a long, long day. This story of reconciliation is now theirs to tell.  $\star$ 

This story was financially supported by a bursary from the Journalists for Human Rights' Indigenous Reporters Program.



#### CHLOE DRAGON SMITH AND ROBERT GRANDJAMBE

are young Indigenous northerners who are writing from Wood Buffalo National Park, at Moose Island on the Peace River, where they live. Both Chloe and Robert have ancestors who lived, harvested, ate, shared, struggled, loved, and died here, long before Canada claimed it as their park. Every day, first-hand,

they experience the intergenerational effects of Parks Canada legislation, regulations, and policies on those they love. They feel these impacts themselves. They bear witness to current relations with Parks Canada, which, in their eyes, remain very unhealthy. They care deeply about this Land and the futures of their families. They will continue to live within the park, pushing boundaries for change. This visionary future for the park is alive and in progress, meaning that ideas will change and grow as time unfolds. Neither Robert nor Chloe claim to have the answers; however, regardless of the outcomes, they will still be here.

ROBERT GRANDJAMBE is a member of Mikisew Cree First Nation. He spent his childhood in Fort Chipewyan, Alberta, and later lived in Tthebacha (Fort Smith). His mother is Barbara Grandjambe (née Schaefer) and his father is Robert Grandjambe. An active trapper since he was six years old, he is proud to thrive as a full-time trapper and harvester. He shares with people as much as possible, introducing culture and knowledge though camps, universities, films, and work on boards of directors.

CHLOE DRAGON SMITH was born and raised in Somba K'é (Yellowknife), Denendeh (Northwest Territories). Of Métis, German, Dënesyliné, and French heritage, her mother is Brenda Dragon and her father is Leonard Smith. A dreamer and a poet at heart, she is always thinking about relationships between Lands and Peoples. Her work varies from education and on-the-Land learning to Indigenous-led conservation to climate change. True to her multilayered heritage, she feels a sense of responsibility to help create balance and build bridges and relationships in all she does.

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#### SUSTAINER PROFILE #64

#### **EDEN ROBINSON**



Eden Robinson is the Haisla/Heiltsuk author of *Monkey Beach* and the *Trickster* trilogy. Hobbies: Shopping for the Apocalypse, using vocabulary as a weapon, nominating cousins to council while they're out of town, chair yoga, looking up possible diseases or syndromes on the interwebs, perfecting gluten-free bannock, and playing Mah-jong. Be warned, she writes novels and tends to be cranky when interrupted.

#### How does your relationship to land affect your writing?

My dad was a hunter, trapper, and fisherman. He loved getting outside. I was more of a housecat, like my mom, but Dad would drag all of us kids with him and tell us stories about the territories and people that used to live there or hunt there or fish there. I didn't realize until much later how much love of the land he was passing on to me. Monkey Beach, for instance, was Awamusdis in our language, the Beach of Plenty. It has five species of clams and two species of cockles. It was a public trust all Haisla could harvest responsibly from, so it has so many stories attached to it. I desperately wanted to write it into fiction and Dad was tickled that I did, but disappointed that I didn't have more sasquatches in it.

#### What do you see as the role of independent journalism in covering Indigenous movements?

Coverage of Indigenous movements is usually limited to crisis coverage: often a resource extraction issue is explored in terms of economic benefit, framed as Indigenous Peoples "getting in the way." Independent journalism is absolutely vital to showing the full context and highlighting people at the grassroots level who've been working so tirelessly and thanklessly for their communities. *Briarpatch*'s coverage of the Wet'suwet'en crisis shed so much light on the complexities and personalities involved in these stories.

#### Why did you become a Briarpatch sustainer?

*Briarpatch* published some of the young Indigenous writers I was following. At first, I bought the magazine to support them, but then realized how many underserved communities were getting a platform from your publication and knew that I had to support you as much as I could.

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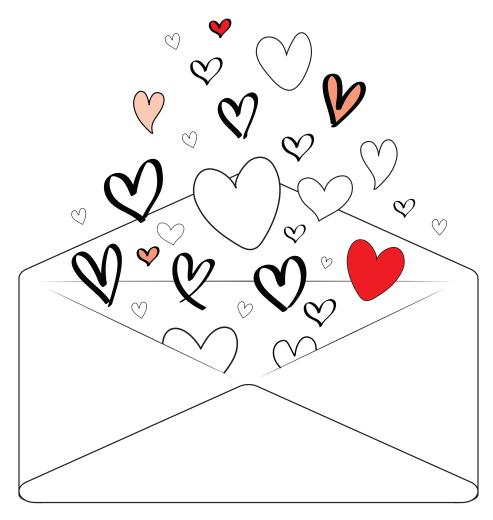
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