Archive Quarterly

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Deer in the headlights

Hunting moratoriums are issued across Indigenous Nations

as resource extraction activity reduces habitat below critical levels amid over-hunting.

Stein Valley and the Voices for the Wilderness

This famous pictograph in the Stein is a sacred teaching. Nlaka'pamux and Lillooet Peoples first declared protection of the entire area in 1985. Here, Chiefs Ruby Dunstan and Byron Spinks of Lytton share their roles.

Nuxalk Defense of Ista, 1995

At the site of the First Woman, Hereditary Chiefs and environmentalist supporters were arrested for blockading Interfor's logging access.

That day in Court: the *Sparrow* decision turns 35

In 1986, Chief Joe Mathias spoke to the BC Aboriginal Peoples Fisheries Commission about recognizing DFO's right to define conservation.

When DFO cut the Líl'wat Elders' fishing nets

A five-week roadblock of the Lillooet Lake Road ensued, after fisheries officers came in and destroyed the Elders' salmon fishery in 1975.

Deer, moose, elk, caribou, mountain goats, big horn sheep, and wood bison are keystone species.

Indigenous Peoples reserved their right "to fish and hunt as formerly," against the crown's settlements and development.

While BC's records confirm this, fishing and hunting for food was prosecuted for over 100 years and the animals who once met the needs of all the Peoples are now endangered species.

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Chief Ruby Dunstan Karen Dunstan
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EMP

Features

Taku River Tlingit First Nation takes steps.

Indigenous Law and Jurisdiction

Facing great uncertainty on damaged lands, First Nations never relinquished.traditional laws. Many Peoples have enacted and posted rules, gone to court for injunctive relief against industries licensed by the crown, and put themselves on the roadblock: between the deer and the headlights.

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1995 photo on www.nuxalk.net

The Nuxalk Defense of Ista, 1995

Statement on the 30th Anniversary by Head Chief Nuximlayc:
"They had been harvesting five million cubic meters of wood – every year – in Nuxalk territory. After the EU stopped buying it, after that, the timber harvest dropped to 200,000 cubic meters. That's why we still have trees today."

Nuxalk hereditary Chiefs invited environmentalists to stay and join the reoccupation of Ista, King Island, in September 1995. Many were detained for defying the court injunction, and, later, the court's jurisdiction.

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View from the Stein alpine. Photo by Hildegard Westerkamp.

Voices for the Wilderness - Saving the Stein from logging

A destination for spiritual training, the Stein Valley would not be desecrated. Nlaka'pamux and Lillooet Peoples joined forces to guard their shared sanctuary, and a decade of organizing; profile-raising concert festivals; and unflinching determination at endless negotiations with government resulted in the Stein Valley Nlaka'pamux Heritage Park and an unspoiled wilderness.
Today, school classes from the four neighbouring nations return there - learning from the land, and 10,000 years of cultural heritage.

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DFO used the Elders' own dinghies to haul in their nets. Photo by Michael Smith Sr.

Lillooet Lake Roadblock, 1975

Líl'wat people exacted five weeks of blockades for recognition of the rights that were trampled. Wenemqen of Tilalus was 16 years old at the time, and he recalls the roadside discussions, the visiting Chiefs, patrolling the road, media tactics, and jail.

54 people were arrested for "obstructing a public highway" - their own road. The bogus charges were thrown out; the jurisdiction issue remains.

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Who is in charge of "conservation"? *Sparrow* 1990

After fishing charges were laid against Ronald Sparrow of Musqueam in 1984, every Native nation intervened. Everyone was aware that it was a test case of "Aboriginal rights" under the new 1982 Canadian constitution. Chief Joe Mathias of Squamish articulated the problem of abandoning the salmon to "conservation" defined by DFO, in a speech to the Aboriginal Peoples Fisheries Commission of BC.

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The Inter-Tribal Fishing Treaty of Mutual Support and Understanding followed in 1989.

First conference of the

World Council of Indigenous Peoples

Maht Mahs (Port Alberni) October 27-31, 1975

Solemn Declaration

Of the World Council of Indigenous Peoples
October 1975, Nootka – Port Alberni

We glory in our proud past:
when the earth was our nurturing mother
when the night sky formed our common root,
when Sun and Moon were our parents,
when all were brothers and sisters,
when our great civilizations grew under the sun.

Then other peoples arrived:
thirsting for blood, for gold, for land and all its wealth,
carrying the cross and the sword, one in each hand,
without knowing or waiting to learn the ways of our worlds,
they considered us to be lower than the animals,
they stole our lands from us and took us from our lands,
they made slaves of the Sons of the sun.

And rising up after centuries of oppression
evoking the greatness of our ancestors
in the memory of our Indigenous martyrs:

We vow to control again our own destiny and
recover our complete humanity and
pride in being Indigenous People.

This excerpt from the Declaration as reproduced in the book "Brotherhood to Nationhood," by Peter McFarlane, 1993.

The World Council led directly - over the years and decades - to the creation of the UN Declaration on the Rights of Indigenous Peoples, 2007.

The WCIP organization forged relationships that produced recommendations in the United Nations' Human Rights Committee.

Eventually the Working Group on Indigenous Populations, in the 1990s, began to act on recognizing the international status of Indigenous Peoples and Nations.

A Special Rapporteur to investigate the situation of Indigenous Peoples was appointed. Eventually this led to a Permanent Forum on Indigenous Issues, and an Expert Mechanism on the Rights of Indigenous Peoples.

In 1975, the first WCIP conference was attended by more than 200 people from nineteen countries around the world. It had been organized by the National Indian Brotherhood, which sponsored a Secretariat for the purpose, and with the Nuu-chah-nuulth Tribal Council which hosted the event at Maht Mahs, Tse-shaht.

Grand Chief George Manuel, Secwepemc, was a driving force, and was elected first President at the Conference. He had traveled in Africa, Europe, and South America, and met leaders of what he called "The Fourth World" - Indigenous Nations - to discuss commonalities in their situations.

First, there were preparatory conferences in Guyana and Copenhagen. These identified the areas of agreement and discussion, and workshops needed to facillitate dialogues on these subjects.

At the conference, the delegates were so much in agreement that they got right to it with little more discussion.

WCIP delegates are welcomed to Tse-shaht. Photo: Bob Soderland, Ha-SHILTH-sa newspaper, December 1975.

A six-page feature on the World Conference was reported in the December 1975 issue of Ha-SHILTH-sa, *the Nuu-chah-nulth Tribal Council newspaper - still in print today! Here are two excerpts from the report:*

Delegate from Colombia:
"The capitalist system has imposed equality, but the equality is within the system and doesn't touch the poor – the Indigenous people. It is a false equality and causes repression.

"The minorities have their own civilization – a kind of socialism. The system is life in common – that is exactly what the government system wants to destroy because they are afraid we might make progress and gain an advantage over them.

"So they impose things on us that make us lower our heads and accept their system."

Questions which need answering

From a discussion paper by Robert Petersen of Denmark:

1. Can a principle of equality only be acquired by Indigenous peoples if they develop like the majority community?

2. Can "equality" only be acquired between individuals, or can it also be acquired between two ethnic groups such that one ethnic group is equal to another, despite differences in number and technical and economic power?

3. Is an economic system containing competition and the need for increased income unavoidable such that any community has to adapt itself to it, or should it be possible to find an economic system that can be adapted to different communities (cultures)?

4. Are the hunting and fishing communities obliged to adopt the hunting and fishing legislation of agriculturalists and industrialized communities to preserve their animal resources?

5. Do Indigenous peoples have to drop their non-destructive exploitation methods in order to survive?

6. Can people survive if they drop their non-destructive methods?

7. Can the political wishes from the Indigenous peoples be realized under their own conditions… or only under conditions of the majority community?

8. Can an equality between the different ethnic groups within the same state be acquired without recognition of the Indigenous people's ownership of lands and resources?

9. Do we want to fight unequal conditions, or change our roles?

The Martinez Study on Treaties 1994-99

was one of the first, most significant UN engagements with Peoples and Nations around the world.

It illuminated the international status of occupied Peoples, who should be enjoying the protections of covenants and conventions between UN member states.

Miguel Alfonso Martínez, Special Rapporteur for the Working Group on Indigenous Populations (as it was then called), held meetings all over the world to hear the statements, evidence, and concerns on Indigenous Peoples. The final report was made in 1999.

Over time,

Indigenous mechanisms at the UN have not proved immune to the influence of settler states.

Ambassador Ronald Barnes, Aleut, works tirelessly for the Indigenous Peoples and Nations Coalition. IPNC is a committee of Hawaiian and Alaskan nationals. Barnes lives in exile, in Geneva, Switzerland, unable to return home to Alaska on account of his political persecution by the US government.

In Geneva, he keeps a daily watch at the UN Human Rights Council and other treaty bodies, often writing open letters - like the one below - to advise colleagues on developments there:

January 31, 2022
Re: Expert Mechanism on the Rights of Indigenous Peoples

The International Human Rights Association of American Minorities (IHRAAM), an ECOSOC Non-Governmental Organization (NGO) and the Indigenous Peoples and Nations Coalition (IPNC) of Alaska as the 'free political institution" of Alaska accepts the current Study on treaties, agreements and other constructive arrangements between States and indigenous populations : Final Report / by Miguel Alfonso Martínez, Special Rapporteur E/CN.4/Sub.2/1999/20 (Treaty Study) and all its progress reports.

Calls on Western and other supporting States of the United Nations to stop masquerading the concept of "improving the mandate" through the 2014 World Conference on Indigenous Peoples (WCIP), a construct that clearly diminishes the scope and application of the rights of Indigenous Peoples to "national law".

The so-called improvement of the mandate reduces the rights of Indigenous Peoples through the Expert Mechanism on the Rights of Indigenous Peoples (EMRIP) and cannot justifiably continue to alter or diminish the above-mentioned Treaty Study by Miguel Alfonso Martinez. IHRAAM and IPNC do not grant authority to EMRIP since it does not have the proper mandate nor does it have the expertise and diplomatic powers to promote and protect the rights of Indigenous Peoples as subjects of international law.

IHRAAM and IPNC expressly deny that the EMRIP is qualified to initiate or to continue the Martinez Treaty Study in the form of a study on "Treaties, agreements and other constructive arrangements, between indigenous peoples and States, including peace accords and reconciliation initiatives, and their constitutional recognition", by using a similar title from the 1999 Treaty Study.

The mandate of the study on its face lacks universality, impartiality, objectivity and non-selectivity, constructive international dialogue and cooperation with the Indigenous Nations and Peoples.

The current mandate of EMRIP violates the UN Charter, General Assembly resolution 60/251, and several other international standards and international law. Several Indigenous Peoples and Nations and States of peoples and States have international treaties or are recognized as subjects of international law; as such we reject any attempt to diminish or to destroy

Indigenous Freedom Now

Theme of the Third Annual Assembly of the

World Council of Indigenous Peoples

in Canberra, Australia
27th April to 1st May, 1981

The conference will deal with Indigenous Rights and strategies for the liberation of indigenous people around the world.

It will be an opportunity to get to know people from all over the world and to make business contacts with other Nations. Plans are being made for a trip to the Aboriginal Homelands in Central Australia after the conference.

Travel arrangements are being handled by ICG, phone 682-7615 for information on costs and itineraries, etc. We are also available to advise on stopovers and holidays during your trip.

This ad for a later conference appeared in the January 1981 edition of the Indian Voice*, volume 3, number 9.*

our status and the recognition of our rights allowing Western States and its allies or any other State or multinational corporation to exploit our Territory and Resources without our fully informed consent. Our Nations and Peoples have the right to develop friendly relations with all peoples and States based on the respect for the principle of equal rights and self-determination of peoples in solving human rights and international humanitarian law.

The "consultations" in the domestic sphere of the State are *pro forma* consultations with one-sided decision-making that is followed by puppet- and rubber-stamped agreements.

IHRAAM and IPNC call for the UN and its Member States, Secretary General and bodies, including the Human Rights Council – the President and its Bureau and the Office, all its mechanisms and special procedures and experts and treaty bodies to fully accept that Indigenous Nations and Peoples are not "civil society" within the domestic sphere of the State but are "peoples" vested with the rights under the United Nations Charter, including Articles 1,2,55, 56, 73 and 74 of the Charter.

IHRAAM and IPNC decide not to participate in the current Treaty Study of EMRIP ...
EMRIP does not have the mandate to conduct the universal Treaty Study that reflects all the rights of Indigenous Peoples originating from the inherent right of self-determination and the right to development under international law. The EMRIP "Treaty Study" is a cover-up of the Martinez Study that will deny accountability, justice and the possibility of restoration sought by Indigenous Peoples that are exploited and dispossessed.

Today,

domestication

of Indigenous Peoples' international rights is achieved by First Nations ratifying Canadian legislation, usually in implementation and funding agreements, over themselves.

This first began under the Comprehensive Claims Policy, 1974, and now continues under new federal legislation from the "Inherent Right Policy" of 1995, to Bill C-92, *An Act respecting First Nations, Metis and Inuit Children and Families*, 2019, and a suite of Governance, Taxation, Land Code, and Fiscal Accountability legislation in between.

"Domestication" involves accepting rights *under* Canada's constitution, or bringing national Indigenous interests *within* the jurisdiction of Canadian and provincial legislation *by agreement*.

To date, these agreements explicitly accept the crown courts' jurisdiction over the First Nation's affairs, effectively legitimizing such arbitrary legal constructs as "justified infringement" of Aboriginal rights, and placing the legal source of Aboriginal rights and title in Section 35 of Canada's constitution - again, by agreement.

Canada's formula for constitutional amendment does not include Indigenous Peoples, and the source of Indigenous Peoples' actual "inherent rights" is their own history - not the recent colony.

Deer in the headlights:

keystone species at risk from provincial license

Aboriginal and treaty rights are often forfeit under self-regulation by Indigenous Peoples working to save moose, deer, elk

BC decision makers have flouted the laws of these lands, bankrupting the forests.

Native litigation has exposed the province's failure to protect animals, as a refusal to consider treaty rights.

Indigenous nations west of the Rockies started identifying conservancies and curtailing their own hunts by 1900.

Today, Indigenous efforts to protect keystone species often move well beyond the consultation process and the courts, going to unilateral protective actions.

These priorities are not meaningfully reflected in BC's development plans, or hunting regulations, for 2024-26.

The Ministry's plan to manage for moose "was essentially a loose end."

Yahey v. BC
BC Supreme Court, 2021

The "cumulative impacts" of BC industrial development have left Blueberry First Nation without enough fish and wildlife to practice their rights under Treaty 8.

The result of their case, *Yahey,* brought the concept under an unforgiving spotlight.

"Treaty rights" is a term that Indigenous Peoples have had to fight for in court. No matter how often they are consulted on site-specific projects, provincial decision makers do not contemplate total regional effects of logging,

Wood bison, at home in Dene lands. Photo: Canadian Geographic.

According to the documentary book about the circumstances of Treaty 8, "As Long As This Land Shall Last," by Rene Fumoleau, OMI, protection for wood bison in a specific conservancy was a condition of the treaty. At the same time, several of the Bands imposed a hunting moratorium on themselves - seeing a sudden decline apparently related to incompetent and wasteful European hunters, and trophy hunters.

The treaty was violated by government and settlers to the point that Dene Peoples boycotted Treaty payment days three times in the next 30 years.

"It goes without saying that a plan that has not been implemented, and which is not considered in any decision-making process, cannot protect moose habitat."

- Justice Burke of the BC Supreme Court. Excerpts from *Yahey v. British Columbia*, 2021, at paragraphs 1689 and 1701.

mining, road building, sport hunting, hydro dams and water diversion, housing developments and agriculture, on wildlife.

Ignorance of regional systems and lifelines has combined with government disdain for Indigenous laws and information, and rights.

Excerpts from the ruling:

- processes authorizing development did not address Blueberry's treaty rights or consider the cumulative impact of development on Blueberry's territory.

- The Province has taken up lands to such an extent that there are not sufficient and appropriate lands to allow for Blueberry's meaningful exercise of their treaty rights.

- ...the Treaty has been breached.

- The Province may not continue to authorize activities that breach the promises included in the Treaty

Following her testimony in the *Yahey* case, as Director of the Wildlife Branch of the Ministry of Forests,

Dr. Jennifer Psyllakis was voted President of the Western Association of Fish and Wildlife Agencies, in 2021

From 2014 to 2016, Dr. Psyllakis was the area Manager of Land and Resource Use and was responsible for developing and overseeing the Province's Cumulative Effects Framework.

As such, she gave evidence in *Yahey,* where she relied on the 1970s Pearse Commission in forest resources, and the provincial Commission on Resources and Environment, reporting in 1992, to illustrate the province's interest in the cumulative impacts of natural resource development.

Dr. Psyllakis is now BC's Assistant Deputy Minister of Water, Land, and Resource Stewardship, where, according to the evidence

Q: The Cumulative Effects Framework hadn't at that time [2014] established any thresholds for acceptable change, had it?

A: No, it never does.

- Dr. Jennifer Psyllakis, 2021, giving evidence in *Yahey v. B.C.*

in *Yahey,* the 20-year-old "Boreal Caribou Recovery Implementation Plan" languishes; where the province-wide Cumulative Effects Framework Interim Assessment Protocol for moose in BC "is not an operational-level plan" and "did not actually outline any concrete operational measures," and where the province's view, for the record, is that natural resource development has a "generally positive" effect on moose populations.

The trial showed BC has failed its treaty promises by ravaging the land to the extent that wildlife are too scarce to meet treaty needs.

A bull moose at home in Tlingit Photo: Taku River Tlingit First Nations.

Still it's open season on deer, elk, moose, sheep, goat, and bison for BC hunters in Treaty 8 territory, 2024-26.

Conflict over wildlife protection spills beyond BC government regulation into new distinctions forged in the controversial BC treaty process.

Gamlaxyeltxw (Gitanyow Chiefs)
v.
British Columbia
(Minister of Forests, Lands & Natural Resource Operations),

***and* Nisga'a Nation**

2020 BC Court of Appeal

The Gitanyow have a claim for Aboriginal rights in territory that overlaps with an area subject to the Nisga'a Final Agreement.

They sought a declaration confirming their right to be consulted on the total allowable harvest of moose in the area, which overlaps their hunting grounds, and the annual management plan for the Nisga'a hunters. The Minister agreed to consult on the total allowable harvest, but not on the annual management plan.

On judicial review, the duty to consult was found not to be triggered by the approval of the annual management plan, and that consultation on the total allowable harvest was adequate.

The issue in this case came down to a new distinction in rights between an Indigenous nation that claims "undefined" Aboriginal rights under s. 35 of the *Constitution Act, 1982,* in areas that overlap with lands that are the subject of a modern treaty with a different First Nation.

Both Tsimpshean Peoples, the Gitanyow and Nisga'a share an ancient territory. During the process of negotiating the Nisga'a treaty, Gitanyow sued the Province for negotiating with both parties over the same territory. That suit, named for *Lhuuxon*, was unsuccessful in putting the competing claims on an equal footing in the shared lands.

The continuing issue which emerged in the trial is the Province's position that section 35 Aboriginal rights which have not been "defined with precision," i.e., by judicial declaration or by land claims settlement agreement, are not "proven to exist" where they have been asserted.

In *Gamlaxyeltxw,* the duty to *accommodate* appears to favour the modern treaty First Nation which has surrendered their rights by agreement with the government, and identified a specific suite of rights under the Final Agreement.

Moose populations drowned and starved to death in the days and weeks following flooding of every major BC hydro dam in the 1940s, 50s, and 60s - and in the Peace.

Since then, moose have declined by an average 30% from 1996-2015.

In some places, the decline is 100%.

Imposing conditions for survival - Indigenous Peoples

Negotiating for protected areas, unilaterally defining conservancy boundaries, and roadblocking access to migration corridors

- as well as posting their own hunting bans -

are some strategies being pursued.

Logging and development in ungulate habitat has been so extreme, today's "consultations" can't protect enough.

Yet there is no part of the BC Ministry of Wildlife with a *mandate* for restoring habitat.

Occasional plans with First Nations or stewardship groups for restoration are unconvincing, too small, and too few.

Cowichan Declare Tribal Preserve, halt development
November 30, 2000
From the Press Release:

DUNCAN – Cowichan Tribes announced today that they will not allow remaining undeveloped Crown lands in their traditional territory to be logged by forest companies or used in any other ways pending the conclusion of negotiations with the governments of BC and Canada.

In a formal ceremony attended today by Cowichan Tribes leaders and other members of the Hul'qumi'num Treaty Group, a formal declaration was made to protect sacred lands west of Duncan known as the Hw'teshutsun area. The lands have been subject to a host of controversial development proposals including a proposed garbage dump, various logging plans, and a motorcycle racetrack.

Almost all of the core traditional lands of the Hul'qumi'num Treaty Group are developed to some extent, leaving very little Crown land which is relatively undisturbed.

"In declaring this area protected today, we are formally putting the province, Canada, and the forest industry on notice that we will not allow any developments in this sacred area," Cowichan Tribes Chief Lydia Hwitsum said today. "While we prefer a negotiated resolution, we'll do whatever it takes. If necessary, we'll use the courts or we'll blockade the area."

One year ago, BC and Canada agreed to establish a side table in negotiations with the Hul'qumi-'num Treaty Group to resolve the sensitive issues surrounding these lands. In return, Cowichan Elders and the Cowichan community agreed to delay taking any further action.

After a year of negotiations, the lands continue to be under intense pressure from proposed forestry and other developments.

Taku River Tlingit Moose hunting action
August 10, 2023

From the Press Release:

"As hunting season opens in British Columbia, the Taku River Tlingit First Nation (TRTFN) is expressing deep frustration and anger with the Government of BC

for their 'business as usual' decision to proceed with an open hunting season on an extremely vulnerable moose population in the Atlin area.

This decision runs afoul of BC's commitments to advance reconciliation, and unjustifiably infringes TRTFN's inherent and constitutionally protected Title and Rights.

Given BC's failure to responsibly manage the Atlin moose population, the area is no longer a good place to hunt. TRTFN is therefore asking moose hunters to act responsibly to prevent further declines and allow this vulnerable population to recover, even though BC has failed to do so both in the past, and again through its recent decision.

BC's decision came as a shock after TRTFN and BC representatives had been in discussions for several months to identify hunting restrictions given substantive scientific evidence and traditional knowledge showing the population's continued decline, with extremely low bull moose numbers and low calf productivity.

Tsilhqot'in Nation
Emergency Moose Protection
Dechen Ts'ededilhtan
August 2018

...Declining moose populations are a direct threat to our Tsilhqot'in way of life.
At the Emergency Leadership Summit, the Tsilhqot'in Chiefs received direction and support to invoke the *Dechen Ts'ededilhtan* and to enact a Tsilhqot'in law prohibiting the provincially authorized Limited Entry Hunt to hunt and kill moose within the Tsilkot'in nen [lands].
As Tsilhqot'in, we have a sacred duty to protect our culture, our lands and our resources for our future generations. Our *Dechen Ts'ededilhtan* requires us to take action.

THEREFORE the Tsilhqot'in in Nation duly enacts the Tsilhqot'in Nation Emergency Moose Protection *Dechen Ts'ededilhtan*.
Under this law:

1. The LEH Moose Hunt is prohibited within the Tsilhqot'in nen as set out in the map attached as Schedule 'A'.

2. ...each Tsilhqot'in Community may regulate or prohibit the hunting of moose by its citizens within its caretaker area

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General Statements and Requests for Compliance:

Many First Nations and Tribal Councils ask for cooperation from hunters, with their websites as the main platform. They encourage BC hunters to contact their Lands and Resources offices, to ensure respectful hunting practices.

Each First Nation has Cultural Protection Areas, where specific considerations might be required. They also have Watchmen and Land Guardians active in the territory to educate and monitor.

Almost none of the Indigenous priorities for conservation, however, are reflected in provincial regulation.

One interesting change is that some BC hunting area regulations include notes from one or two of the First Nations of that territory, such as in "Region 6 - Skeena":

"Lake Babine Nation is requesting the assistance of hunters to ensure that all parts of wildlife harvested within their traditional territory are utilized. LBN requests that hunters phone the Natural Resource Office to coordinate drop-off of any portions they are willing to share or would otherwise leave in the field and encourages BC hunters to contact them prior to planning a trip."

"Taku River Tlingit is therefore asking moose hunters to act responsibly to prevent further declines, and allow this vulnerable population to recover, even though BC has failed to do so both in the past, and again through its recent decision."

According to BC, its Ministry of Forests, Lands, Natural Resource Operations and Rural Development is responsible for the management of moose.

Provincial licenses to hunt moose are limited. "Moose Management Units" regulate hunting.

The only legislation to protect habitat is the *BC Wildlife Act*:

7. 1. A person commits an offence if the person (a)alters, destroys or damages wildlife habitat, *or* (b)deposits on land or water a substance harmful to (c)wildlife, or (d)wildlife habitat <u>in a wildlife management area</u>

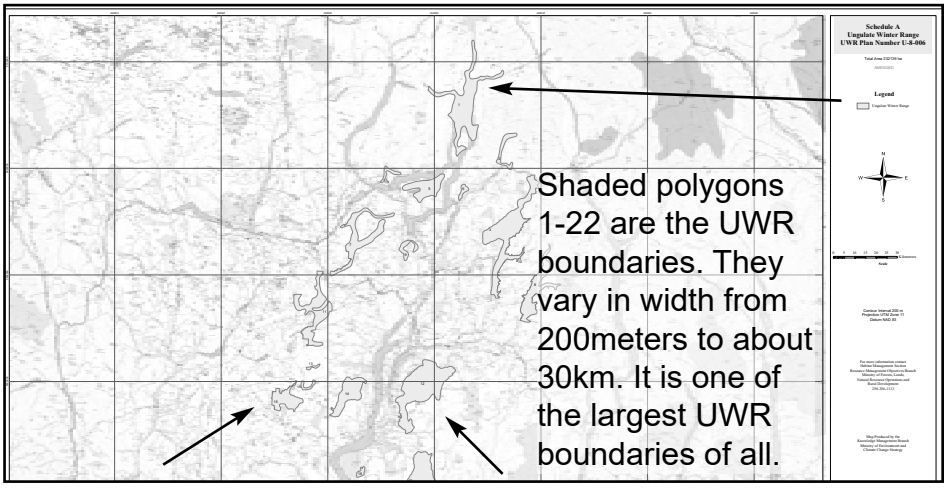
There is no "wildlife management area" in BC for moose, within the meaning of the *BC Wildlife Act,* except possibly UWRs.

The Flexible UWR

The ongoing threats to moose and other hoofed animals are increasing: development in their habitat, with its noise, light, and other pollution; accessn roads, where moose are often hit; and harrassment and hunting.

"Ungulate Winter Range" areas, mapped and ordered by the BC Ministry of the Environment, appear to identify the last remaining winter habitat for deer, elk, sheep, caribou, goats and bison, in the Timber Supply Area. Not all TSAs have a UWR order.

There are few of these orders, signed by the Deputy Minister, in the Province. 18 of them pertain to moose. The stated purpose is to conserve stands of trees which give shelter from snow, and provide moss and fir leaves for food, but most industrial activity is exempt.



Above: An Ungulate Winter Range boundary map, "U-8-006 - Okanagan Timber Supply Area," designated for moose, 2006.

Below, the Ministerial Order creating that UWR protects "not less than 33%" of it. Exemptions for exploration and development of subsurface resources; extraction of fire-damaged timber; woodlots, etc.

5. for the purposes of section 2(3)(a) of the *Government Actions Regulation*, the general wildlife measures outlined in Schedule 1 apply to minor tenures;
6. woodlot licence agreements are exempt from this Order;
7. pursuant to section 7(3) of the *Forest Planning and Practices Regulation* the person(s) required to prepare a forest stewardship plan are hereby exempted from the obligation to prepare results or strategies in relation to the objective set out in section 7(1) of the *Forest Planning and Practices Regulation* for the winter survival of moose in the Okanagan TSA;
8. the general wildlife measures outlined in Schedule 1 do not apply for the purposes of exploration, development and production activities when these activities have been authorized for the purpose of subsurface resource exploration, development or production by the *Mineral Tenure Act, the Coal Act, the Mines Act, the Petroleum and Natural Gas Act, the Pipeline Act or the Geothermal Resources Act*; and
9. the general wildlife measures listed below do not apply to the extent they would prevent the following:
   i. operations required for safety reasons, and
   ii. recovery of timber damaged by fire, insects or other similar

Nuximlayc, Noel Pootlass, in 2015.

Nuximlayc, Laurence Pootlass, in 1995, standing at Ista among hereditary Nuxalk Chiefs, second from left. Photos - Nuxalk Smayusta.

Statement on the

Defense of Ista - 30th Anniversary

Nuximlayc is the head chief of Nuxalk.

In 1995, Laurence Pootlass was Nuximlayc. Today, his son Noel holds that title. He gave this reflection on the legacy of the 1995 blockade:

I think it's important to say something on the 30th anniversary of Ista. It's part of my father's legacy, as our Head Chief.

In 1998 and 99 he was travelling in Europe – the UN, EU, and UNPO, to get those people to recognize that these companies were logging the First Nations territories, clear-cutting it and shipping it worldwide, devastating the forests.

My dad was making it clear how we're treated under the Indian Act and how we're controlled by the governments on our reserves.

When he came home, he was tired. He told me that, he told me that he wished just to stay home.

In 1999, the European Union advised Canada that they would no longer buy raw logs off the coast until Canada got permission from the First Nations.

236 sawmills shut down. All the logging companies shut down. Macmillan Bloedel moved to South America.

They had been harvesting five million cubic meters of wood – every year – in Nuxalk territory. After the EU stopped buying it, after that, the timber harvest dropped to 200,000 cubic meters. That's why we still have trees in our territory today.

If my dad hadn't gone to stop them, all our trees would be gone by now.

At the time of the occupation, in September 1995, I had a newborn baby, not even two months old. But they were getting ready to go out and block Interfor at Ista, on King Island, and so I got packed and went over to my dad's house. I got there and I told him I was ready to go.

"Go where?" he asked me. "You have to stay here. Take care of your baby, the family. Stay home." So I stayed home.

It broke our hearts to see our fathers, our Chiefs arrested for protecting the land – the fish, all the animals, the birds; everything that lives there. The whole community was in a state of trauma and fear while they were getting shipped to Vancouver. That really hurt us.

On the 20th day they were in jail in Vancouver, my mum went down there to the court house. She died right on the court house steps.

That's why my dad finally signed the paper for his release, so he could bury his wife. He had stayed in jail because he refused to sign, saying he could not return to the site of the injunction, to Ista.

The whole community was mourning. They put aside their differences. People went around the village to collect money for my dad to go down and pick up his wife. They raised $6,000 in a few hours.

But the division was there, after that mourning period.

Kids in school, little kids in Grade One, were told never to talk to their best friend again because they were on "that side" or "this side." They were on the side of "the loggers" or "the hereditaries." The division was there, and it stayed for 25 years.

Eventually, some who were on the loggers' side realized their mistake. They didn't understand at the time because logging was their job. A lot of them here have spoken out since then and said they were wrong. That has been healing.

Today I have the full support of the community, for my role as Nuximlayc. In the last few years, I've voiced to let go of that past, forgive one another, let go of anger; to love each other and be unified. We need to come together as Nuxalk families.

"Nuxalk" means 'becoming one.' "Nuxalkm" means 'we are one.' That's the goal.

Peace and respect is my message to the whole village; to the whole valley. We need to respect each other and become unified. We cannot hang on to racism. We don't want to hate each other.

That's my message, is to live together in peace.

09-12-95 03:24 am
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Nuxalk Nation Government

House of Smayusta
P.O. Box 8, Bella Coola B.C.
V0T - 1C0

Tel: (604) 799 - 5376
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NUXALK NATION POSITION
September 10, 1995

First of all we, the Nuxalk Nation would like to acknowledge Tatau, The Creator, through Manakays, the Great Spirit, for all that he has provided since the beginning of time and still does today.

We, the Nuxalk Nation, stand in the position of sovereignty against International Forest Products (INTERFOR). We cannot and will never as the Nuxalk Nation compromise this position.

> **The Sovereignty of the Nuxalk Nation comes from Tatau, the Creator. It is not granted nor subject to the approval of any other nation. As the Nuxalk Nation we have the sovereign right to jurisdictional rule within our own territory. Our lands are a sacred gift. The land is provided for the continued use, benefit and enjoyment of our people. The Nuxalkmc, and it is our ultimate obligation to Tatau, the Creator, to care for and protect it.**

INTERFOR has continually raped our lands and continues to do so today! Our old villages, hunting grounds, fishing grounds, grave sites and sacred areas are being destroyed. Our fish and animals that we need to feed our peoples are disappearing. Our food plants, medicinal plants and trees are being trampled on and destroyed, all for the corporate value of the lumber.

.../2

Nuxalk Nation Position cont'd, ...page 2:

We, the Nuxalk Nation, take this stand today and forever to state, "That we are appalled at what INTMPOR has done and is still doing today, to our Nuxalkmc Territory. we have never nor will we ever give our consent to INTERFOR or any other corporation to develop within our territory. Our territory is ours, the Nuxalkmc, and we have never ceded it to the Canadian or H.C. provincial government. Our nation is not interested in entering into any treaties (B.C. Treaty Commission), agreements or any sort of arrangement with the Canadian government, or the British Columbia government concerning our Nuxalk Nation hereditary rights and title. The power that these two governments claim to have over our territory is an illegal power within their own jurisdiction as shown in the Constitution which reflects to the Royal Proclamation of 1763.

...The sovereign Nuxalk Nation Chiefs have given INTERFOR notice that they are trespassing on Nuxalk Nation Territory that has never been sold or ceded, and that the Canadian court system has no jurisdiction over our territory. This is also to serve notice that we do not recognize any court injunctions served to any Nuxalkmc or to our guests (Forest Action Network) of the Nuxalk Nation invited into our traditional territory by our hereditary leadership.

So, with this we, the Nuxalk Nation will do whatever we have to within our own traditional Nuxalk jurisdiction to stop INTERFOR from any development on our territory. We do this as our obligation to Tatau, the Creator, to ensure that our lands provide for our children, grandchildren, and also those yet unborn.

Way!
NUXALK STRONG
NUXALK FOREVER

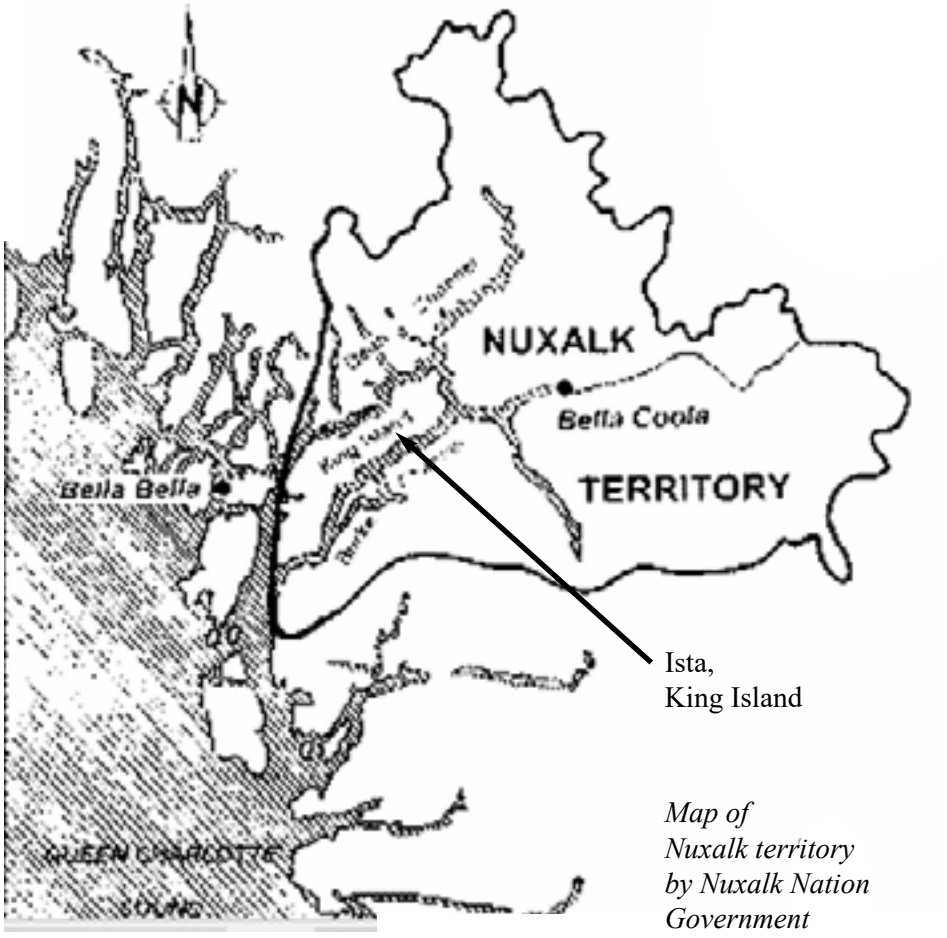
Before 1862,

there were over 300 villages in the territory.

Only 150 people survived smallpox.

They came together to the heart of the country, today Bella Coola, to have each other's help to survive.

At that time, they called themselves "Nuxalk" – meaning, the people who come together.



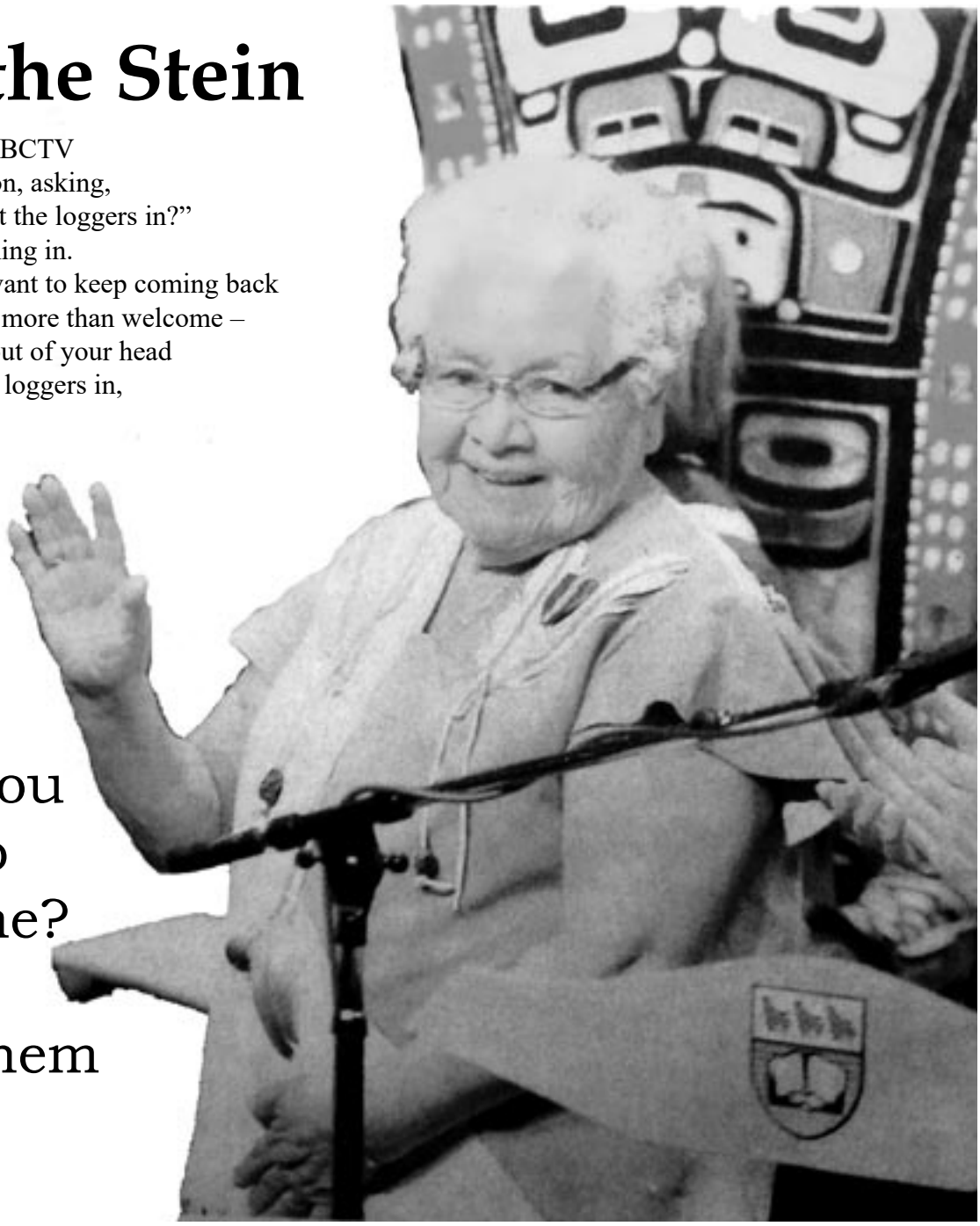
Map of Nuxalk territory by Nuxalk Nation Government

Saving the Stein

"This one journalist from BCTV
kept coming back to Lytton, asking,
"when are you going to let the loggers in?"
I told her, they're not coming in.
Finally I told her, if you want to keep coming back
to our community, you're more than welcome –
but, I said, get this thing out of your head
that we're going to let the loggers in,
because we're not.
And she said, well,
they're talking about
putting tenders out.
I told her I don't care,
they have no business
doing that.

She said,
what are you
going to do
if they come?
I said,
I'll shoot them
because
they're
trespassing.

Then it just started spinning."



Doctor Ruby Dunstan receiving an honourary Doctorate of Laws at the University of Victoria 2015.
News clip from Chief Dunstan's collection: *Times Colonist*, June 10, 2015.

Chief Ruby Dunstan of Lytton spent the day discussing the events that led to the protection of the Stein Valley for St'át'imc and Nlaka'pamux people, on September 25, 2019.

Chief Dunstan - I was sick and tired of being treated like a third-class citizen. How many times we ended up in jail because some white man would lie, and they believed that white man, you know, and they wouldn't even listen to us.

So I got really angry and I said to hell with it, I'm going to do what I think I should be doing. The elders asked me to behave myself, and I said, "why? So we can all go to

jail?" Because that's what they wanted to do to us. I think if they could line us all up and shoot us, that's what they would have done to us. But they couldn't do it.

I remember going to Vancouver, driving, and I had some students from here. They were in school from Vancouver, but they were from here. They were going home after the Christmas Holidays.
As soon as the loggers knew that I was on the highway, logging trucks came from everywhere, and they tried to block me.

We got to the café at Spuzzum. Logging trucks were parked there, trying to get on to the highway. They tried to block me.
There were trucks behind me, trucks in front of me, trucks beside me. I was blocked in – boxed in. So I said to those kids, are you kids afraid to die? And they said no. So I said, I'm going to step on the gas, and you guys just hang on, and we're going to try to get out past these trucks. So before we got to the Spuzzum bridge that's close to the reserve, I managed to get out to beat all those trucks.

I stepped on the gas all the way to Hope. Then I went to the Mayor's office in Hope. I went in, I registered a complaint with him and told him about these loggers. I said, I don't know where they're from, but they're all following me. So I said if you go out on the highway you'll see them looking for me. So I'm registering a complaint with you and I want you to do something.

I got the kids to Vancouver, anyway.

I got a call from the mayor, and he said they stopped all those trucks, and the police came from all the detachments around, and told them they shouldn't be doing that.

That used to happen all the time, I'd get blocked by people who supported the loggers, the logging companies, every time they knew I was on the highway they would do that to me. I guess that came with the job, eh? So I got tougher and tougher with them.

There was a moratorium on logging the Stein, for ten years. The year the moratorium was up happened to be the year that I was elected chief.

Then everybody – other communities, other Bands – kept phoning, wondering what Lytton was going to do about the Stein. I told them to let me read up on it, find out what had happened in the past; and why was everybody in this mode, to find out what we were going to do?

John McCandless and Mike Leach and Perry

JULY 1985: Lillooet Tribal Council Resolution to stop Logging in Stein Valley.
SEPTEMBER 1-3, 1985: first Stein Valley Festival.

Chief Perry Redan, St'át'imc of Sekwelwas, was a longtime Chair of the Lillooet Tribal Council, and involved at the beginning of the campaign to save the Stein Valley. In this 2009 photo, he is addressing the International Indigenous Leadership Gathering at Xaxl'ip, and recalling the significance of that protection.

"May the wisdom
of the past,
the knowledge
of today,
join all peoples together
harmoniously
for the deliverance
of tomorrow."

- Stein Valley Prayer

Redan from Lillooet Tribal Council met with me. I said, they're not going to go in there – they can't.

Because I remembered the stories that the old people talked about the Stein, what they did in there, how they survived. So I started asking everybody questions about it.

All the Elders in Lytton – every time I went somewhere for a meeting about the Stein – they would ask for a meeting with me at the Hall. Just the Elders would be in that Hall, and me. So I would have to tell them what was discussed. This was all in our language. Then they would tell me that they were going to tell me what to do, and how to do it. So they were my mentors.

Every time I came back from Vancouver, they did that. They had different spokespeople, it wasn't just the ones that were angry, or anything like that – they were told to shut up and listen.

There was a speaker for Alkali, for 6 Mile, 9 Mile, 30 Mile, 25 Mile, 18 Mile – all the way down, somebody spoke for the people of each community. I spoke for this community (Lytton). Then the Elders would say, this is what we want you to do, and they would tell me. I would have to repeat it back to them to let them know that I did understand it. Then I was free to go to the next meeting.

It started in 1985.

The medicine man from Penticton was part of the Elders Gathering, he was one of the mentors that always met with me.

I was born at the foothills of the Stein. All my siblings, eight of us.

He was interested in what we were doing, he was one who went to the Stein to get some of his training. People from Mexico, California, all over the United States came to the Stein to get their training.

It was probably 1984, 85, when the province said they were going to put out tenders to be bid on by the contractors, and everybody was getting antsy because they said we have to stop them, we can't let them log. But they wanted Lytton First Nation to be the one to say, this is how we're going to do it, this is when we're going to do it, because they recognize that this is our territory.

That's when I met John McCandless. He was working for the Lillooet Tribal Council. The Lillooet tribe came to one of our council meetings, and they said they would keep John on their salary and send him to come work for us. All the Lillooet Chiefs gave their full support to us.

We sent a letter to the province, to the Minister of Forests, Tom Waterland. We said, there is to be no logging in the Stein without the full consent of the Lytton First Nation and the Nlaka'pamux people. They didn't respond to that letter. Then Tom Waterland was going around telling the world that they would be logging in the Stein.

I used to go to the Union of BC Indian Chiefs meetings in Vancouver. One day I was there at the Union office, there is Gastown, and all of a sudden reporters started coming in, asking for me. They said, is that true that you've given Ministry of Forests permission to log the Stein? I jumped up and I said, no damn way. Nobody is to be in that Stein. The only people allowed in the Stein are the St'át'imc and Nlaka'pamux people – I said, anybody else that does go in there is trespassing.

The reporters asked me what I thought of Tom Waterland announcing that they were going to be logging in the Stein, and I said, I think he's a liar. They all started asking all kinds of questions, they wanted me to remain negative. I said, I'm not going to remain negative, I'm just going to say no; this is the way our Chief and Council and Tribe have decided how we're going to deal with this, and this is how it's going to be done. Everybody that needs to talk about the Stein has to come to our Band office and talk to the right people, not just Band members, you know, because Band members can say anything they want.

The reporters had a hell of an afternoon; the Union staff had to ask them to leave, you know, because the questions were just stupid.

I stayed there that day, and the next day – we had a three-day meeting, so we were busy. When I got home, there were reporters in the community, waiting for me. I said, I'm not speaking to you. I said, I have to speak to my Council, my staff, I just cannot talk to you by myself. I said, I have to respect my other leaders. So they asked, should we wait? I said, no, go home: there's other things happening in the province. And then it just started – it just kept going and going and going. Oh!

I remember the newspapers would hire helicopters and take us out, ask us to show them where we were going to allow logging. I told them again and again, there is not going to be any logging – no logging. How many times do I have to tell you that before you get it into your heads?

Finally, I just got mad, and I said, if you people are going to keep asking these stupid questions, I'm not going to have you coming in to my community. And so they backed off.

The only one that kept coming back was BCTV, Margo Harper. She kept asking, when are you going to let the loggers in? I said, they're not coming in. Finally I told her, if you want to keep coming back to our community, you're more than welcome – but, I said, get this thing out of your head that we're going to let the loggers in here, because we're not. And she said, well, they're talking about putting tenders out. I told her I don't care, they have no business doing that.

The question I always asked myself was, *is this good for my children?* And if it is, then it was a thing I would go with. But if not, I didn't. That was the way I weighed everything.

She said, what are you going to do if they come? I said, I'll shoot them. She said, what? I said, yeah, I'll shoot them because they're trespassing. Then it just started spinning. (laughs)

My brother-in-law, married to my oldest sister, they lived in Kamloops, and he was a CAT skinner. The company he was working for was one of the contractors that wanted to put a bid in. So he was so sure that they were going to get it, because he worked for them and he was my brother in law, hey.

We went to visit them one Saturday in Kamloops. He thought it was funny, he was saying, "Yeah, she says she's going to shoot whoever puts their blade down first." And I said, that's true. And he said, "What if it was me?" I said, it wouldn't matter. I said, you don't believe in our title and our rights, tough beans: you're finished. And he looked at his wife, my sister, and she said, "I'm with her." He got really mad, he got stinking drunk that night. He tried to argue, I said I'm going home, I don't have to listen to this – you're not a Band member – my sister is, I'll argue with her, but I won't argue with you. He must have talked to his boss because the boss pulled his company out of the bidding process.

The day they were opening up the bids, we decided that each company that came had to go through the Stein with people from Lytton or the St'át'imc. And there had to be two of us, and we had to be with the contractor, and answer any questions. And some of them were real jokers.

This one guy said, "I know how to solve this whole problem of you not wanting anything disturbed or destroyed." I said, how do you propose to deal with that? And he said, "I'll just get the CAT, and I'll push over everything – the caves, the paintings, everything – put it underground, and that way nobody will bother it."

I said, the name of your company, please? He told me, and I said, good. I wrote it down. So when they were opening up the bids, I said, this company does not deserve to have their bid in here, so take it out. The province couldn't

believe me, but I said, take it out. So they did. That company didn't even get to put a bid in.

By the end of the day, they all said they did not want to have to deal with me. Because I was a tough cookie. I said, good; that's less garbage I've got to deal with. So the province lost: nobody would leave their bids in. The province lost.

There was a lot of anger, animosity, everything. I was known all over – I couldn't hide anywhere. If I went to Vancouver people would bully me or praise me for what I was doing. I was okay with that, people have a right to their thoughts and beliefs, I guess. Just like I did: if I wanted anybody to respect mine I had to respect theirs. But that was it, we didn't welcome anybody's bid; we said, the bids are closed, the bids are done.

Some companies tried to take us aside and ask us to take their bid, you know? I said no. If it ever goes out to bid again, we will remember your name and you will not get an invitation. So, they knew we meant business then.

It was really hard because I wasn't a person that was mean or cruel, but you know when you get mad and you get angry at these people who have no thought about who you are, where you're from, what you're protecting, anything like that. It made me really angry. At that time, I wasn't a grandparent yet. But I was thinking, if I let these people in here to log, what's going to be here for my grandchildren, or anybody else's grandchild? And that's what the Elders had always told me: remember, it's not for you that you're saving the Stein – it's for all the ímats (grandchildren).

The question I always asked myself was, is this good for my children? And if it is, then it was a thing I would go with. But if not, I didn't. That was the way I weighed everything.

If it was good for my kids, sure I would go and do it right now. But knowing it wasn't, I wouldn't touch it.

There's a Memorandum of Understanding between Mount Currie and Lytton First Nation. It's quite lengthy. It talks about our beliefs, what we want, how we want it protected. I wish people would stop and read that, and think it through: think what it's all about. Don't see it as a negative thing, but see it as something we're trying to protect and preserve for the future.

And the other thing I would like people to know about is the Elders, when we asked the Elders, how do you want us to protect the Stein? And they said, don't think of it as 'protecting.' Think of it as something we always had. We had the foods, the berries, the deer, the fish – all that – that's what you're protecting. The medicines, all the medicines that we get out of the Stein, think about that. And think about the animals, where are they going to go? What's going to happen to them? Most important of all, ask yourself: how do you see the Stein being protected as our church? That was our church. We never had the sama7 (white person)

"We have waited patiently for those who now make these claims to consult with us about our homeland, and finally when it seemed they would never come to us, we felt we had to go to them. It was with misgiving that we entered into the hearings of the provincial Wilderness Advisory Committee in January 1986, but we made our concerns plain from the start. We said to the committee that if they made recommendations at the Stein which were fair to the native people, the provincial government would ignore them.

Sadly, time has proved us right. When the Advisory Committee eventually acknowledged the contribution the Stein Valley continues to make to the spiritual and cultural integrity of our people, and recommended that no road be built into the area without the blessing of our people, the provincial government turned the proverbial blind eye and deaf ear.

- Lytton and Líl'wat, Stein Declaration, October 5, 1987

The Stein Valley Festivals, 1985-1995

In 1985, the first Stein Valley Festival took place up in the alpine, in the valley. A few hundred people and musicians hiked in and had a mountain top concert!

A second festival was held in the mountains, but it had grown in size and had to be located in a less sensitive area - and a more accessible area - in order for the protest festival to gain momentum and fulfill its purpose of raising money for the protection campaign, and raising public awareness of the place. "Save the Stein!" was the headline message.

In 1988, 3,500 people came to the weekend concert at Lytton.

By 1989, 16,000 people attended the festival when it was held in Líl'wat.

In the next few years, the festival held at Tsawwassen and then Seabird Island, where Chief Ruby Dunstan, the Lil'wat Hand Drummers, Chiefs, David Suzuki, and others gave speeches to inform the people, amid awesome performances.

Over the years, returning artists included Ian Tyson, Buffy St Marie, Gordon Lightfoot, Pete Seeger, 54-40, Spirit of the West, Sarah McLachlan, Blue Rodeo, Joanne Shenandoah, Colin James, and Bruce Cockburn.

The original Stein Valley Festival, 1985. Photo by Hildegard Westerkamp.

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church; we had the Stein. They said, think about that. When you think about protecting the Stein, it's all those things.

So I went to sleep with that in my head, I woke up with that in my head, I spent my days with that in my head. And always remembering that that's the wish of the Elders, and the wish went on to the grandchildren that were still small and couldn't speak for themselves. That's what protecting the Stein is all about.

I was born at the foothills of the Stein. All my siblings, eight of us. Now there's only two of us that are alive. Myself and a sister that's two years older, and everybody else is gone.

~

One of the results of the campaign was the Stein Valley became a BC / Nlaka'pamux Heritage Park.

Chief Dunstan: A lot of people are happy. For me, the most important thing is to have my people be happy. That's what I felt when we were signing the agreement with the provincial government at the Hall. I felt that everything we had done was shown that day. That hall was so packed, you couldn't move.

We signed something nobody else had ever done: saving the rights of our people: the trapping, the tourism, the fishing, saving the foods.

Like my dad used to say, as long as we had our fridge and our church, we were okay. And that was the Stein, our fridge and our church.

Management Plan for Stein Valley Nlaka'pamux Heritage Park 2000

BC Ministry of Environment, Lands and Parks, Parks Division

The road sign just west of the Lytton ferry crossing.

Quotes from the Plan signed in 2000:

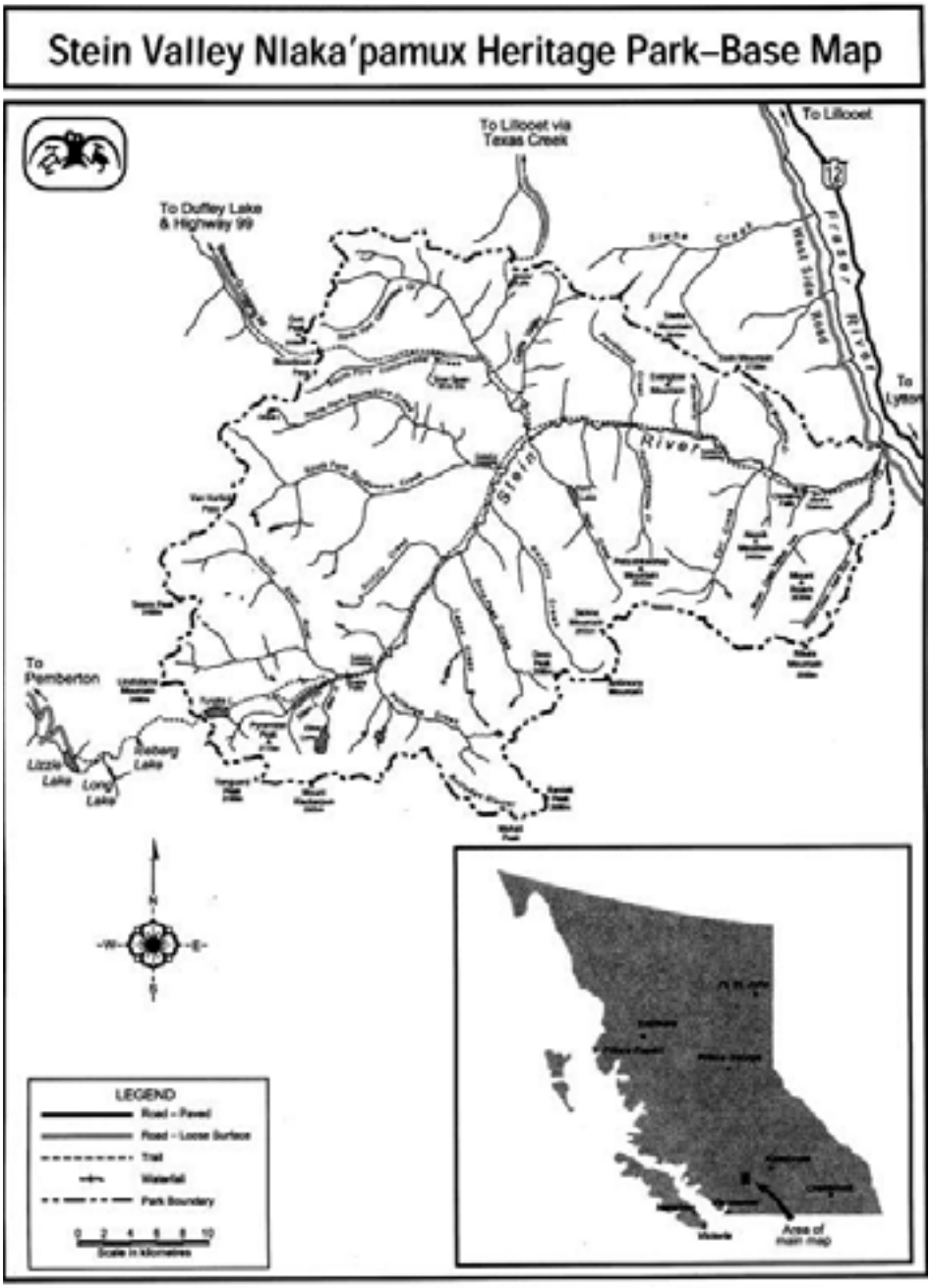
Stein Valley Nlaka'pamux Heritage Park offers an opportunity for visitors to gain an understanding of the history, culture and current practices of First Nations in their traditional territories, and a **key role of the park will be to develop better understanding of traditional aboriginal systems of resource** management.

At the time of park designation, the Government of British Columbia signed an agreement with the Lytton First Nation **to work cooperatively in the management of the park.** This agreement describes how the Lytton First Nation and the Government of British Columbia will participate as **equal partners** in the planning, management and operation of the park. …The Stein Valley Nlaka'pamux Heritage Park Cooperative Management Agreement and associated sub-agreements addressing Fish & Wildlife, Cultural Heritage and Tourism are important guiding documents to this management plan.

Management and development of the park will be guided by this concept and will be designed to complement and highlight the historical and cultural presence of the Lytton Nlaka'pamux in the Stein Watershed…

This sub-agreement calls for a Cultural Heritage **Management Committee** comprised of Lytton First Nation, Provincial and third party representatives to develop a cultural resource management plan and policies for the cultural heritage resources in the Stein watershed. The resultant Cultural Heritage Resource Management Plan and Policies will form a separate, special section of the overall management plan for the park. Under this plan visitation to specified cultural heritage zones may be restricted for the purpose of site protection and to provide exclusive use of such areas, from time to time, to members of the Lytton First Nation. This sub agreement also states that cultural heritage research, investigations and activities within the park will also be addressed and regulated under the Cultural Heritage Resource Management Plan.

A premise of the **Tourism Sub-Agreement** is to assist in building recognition, understanding, preservation, protection and proper management of the tourism potential of the Stein Valley watershed since the tourism resource is of significant importance to members of the Lytton First Nation. Co-man-



agement of the park by the Government of British Columbia and the Lytton First Nation will include harmonious development of its tourism potential and the co-managers agree that the tourism potential of the valley will be built around the theme "Stein Valley Nlaka'pamux Heritage Park, A Living Museum of Cultural & Natural History".

Development of the proposed Stein Valley Nlaka'pamux Cultural Heritage Centre by the Lytton First Nation adjacent to the park is an essential component in the development of the overall tourism potential of the park and will offer visitors an excellent opportunity to learn about past and present Nlaka'pamux culture. The educational and recreational milieu of a cultural center will stimulate interest in the natural and cultural history of the valley and will accommodate a broad segment of the public, including a majority who are not inclined or fit to hike the "Stein Heritage Trail".

This center will include a cultural center and museum building, cultural interpretation trails to nearby sites, ancillary food services, a craft production center, the Rediscovery base hut and a large theatre designed to accommodate cultural activities and ceremonies. It is anticipated that the Stein Valley Nlaka'pamux Cultural Heritage Centre will likely become a key tourist attraction and, combined with park features will constitute a world class natural and cultural learning experience.

To encourage the use of the park for the interpretation of First Nations traditions and use.

• Develop an interpretative program **in cooperation with the Lytton and Mt. Currie First Nations**, which integrates those bands into the development and presentation of interpretative messages.

My Grandfather pointed across the river and said,

"you'll be gone about ten days. Just take a knife and a hatchet."

Byron Spinks,
Nlaka'pamux of Lytton,
was elected Chief in 1971,
at the age of 21.
At that time, he was the
youngest person ever to be
elected to the role.
Half a century later, he still
works on land protection
and conservation.

Chief Spinks kindly spoke to AQ about his history with the Stein, and how becoming an Elder has shifted his priorities and his expectations, as he works with Elders throughout the eleven Nlaka'pamux communities.

Chief Spinks: When I visit with the Elders, they recommend developing our own Nlaka'pamux-wide movement.

As Elders we feel there should be more work done in developing programs and information for the public that enter the both valleys – the Stein and Nahatlatch.

The Elders felt we should continue moving on, to unify an approach to developing federally-recognized "Indigenous Protected and Conserved Areas" in our territory.

We thought the Stein-Nahatlatch would be one example of doing that. Ideally, we would like to have the whole Nlaka'pamux Nation working towards one vision, one goal.

That has picked up with many communities in the nation. In the Nicola Valley they are developing their own IPCA, and we're working with them; and at Kanaka Bar they already have an IPCA.

There are powerful Elders in our nation. They are outspoken: they want to unify our approach to protection and conservation in our territory, across, our lands – everything in it. It's a process.

They want to develop their own Society right now, to help manage specific projects. Right now we work independently.

We want to establish one voice for the whole nation, from the Elders' perspective. We've never had that. We've tried for the past 50 years but it has never really worked. From my personal perspective, it was because of personalities.

Now that I'm an elder, I can see how previous Elders thought.

We don't have any boundaries among ourselves, *per se*. We may be a member of Lytton First Nation, or Lower Nicola, or Kanaka Bar, but first and foremost we're part of the Nlaka'pamux nation. So that's a distinct perspective. We are not limiting ourselves to restricted areas, like Indian reserves or just areas close to our villages.

It's a concept that the government is leery of, when I start talking about IPCAs to the Parks Board and Stein management board, the provincial reps are afraid to participate because they think we're going to take over and eliminate them.

I told them that's not what we're doing. We're the ones that started that partnership: we want to enhance the programs and funding because we can access additional funding outside the provincial government.

Those are the types of barriers we're faced with right now. The provincial bureaucrats and politicians all have a different vision on some of these programs they're promoting.

It's a process of education, and, like my grandfather Louie Phillips said to me, when I was a young Chief in the 1970s, "we can assert our rights through education." That has always stayed with me. For the public at large and the governments, the more we educate, the more we inform people what our responsibilities are, the stronger we get.

It's not left in the hands of a few leaders that are outspoken influencers, but it falls in the hands of the whole nation. That's what I'm trying to promote.

Chief Byron Spinks, signing the Park Agreement. Photo and article excerpt below from Kahtou, December 1995.

Lytton, November 23, 1995 – The Lytton First Nation is signing the Stein Valley Nlaka'pamux Heritage Park Cooperative Management Agreement with the provincial government.

"For years we have lived in fear that the Stein wilderness would be destroyed and with it, our spiritual and cultural heritage," Dunstan said. "Today marks a new beginning. It is a day of celebration and joy, not just for our people but also for the literally tens of thousands of people who have shared this struggle with us along the way."

"Working together, we have raised international awareness in protecting this priceless environment," said Spinks. "That awareness and this new partnership will pay dividends to British Columbians for eternity." "The Stein wilderness… holds the lessons of thousands of years, lessons we can all learn from. It is the story of my ancestors and the evolution of their relationship with this very special place."

AQ – As soon as someone else starts to interpret what your rights and titles are, that's when you get into trouble. But as long as you can be clear, and when you're educating people to have that relationship with land and understand themselves within the laws of the land, then people can govern themselves with that – it's a real tool.

Chief Spinks – That's the approach I'm taking. We have lots of knowledge keepers and Elders who want to participate. I'm trying to develop a vehicle for a more inclusive process. It costs a lot to get our Elders together – I'm working on getting some support for them, because some of them live in semi-isolated areas, it takes them about an hour to get to Lytton from the West Side.

My dad passed on in 2019, I'm just carrying on his work. In the last year he was with us, we talked a lot about the history and our values as Nlaka'pamux people, and he just kept saying "it's up to you now."

The voice of our Elders are the same. They like the way that we're moving ahead, but we're losing a lot of Elders. We just lost three really valuable Elders in the Nicola Valley that have a lot of knowledge of our territory, and I'll be visiting there soon, just to give them support. We have to keep the energy going. It takes quite a bit when you lose an Elder who has been so active. They advise us and they

"It's a process of education, and, like my grandfather Louie Phillips said, when I was a young Chief in the 1970s, "we can assert our rights through education."

That has always stayed with me. For the public at large and the governments, the more we educate, the more we inform people what our responsibilities are, the stronger we get."

participate in our education system. It's a great loss for the community and the nation.

The movement that the Elders are initiating right now, from a nation perspective, we would like to assist the existing parks in developing, through an Nlaka'pamux program, educating the existing staff that we have from the province.

Right now (October) they're just in the process of shutting down the park because of the fires. Things like that, incorporating our values in their management system, that's what we're aiming for.

The storyboards we have at the entrance to the Stein Park are good, they're well put-together, but we need a person there all the time to explain who we are, why we're here.

AQ – Do you have a Watchman system, for governance on the land?

Chief Spinks – We call them Land Guardians. We have specialists in their own areas. We have Guardians that specialize in hunting, fishing, medicines, food, salmon; not one Elder holds the whole title. We have go-to people in our community that we acknowledge and ask for advice or comments on what's happening on the land.

We need more people on the land itself, even today we need people – we have burns happening right now that we're not aware of who is putting it on, and why, in areas that may not be a priority area but they're still having burns in logged-off areas and we would like to be involved in discussions before those kinds of things happen. With the companies. We don't have communication with them, but we want to be at the front door when an idea comes up in the watershed. We'd like to be included right from the outset to provide our perspective on the importance of that watershed.

AQ – There are some areas that shouldn't be burned at all, for the risk of affecting landmarks and oher values: is that a work in process through the IPCA?

Chief Spinks – That's one key aspect we want to focus on. We should be monitoring the whole nation and provide our input or advice on situations that are developing.

We have a Memorandum of Understanding with the Líl'wat and the Upper St'át'imc going back to the 1980s regarding the protection of the Stein Valley. I'd like to go back to that as we renew our relationship with Lil'wat.

If we're developing Indigenous Parks and Conserved Areas, we have to have some discussions on shared boundaries. We have shared boundaries with Líl'wat, the Upper St'át'imc, the Secwepemc, the Okanagan, and the Sto:lo People – we're surrounded by some great nations. We have to develop a way to communicate with them and how we're going to work with them.

AQ – You signed the Park Agreement in December 1995, and the Provincial Park Management Plan,

in the year 2000. The way that you work with the province has changed over the years.

At what point did you start using a different tool to interact with the park and the province?

Chief Spinks – The park is provincial, and the process I'm promoting is a federal process – the IPCA. So I'm wanting to marry those two together, to make it relevant to us, to improve our agreement with the park board, and at the same time to have our people have a voice in the whole process. I think in the Stein Management process, the First Nation should have the majority on the Board.

But the board hasn't changed since Day One. We need a way to get more of our people involved. We need to improve communication between the park management board and the community and the Band Council.

AQ - That makes sense to evolve the process, and your wish is to expand that into a more authentic Nlaka'pamux role on the ground – instead of you having input on decisions that the province then implements, in their own way, and enforces.

You want a larger role there, and to access the IPCA that gives you funds to do the work.

Chief Spinks – That's right. We had the interpretive center as part of our vision, when we were fighting for the Stein. We should have had that active from years ago, but with the lack of room for community involvement, it's still on the drawing board.

Ideally, we want an interpretive center that is managed by our people to tell the whole story of Stein Valley and the significance of it from our perspective, and welcome people to the valley in a formal way. I'm not sure why that hasn't happened.

We don't have any tourism in Lytton, from an Nlaka'pamux perspective. Some of our members have worked to develop it.

The time is right now to bring that forward again, and encourage our members to take a lead role in developing that.

AQ – When you say you want people to know what the Stein Valley means to the Nlaka'pamux People, this seems to me to be a central point.

Chief Ruby Dunstan explained in our interview that Medicine people came a long way to the Stein; people did spiritual training there; it has a special place that is most desirable for childbirth; and some of these things are way beyond non-native people's experience or imagination. I don't think people understand the scope of the importance of this place.

Going back to what you said about the importance of education, I think that's the backbone of jurisdiction. When people understand what you want them to know, that's really the end-game.

Chief Spinks – The important part is at the entrance and that's where the story should start.

It's true that many Indian Doctors came to the Stein, and they used the valley as the beginning point for their training, and their final vision was at a further valley that has also been a traditional spiritual place for many generations.

My dad showed me areas where the Indian Doctors fasted, they had small platforms in the trees, above the ground, and that's where they sat until they received their final vision.

Those stories should be told, although we won't identify the exact areas, to show how important it is to our people.

I'm sorry I didn't get more information from my grandfather. He was an Indian Doctor, and he was one of the instrumental people who raised me.

In 1969, when I came home to Lytton after college, all my friends had left for work – to Washington. I worked there as a logger in my high school days, too, in Washington. So my friends were coming home driving Mustangs. But here I went to college in Vancouver, and when I came home in summer, all my friends were gone working. I had two weeks before I had to go back to college.

My grandfather told me to go down to Mt Currie and hike back to Lytton through the Stein Valley, he said it would take me ten days. So I took that as a challenge.

I didn't have a clue what I was getting myself into. I got an old topographical map to see about where I should go in, and my

grandfather said, "Just take this food here, and all you need is a knife and a hatchet. That's all you need." So I got a ride to Lillooet, and I got the train down to Mt Currie, and one of my classmates in college lived in Mt Currie, so he helped me get part way down Lillooet Lake to start into the Stein.

We got down there and my friend went home. The first three days was just pouring rain, the start of the rainy season. Downpours. I didn't have a tent so I made my own shelter. I quickly learned how to make waterproof shelter from fir boughs.

I picked the right opening, and I got into the Stein Valley. There were no trails and no markings, but my grandfather told me not to go down to the creek but to cross the mountains mid-way up.

When I got to the mid-Stein, on my seventh day, I knew where I was and I knew I didn't have to rush before my grandfather would become concerned about me.

My grandfather was just preparing me for my lifelong work, and I didn't know it. He was an Indian Doctor himself, and that was the valley where he showed me to go. He told me, "just make sure you be careful out there. Talk to the land, and you'll become attuned to the land. If you see wild animals, just talk to the wild animals just like you and I are talking, and you'll be okay." So that was my journey when I was twenty years old.

A year later, Lytton First Nation called me back to work for the Band because they were taking over the federal welfare program. So my first day of work was June 1, 1970, at the Lytton Band Office. There were only two staff members: the receptionist and myself. The Indian Agent was the manager.

I didn't have a clue what I was supposed to do. I finally got this big black manual from the province: this is your social assistance manual, and you follow it; these are the people you have to cut off, these are the people who have to interview to re-establish their claim. If the husband was working, the wife wasn't allowed to come in and collect welfare. I had to explain to the people in my community, and try to cut them off. It created some friction.

Indian Affairs were mis-managing it, so they handed it over to the Band and I had to put it back on track. But there were no hard feelings, the people understood when I explained it to them.

AQ – And that was the inception of the Lytton Indian Band administration.

You spent a lot of your career working for Lytton.

Chief Spinks – Oh yes. I was the youngest elected Chief in 1971. In those days, having a young 21-year-old as Chief was unheard of. I got a lot of teasing and ribbing, you know, and I learned to develop some good comebacks. That was one of my journeys I had, and I'm still on that journey yet.

AQ – Here's a hard question about these two ends of the spectrum – where you went on your ten-day hike, on your grandfather's instructions, and you made it; and then you found yourself working for the Indian Agent and administering the welfare.

Can you share with us, how did you bridge that gap, for your own self? Being part of the Nlaka'pamux People and being part of the land, understanding what that meant, and with your grandfather being who he was; and then also working in that office with the welfare money – can you tell us what that was like for you?

Chief Spinks – I think it's that I was brought up with a lot of respect – to respect what I was doing and who I was working with – those were my teachings from my Elders, my teachers, my grandfather in particular. So I took it. I wasn't quite sure what I was getting myself into, but it was an opportunity for our members to be involved with, and it wasn't being done right, by the Indian Agent, so I took that as a challenge to make it right and make it more suitable for our members.

In the old days, the Indian Agent gave out rations. I remember them saying, "You don't have to farm, here's some food you can have. You don't have to cultivate or grow any beans or any vegetables – here's some money and here's some food for you." That's how we lost a lot of our value system. That was a part of our community.

Vista from the Stein alpine. Photo by Hildegard Westerkamp.

There weren't many people on Social Assistance at that time, there was only a handful of people that I had to sit down with and explain. Once they understood, they said okay, you're just here to explain and we're working with you.

My dad told me, on the first day of the job, "You've got to get to know the people." He took me around himself and he introduced me to every family, to every part of our reserve from the east side to the west side. He explained to them what I was doing, and it was through him that I gained the respect of our community members. I was always welcome to their home any time of the day or night, and that's how the relationship developed.

That relationship was what was so important.

AQ – The Lytton school is called the Stein Valley Community School. I know the Lil'wat Community School takes their students up to the Stein every year, do you take the kids up into the Valley?

Chief Spinks – Oh yes, we do. Ruby and I were on the School Board for 25 years before we retired from it.

We tried to implement our vision, but it's really hard to do that *and* incorporate the provincial system with that. We're coming close. We're getting more of our people interested in teaching our language, customs and traditions in the system. Some of our young people have become linguists and they're language teachers now, helping our Elders teach the language and history.

I go in to talk about history, and I do that with our Elders whenever I get a chance.

I have a grandson who is six years old right now, and when he would come home from preschool he would talk to me in Nlaka'pamuxtsin. He would correct me, when I was kidding him! I take him out to the different areas, and explain the significance of the area for the foods and medicines. He's just a sponge, he can take everything in. By the time he's in Grade 12, he'll be more fluent than I am.

Over the last few years we have really grasped the concept of immersion. We've started the immersion process for K-4, to get them thinking in our Nlaka'pamux way, not the colonial system.

My aunt goes to the school every day and provides a morning service in our language. As soon as the kids hear her voice, the whole school just stops. Even if they're just walking in, they'll stop in their tracks and listen to her. That's the strength we have in our language, and that's how they're learning.

In Spring there would be a big shed of goat hair, caught in the bushes - especially in the wild rose.

People harvested the hair that way, in the higher alpine.

John Haugen was elected to the Park Management Board for the Stein in '97. He has been working to ensure protection for the iconic species which live there, in the expression of Nlaka'pamux values, and cultural and heritage connections.

John kindly spoke to AQ about the kind of work the Board gets involved with, and the nature of their highest goals.

Haugen - While we've done things like deciding on park use permits, some activities were grandfathered into the park's use, guide outfitters, they're always on the lookout for harvesting mountain goat and bringing people in to do that. That's a big money business. A few times we were nearly sued, the proponent thought we weren't being totally cooperative to his needs.

In the management of goats, we have tried to instill our values.

One of the challenges is that we don't have a good handle on the goat population. The province has conducted studies that rely on biology to indicate numbers; fly-overs for visual counts; but I'm not sure if that's reliable.

One guide outfitter is allowed to harvest two goats in the valley over a five-year period. He sells that experience to big game hunters.

AQ – What is the traditional Nlaka'pamux reliance on the goats? Is it more to do with co-existence, or harvesting?

Haugen - Goats are very important for their wool. People collected that from the higher alpine, and it's woven into other fibres to make clothing. We have a lot of technology on how to do this.

When you look at the goat, it's represented in the pictographs in the Stein. There was a reliance for sustenance, at times, and for tools: the horns and the hoof and every part of the goat was used in the traditional and ceremonial ways of life.

On the bushes there would be a big shed of goat hair, especially in the wild rose. People harvested the hair that way. It's quite interesting what they were able to produce from the wool! There's a new book out all about that, and an exhibit in Seattle.

AQ - I wanted to ask you about the management of the area, which is now called a park, but in reality it's Nlaka'pamux and St'át'imc land. Does the province have any other management goals related to the preservation of the big species?

Haugen – Well that's part of the park plan right now. There's no hunting by non-Indigenous hunters other than the guide outfitter license I mentioned.

People harvest deer when they go gathering pine mushrooms in that area.

I wouldn't say the *park* provides for protection of those, because we Indigenous people have title which protect those rights.

Ruby and other Chiefs had a lot of negotiations when they entered into the Class A Park Agreement, as to what was going to be brought into it.

We have to update our overall cultural and heritage management plan, there are several kinds of work going on.

The park has suffered a lot from fires over the years though, usually lightning strikes. In 2022 there was a huge fire.

Theres a UNESCO nomination for the Stein to have World Heritage status, but because of the fire catas-

Mountain goats on the mountain near Lillooet, north of the Stein. Photo by Vince Barney, St'át'imc.

trophes that was paused and we have to revisit that.

The big thing with the UNESCO nomination is to have the Park funding in place. With the government changing regularly, we are faced with a situation where we sometimes have a minister who wants to get as much work done as possible, and at other times we don't hear from them.

Overall, we are looking to make sure there is no mining or over-development.

The Stein is a place of learning. We have done tests on the pictograph pigments to find ways to protect them. We use those pictographs to educate our young people.

In the early days we had the Stein Rediscovery program.

I think, for myself, there are a lot of things that connect us to the Stein. The practices of our ancestors which are continued by our next generations: ceremony, fasting, gathering. Just this year there was a Pink salmon run, and there is a lot of activity around that.

Every February we go to check the Steelhead, that's a threatened species.

We're grateful too to see the Lil'wat teachers bringing their classes through the valley and maintaining those connections.

There is a UNESCO nomination for the Stein to have World Heritage status.

With that, we have to have funding in place for the Park.

With the government changing regularly, we are faced with a situation where we sometimes have a minister who wants to get as much work done as possible, and at other times we don't hear from them at all.

John has been an elected Councilor with Lytton First Nation since 2002.
He wishes to dedicate this interview to the memory of Bernadine Phillips, 1963-2013

~

…to do this was to meet a new culture properly, in a place where First Nations really feel at home.

Hildegard Westerkamp is a composer and sound ecologist based in Vancouver.

She attended the first Stein Valley festival, the "Voices for the Wilderness" gathering in the Stein, on Labour Day weekend, 1985.

Hildi: I was connected with Vancouver Co-op Radio, that's how we knew about the Stein festival.

I was so grateful that we could do this, that we knew about it, because of Co-op Radio and the circles here in Vancouver. We decided to go, my husband and I and our daughter who was eight years old.

The thing that struck me the most was, here we were, environmentalists and mostly First Nations from Lytton, Lillooet, and Mt. Currie, and it was the first time, apparently, that a gathering like this happened in the province between environmentalist and First Nations. We had several days. There were speeches, there were circles of discussion, the feather was handed around, and this was totally new to me. I didn't know any of this kind of communication.

From the beginning on, I loved the respect that came from both sides. Everybody wanted to be there and wanted this logging not to happen. And it was slow. It was a tempo that in the urban life that you don't get very much.

I had my tape recorder, I was already into composing with environmental sounds, so I brought my recorder to document things. There was drumming, First Nations singing, folk songs, improvisation, all sorts of music – always around fires – and it was beautiful.

The slowness of it, the acceptance, and being up there in that beautiful environment was spectacular.

I came here in 1968, but this was really new to me. We did go hiking, we did go into the mountains, but to do this was to meet a new culture properly, in a place where the First Nations really feel at home.

The thing that was most astonishing to me were the speeches that came from the First Nations, because they were also slow. I was surprised by the long silences in the speeches. What I began to understand then was this thing about, "speaking from the heart."

The way I understand it, the way I understood it then, was that you allow the silence in order to connect with your heart, and when you then hear those words in your heart, then you can speak them, and you allow for that time.

Coming from Germany, that was, like… we interrupt each other all the time. And I suddenly thought, *wow, how do you know when you have connected to your heart enough so then you can speak?* And that was a beautiful way of experiencing it.

I've often thought about it, and I've often spoken about it too, since then, because I used to teach about sound and soundscape, and voice and speaking, and how we sound, and I would often bring that example.

I think there is a courage in the face of modern society, the way it is right now, let's say in the urban environment, to have the guts to shut up and wait until you know what you really want to say – what comes from your real heart – is very, very courageous.

I think I began to understand the silence coming from the First Nations people, from my perspective, that it is a very rich silence in the face of oppression, and in that silence is a lot of feeling and thought.

It took me a while to find out that First Nations people can also laugh a lot.

Hildegard Westerkamp, recalling the first Stein Valley festival, November 2025.

Hildi's soundscape compositions, including recordings from this event, are posted online at www. hildegard westerkamp.ca

What I began to understand then was this thing about, "speaking from the heart."

It was a very strong connecting experience for me. I realized I could really learn something there. I had to ask myself, *how could I learn to find this courage?* In the face of difficulty? To not say anything, and find the totally right words and say them when they come up?

That doesn't happen in European cultures, you know. I think more people are learning, the idea of mindfulness, but that idea of slowing down and being in touch with your environment, being in touch with the place that you're in…

I grew up with the idea that if you are silent, you are nobody, because you don't have an opinion. In Germany, we were trained in school to speak up. If you didn't, it was a weakness. You have to represent yourself, so that connection to the heart gets cut off fairly early on. As a child you already have to behave in certain ways. If you don't, you get punished.

The whole idea of consensus within Indigenous communities, is to me absolutely daring, almost scary, because you have to be able to listen to each other in ways that can be very difficult, I would think.

In the circle you have to have the trust that there will be an outcome of some kind. Sometimes there isn't, and then you have to trust that. And that's okay too. That's very deep listening.

I have never lived in that culture. I have had the good fortune of working with people, at Co-op Radio and at SFU World Soundscape Project. So my profession has led me more and more into ways of listening.

I always come back to listening. That when we do encounter each other, that we listen, and we don't immediately start talking.

So the Stein festival was one experience that stuck out for me because it was probably the environment that enabled us to listen to each other. There was nothing to interrupt us or interfere with us. There were pauses for thinking; there were opportunities to dance, to sing; to go off hiking.

To me it always comes down to that: if we actually have the right conditions for listening, then we can actually dare to open our perceptions towards each other.

Lillooet Lake Roadblock, 1975

when DFO officers raided the Elders' fishing spot

and cut their nets to protect a commercial Chinook hatchery that supplied Birkenhead stock to fish farms around the world.

The scene on Lillooet Lake Road at Grandmother Slough, July 1975. Photo from a flyer made at the time to promote the causes raised by the blockade, archived online at the riseupfeministarchive.

Alvin Nelson, Wenemqen of Tilalus, spoke to AQ about his memories of the 1975 roadblock.

Alvin – Yanna, La, and Pilasi were fishing at the lake. By that time, MaMa was already staying home, she was older – in her 80s, she's Yanna's mother. I think Kween and Victor Frank's wife were there too.

The DFO just showed up. They came up one day to have a look around, went back to Squamish, and then they came back. They didn't even bring their own boats, they used our fishing boats to go out on the lake and drag those ladies' nets in to shore. They had police dogs with them, and the ladies were scared of them because they look vicious and they act like they're going to bite, so that's how they kept the ladies from interfering to get their nets back.

The fisheries guys cut up their nets right there in front of them. At that same time, there was a spiritual gathering happening in Mt. Currie. Quite a few of our spiritual leaders were meeting. Thomas Banyaka from Hopi was here, he wanted to talk to our people about staying peaceful.

Us young guys were working for them, we had been awake for how many days already – we had built an arbor for the gathering: cut the trees, peeled them, dug them in and put them up, everything – and this is what was going on when we got the news about what the fisheries did to those ladies.

The ladies sent a message back to Mt. Currie, and that's where we were when we heard the news, at that spiritual gathering, half way between Mt. Currie and the Lake.

They all talked about what to do. I remember they were saying, *enough is enough*. They were saying, "We have to do something about that, that's not right, what they're doing to the old people."

So people were discussing it, *what should we do?* And they figured, *let's block the road: they'll feel that, because they get so much money from taking our logs out*.

I think we actually blocked it right then and there where we were, because later we had to move the blockade down the road towards Mt. Currie, to John Williams' place, and we put it up there. That way, the Rancherie Street would still be open for our people to get down to the lake. So we moved the blockade over to Grandmother Slough.

We knew that we were going to have a backlash. There were more people logging then.

I was quite young, sixteen years old, but old enough to know what I was doing. I went over to see what I could do to help, and they told me and Darryl that we could be on patrol – check out everything between the blockade all the way down to the lake, see who was on the move.

We were on bikes, on foot, and sometimes on horseback.

We just had some tourists who were trying to throw their weight around. We were there to let them know they should turn around and go back to Lillooet, because they wouldn't be able to get through the blockade. Some guys wanted to threaten us.

This one guy got pretty aggressive. He was camped right on the reserve, on the side of the road, so we went and told him he would have to get moving. He was swearing at us, threatening me.

That was the only one who gave us trouble, everyone else just got up and left when we told them what was going on.

For a while I was stationed at the bridge at Joffre Creek, and it was my job to stop anybody coming through, but let all the people from Skookumchuck go through.

When we first set up the roadblock, these two strangers came around. They were from the States, they were trying to give us guns,

DFO officers used the Elders' own boats to retrieve their nets, haul them back to shore, and cut them in half. They brought police dogs to protect themselves from the elderly ladies fishing there. Photo: Michael Smith Sr.

and big guns: M-16s and 81mm mortars, all these weapons.

Kenny sent me to John William's house to tell him about these guys who said they wanted to "help us on the blockade."

I went to John's house. John was having a coffee there, smoking a cigarette. He looked at me really seriously and he said, "So they really want to help us? Tell them we don't need any guns. We don't need any weapons. Tell them, if they want to help us, they can stand on the road just like anybody else."

So I went back and I told Kenny and Arnold what John said. So they turned to those guys and told them, they could stand on the road and get arrested like anyone else, and when they heard that they took off.

John was clear that we were not going to be violent about what we were doing.

If we had taken those guns, the police would have squashed us. It was all a plant. They were trying to get us to be a violent operation so the police could come in with the Emergency Response Team – well, they always do anyway – but it could have been even worse, if we had those guns they could have done something really drastic. They knew we were non-violent. They were trying to set us up for violence.

It was much later when that same guy appeared again in Puyallup, when they were trying to assassinate Robert Satiahcum.

At that time, our people were acting on behalf of the Elders who were abused by the fisheries officers.

I remember Yanna talking about it later, saying that no one can interfere with our fishing.

The problem there, the reason they were cutting off our fishery, was that the federal government was extracting our Birkenhead Spring salmon.

They would harvest the salmon and take them to a hatchery they built at the old swing bridge, with water coming from a spring there.

The hatchery was just off the reserve, towards D'Arcy, just below Dave Walker's gravel pit. At that time they called it the Government gravel pit. They took all that out, the hill is completely gone.

They would hatch the fry, truck them out. Sometimes they would fly them out, and send them to Tofino where they had a net-pen fishery. They sent them to South America, quite a few places, and they were taking a lot.

It wasn't about saving the salmon, it was about their hatchery and export program.

After the blockade, they tried to set up a restriction that we could only take 25 spring salmon for the whole reserve. Everybody rejected that, my dad, everyone. So it never held its ground.

At a later date, when I was involved in the fisheries, they still tried to tell us to stop fishing. But we still told them our people won't relate to you, telling us how many fish we can catch.

We'll decide that, because we're fishing for food.

We saw the catch charts, the west coast charts, and we could see that all the native fisheries – including Chilliwack, including all up and down the coast – our catch didn't even make up one line on the chart. Jim Pattison, who was leasing out fishing boats, his fleet's catch made up six or seven lines on the catch chart.

The private fishery made up about one line, what they call the recreational fishery now. About the same amount as all our Native food fisheries. Back then we caught a lot of fish!

The commercial fishery took up fifteen lines.

Ken Dennis joined our blockade, he had just come all the way from Arizona. There were about 50 of us there when he showed up, and it was really important because we were getting support from outside now. George Abbott and Derek Wilson came and joined the blockade; stayed for months. Jerry Jack and his group from Gold River.

When Jerry came, I happened to be at John's house and I went to go sleep in the tent. They were talking and drumming away at the fire there outside John's house. For some reason I looked out of the tent, and over at the river side I saw a stump. All of a sudden it was coming towards me. I realized the stump had no legs, but it was coming towards me. It got within 20 or 30 feet of me, and I realized it was not a stump. It was a Big Foot. I got really spooked and I ducked back into my tent.

Within a couple seconds, it came

**One incident
was when one of the kids
was shooting his pellet gun,
well he was pointing it.**

A news reporter from way across the other side of the blockade took a picture of that.

**They kind of faded his face,
they showed him pointing the gun,
but it was just a little kid
shooting a pellet gun.
They were already using the news to make it look like our people were vigilantes.**

Now even white man's cash is no good

Armed man sits with companions in camp set up 30 feet from blockade of road leading through Mount Currie reserve near Pemberton, 80 miles north of Vancouver. Indians conducting blockade decided Friday not to let anyone through, not even for toll charge, which was $30 for vehicle and $5 for anyone on foot. Blockade was triggered by fisheries officers' seizure of band's food-fishing nets.

Front page of The Daily Colonist*, June 21, 1975. This is the only image the newspaper printed in relation to the blockade.*

up from the river towards their fire. Everybody there ran back, except Jerry, and he said, "Hey hey, don't worry it's not going to hurt you guys! It's probably just here to support us." He was saying that, "It's okay, be calm," and then he started that song, and then everyone joined in with that. He had good singers with him.

After they started singing I ran into John's house. I grabbed a cup of coffee and sat at the table. The woman sitting there, she looked at me and asked, "are you okay?" And I just blurted, "Yeah I think I'm okay but I just saw a Big Foot out there." John was sitting there, he just smiled at me, he didn't think anything of it. I remember him saying before, they look after us. In a sense. It was amazing that it came when we were having big trouble here.

One incident on the blockade itself was when one of the kids was shooting his pellet gun. A news reporter from way across the other side of the blockade took a picture of that.

That young guy was well behind the blockade, he was playing around.

For the news hour, they used that photo and kind of faded his face, they showed him pointing the gun, but it was just a little kid shooting a pellet gun at a target. So at that time, they were already using the news to make it look like our people were vigilantes.

But our people were passive. Probably too passive.

A lot of those older people were

standing on the road, on the side of the road, but the cops wouldn't arrest them.

I got arrested, along with everyone else, and I was thrown in the Pemberton jail, along with Lloyd and Hector Andrew, Fritz was in our cell. Ten of us to a cell, two cells. They took everyone else to Squamish, and they let the Elders and women and kids go.

Johnny was there too. He had a tiny little pocket knife on him, and when they were arresting him they found it and they roughed him up pretty good, threw him on the ground. They were trying to ask him questions about his knife, and he just said, "Well I think almost every kid has a pocket knife." They were trying to say it was a weapon, manhandling him. He must have been about the same age as me. And he just laughed.

The police were pretty rough. I guess it hasn't changed a lot in fifty years. They're more cautious about how they do things now, they try not to get caught on camera.

They're still taking our gold and timber. The homesteaders took over all our land and now they're building a new city right next to us, and our people are still poor. They try to keep a few of our people happy, like with jobs. It would be better if they didn't have jobs – maybe they would fight for their land more – that's what I think.

We were just at a meeting last week and my uncle came over to me, said, "I think we heard this same presentation fifty years ago."

At the head of Lillooet Lake was a deep, slow area where the returning salmon funneled into the Birkenhead River. With a long pebble beach beside it and sloping forest beyond that, it has always been home to a spring, summer and fall fish camp for the Lil'wat People. Since 1975, unregulated clear-cut logging in the headwaters has caused sediment to completely fill that spot where nets were set.

Líl'wat Roadblock 1975

Wenemqen,
Alvin Nelson, reporting to the Special Rapporteur on the Rights of Indigenous Peoples, October 2013, during his official visit to Canada

50 year old Editorial remains "evergreen" in BC

Time to grasp the nettle

THE PUBLIC'S PATIENCE both with the Indians blocking roads and with a government unwilling or unable to put a stop to this nonsense is wearing very thin. And so is the sympathy many people had with the Indians' contention that they have been victimized in various ways ever since the Hudson's Bay Company established the first British colony here.

Indian leaders are well aware, even if some of the members of their bands are not, that defiance of the law invites punishment.

Blocking of highways and the demand for tolls are bad enough, but when firearms are part of the charade, even if they are only "props" on the stage, the situation assumes ugly and menacing dimensions. The Indians apparently have taken care to let authority, as well as the general public, know that they have weapons at the site of roadblocks. The inference must be that they are prepared to use them.

Attorney-General Alex Macdonald urged everyone close to the Gold River and Pemberton scenes of crisis "to recognize their responsibilities within the frame-work of the law. He is warning against violence.

But although he was aware of the statement of Mary Williams, a spokesman for the Mount Currie Indians who were involved in the Pemberton incident, that some of the band had guns at the roadblock, he would make no comment upon it.

He did say, however, that people have been charged as much as $25 to pass the barricades. "This is a criminal offence," he said. "And it has to stop."

Indeed it does. This is extortion and anyone convicted of the crime can suffer imprisonment for up to 14 years. The Criminal Code is clear on that point.

Sooner or later, unless the bands are prepared to take their grievances to the courts and seek redress and compensation by lawful process, and to abandon the use of threat and force they will precipitate a confrontation either with the police or outraged whites. Maybe that is what some of them want. Maybe they accept the old and specious argument that the end justifies the means.

Whatever may have been the wrongs suffered by the Indian population in the past, the provincial government has recently shown a disposition to make reasonable amends. But it should make clear, for the sake of the Indians themselves as much as for the peace of mind of the rest of the people, that negotiation cannot be secured by threat and mischief-making.

A firm stand now will make for better understanding in the future. It will also diminish the risk of violence at a later date. As at Pemberton and Gold River, Mr. Macdonald should grasp the nettle if illegal acts continue.

"What we're trying to do is get public support to pressure the BC government into a just land claims settlement with BC Indians.

But what has happened so far is that the public gets manipulated into believing that Indians are becoming a threat to their well-being. Then the Indians end up fighting among themselves about methods being used to fight for land claims."

- Richard Watts, Letters, "Indian 'Situation'," *Ha-SHILTH-sa,* September 1975.

There were at least seven blockades and occupations in June-July, 1975. None of the issues are resolved yet.

20 Indians plead not guilty

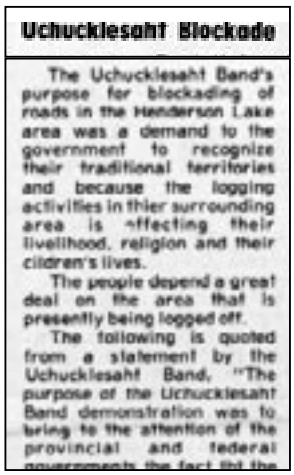
GOLD RIVER — Twenty Indians pleaded not guilty in provincial court here Wednesday on charges of obstructing a highway.

The case was adjourned until Sept. 15.

The 20 were arrested Saturday when RCMP cleared a six-day-old roadblock which had been erected across the road between Gold River and a local pulp mill and Mucha-

Indians agr to lift blocka

PRINCE GEORGE The Stuart-Trembleur band agreed Monday move its blockade of Railway's Dease Lake sion if provincial gove and railway officials band members befor 23 to negotiate a land ment.



Uchucklesaht Blockade

The Uchucklesaht Band's purpose for blockading of roads in the Henderson Lake area was a demand to the government to recognize their traditional territories and because the logging activities in thier surrounding area is affecting their livelihood, religion and their children's lives.

The people depend a great deal on the area that is presently being logged off.

The following is quoted from a statement by the Uchucklesaht Band. "The purpose of the Uchucklesaht Band demonstration was to bring to the attention of the provincial and federal

Uncelebrated issues in *Sparrow*

the landmark 1990 fishing case

35 years later, the *Sparrow* test for "justifiable infringement of Aboriginal rights" has left the federal Department of Fisheries and Oceans in charge of "conservation."

Musqueam fisherman Ronald Sparrow was charged with fishing using methods prohibited by the *Fisheries Act* in 1984.

The Band supported his defense, denying the right of the federal government to interfere.

The decision that resulted was, in some ways, unexpected. The judge took license in adding commentary which has later been interpreted by courts and government as legal principle:

"It is worth recalling that while British policy towards the native population was based on respect for their right to occupy their traditional lands, a proposition to which the Royal Proclamation of 1763 bears witness, there was never any doubt that sovereignty and legislative power, and indeed, the underlying title to such lands vested in the crown."

Dixon, CJ, Supreme Court of Canada

Chief Joe Matthias

THAT DAY IN COURT

From the minutes of the
BC Aboriginal Peoples
Fisheries Commission
General Assembly

October 18-19, 1986

Chief Joe Mathias,
Squamish:

I would like to raise a number of points leading up to the main concerns I have with the Federal Government of Canada, the Department of Justice and the BC Indian Food Fish situation.

If we went around this table we would be well aware of the various charges being laid by Fisheries under their regulations regarding our food fishery. I think everyone around the table has someone in their Band or Tribal Council who is affected by enforcement provisions of the Fisheries officers.

In discussion with our lawyers we have become aware that the Department of Justice has set aside a team of lawyers whose sole objective in life is to handle food fishery cases in British Columbia and other parts of Canada, mainly the Maritimes.

This raises some concern to me as I view that as a particular tactic to define food fishery rights through court decisions, picking and choosing the best legal cases in favour of the Federal Crown that support Fishery Regulations and keeps moving those cases upwards until we get a final determination, say the Supreme Court of Canada level.

I am becoming more aware of this kind of attitude that I'm talking about on a national level because the cases in the Maritimes are as numerous as those cropping up here in B.C.

Coming to B.C., Squamish Band with our bylaw #10, although we have through a number of decisions successfully defended that bylaw establishing our jurisdiction and ousted Fisheries' jurisdiction, they still insist on coming on the Reserve and finding ways of laying charges and developing legal arguments that give the whole situation a different slant and in some cases they pursue it and in others they dropped or stayed the charges.
…we look at the bylaws as a shield to oust the Federal regulations from our territory.

This past five or six months we have juggled four or five different cases ourselves, one case was finally dropped by the Justice Department with no reason given. They spent a lot of time and effort with us, putting a case together.

Basically, what they were saying was that the rivers going through a Reserve, the bed of the river belongs to the Province of British Columbia therefore, Provincial jurisdiction applies.

What they were trying to argue legally was that the Highways Act of B.C. - where a public route was used for public use, that would be deemed public highway - trying to argue that rivers were public and that they qualified as public highways under the Highways Act and therefore became Provincial Crown Land under Provincial jurisdiction, and these are rivers going through our Reserves. And in that way overturn our bylaw, the Federal Application of Squamish Bylaw, this was an argument with the Province as well as the Department of Justice. Very similar to foreshore problems, whether under federal or provincial jurisdiction.

We were prepared to go to court and prove that they were wrong.

The reason I am explaining this is that this is the type of technique I see Justice Department developing, trying to come down with various unique legal arguments to overturn or to strike down or erode our fishing rights. They eventually dropped that case.

This past two months there are 54 charges being laid in the Sto:lo area…

The concern I am having here is the strategy that, although I can't put a finger on it and say, there definitely is a legal strategy to erode our rights through the Courts system, that is what I feel about the whole process.

There are a couple of cases we should discuss today… the Sparrow case. This is a case where Sparrow was convicted a few years ago and now being appealed. The case is that the food fishing rights have been extinguished, in fact Aboriginal Rights have been extinguished and that the word "existing" in Section 35 (of the 1982 Canada Constitution Act) does not protect Aboriginal Rights.

There are further problems, the appeal is going ahead and the concern that some of us have in regards to the Sparrow case was their lawyers appear to have made a concession or admission in their factum regarding their argument. The argument of overturning the conviction.

They (Sparrow's lawyers) appear to say that Federal fisheries regulations and legislation when concerning conservation will overturn and override Indian Food Fishery Rights, in other words, Aboriginal Rights.

So this is not only a Federal Fishery Regulation regarding Food Fishery but regulations pertaining to land, Reserve land for example.

The government's case is that the food fishing rights have been extinguished, in fact Aboriginal Rights have been extinguished, and that the word "existing" in Section 35 does not protect Aboriginal Rights.

...our position has been that, within our Reserves, eventually through land claims our traditional lands, we maintain absolute authority within our sphere of jurisdiction. Provincial and federal regulations cannot make any inroads, they may conflict, they may overlap, but we maintain that traditional position.

…The danger of court action is always that we run the risk of losing.

Given that background, what we have is the fine cutting-edge of fishery in the Sparrow case in front, and we have a number of other cases in B.C. moving for-

There are further problems. Sparrow's lawyers appear to say that Federal fisheries regulations and legislation, when concerning conservation, will overturn and override Indian Food Fishery Rights, in other words, Aboriginal Rights.

The problem with conservation is what our argument with government has been all along.

ward: we have the Sto:lo situation and we also now have the Gitksan situation, where its bylaw addresses both Reserve control as well as traditional land control over the fishery, so that is going to be tested.

That's how I perceive the Department of Justice and the Federal Government's legal strategy on one front; on the other front we sit, we talk, we consult, and we meet on developing policy with Siddon and McKnight as a diversion.

We are constantly trying to get policy changed in our favour; gain more control. We control policy, we control management. As we are doing that with policy, they are proceeding with money and their lawyers which is unlimited to determine our rights through the Court system.

The concern is that it is a global issue, so we have met with the Musqueam Council and their legal advisors along with Sto:lo and their lawyers. We were assured that there was no concession that Federal regulation would override our fishing rights, that there was not an admission to that, and that it was a fallback position and in fact they were arguing in the appeal that fishing rights is an absolute right not subject to anything except pure form standing alone. In case they didn't win that argument and only in the narrow area of conservation will Federal legislation override fishing rights.

The problem with conservation is that is what our argument has been on a policy level with government all along and they are always maintaining that Fisheries Department is the only authority in the world that decides what is good for conservation. If they win on that point the implications are far reaching that Indian food fishery can always be undercut for conservation purposes on their arbitrary say. That is my gist of the legal implications of that case.

The other concern is the provincial involvement that regulation can undermine our rights on land.

When we met we were hoping that they would amend their argument but, even if they wanted to, they couldn't, because it was submitted in their factum. Because it was submitted in their factum the Department of Justice has responded and agreed with it, the provincial government has come aboard and agreed with it also.

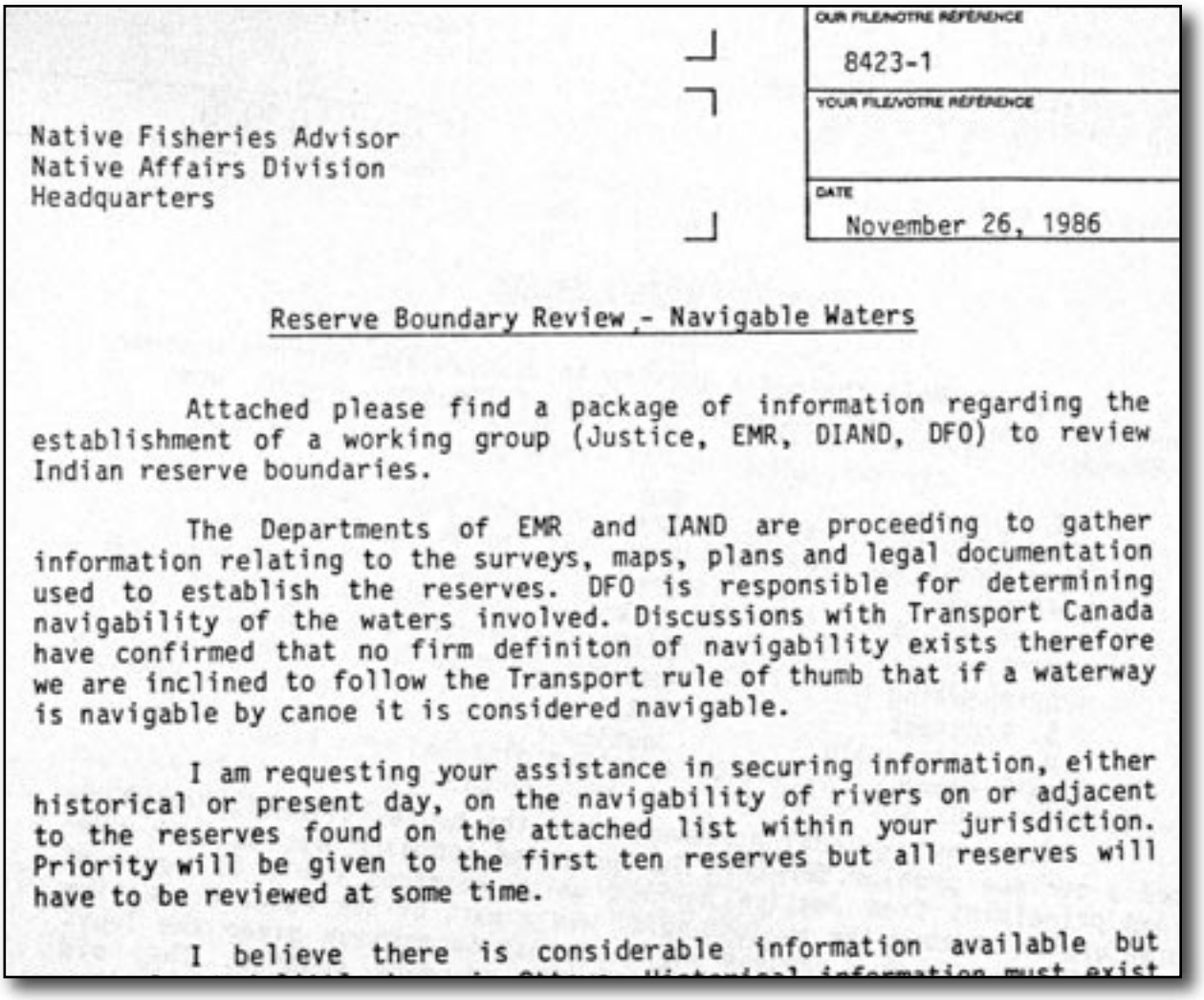
We were assured by the Musqueam Council that their intention was not to undermine or hurt or destroy Fishing rights for B.C. Indians.

I take that as their sincere belief, however, I bring it to your attention because I have discussed with Chairman of the Nuu-Chah-Nulth Tribal Council and have discussed with Squamish, we haven't discussed it further with the Sto:lo people but there is room here for intervention.

Motion #86-17, BCAPFC
Moved by Earl Smith,
Seconded by Rod Robinson
THAT the B.C. Aboriginal Peoples' Fisheries Commission intervene in the Sparrow Case.

The 1986 *Sparrow* decision, in BC courts, led to an annual allocation of 500,000 Fraser sockeye to First Nations.

While that allocation was later thrown out, it also led to a flurry of federal government activity, involving the DIA, Ministers of Justice, Attorney General, DFO, Transportation, and others, in an attempt to break up on-reserve Native fishing bylaws.



OUR FILE/NOTRE RÉFÉRENCE
8423-1

YOUR FILE/VOTRE RÉFÉRENCE

DATE
November 26, 1986

Native Fisheries Advisor
Native Affairs Division
Headquarters

Reserve Boundary Review - Navigable Waters

Attached please find a package of information regarding the establishment of a working group (Justice, EMR, DIAND, DFO) to review Indian reserve boundaries.

The Departments of EMR and IAND are proceeding to gather information relating to the surveys, maps, plans and legal documentation used to establish the reserves. DFO is responsible for determining navigability of the waters involved. Discussions with Transport Canada have confirmed that no firm definiton of navigability exists therefore we are inclined to follow the Transport rule of thumb that if a waterway is navigable by canoe it is considered navigable.

I am requesting your assistance in securing information, either historical or present day, on the navigability of rivers on or adjacent to the reserves found on the attached list within your jurisdiction. Priority will be given to the first ten reserves but all reserves will have to be reviewed at some time.

I believe there is considerable information available but

Detail from one of dozens of memos and inter-departmental communications which resulted in the federal suspension of on-reserve fishing bylaws.
See the entire chain of letters on thewestwasntwon.com, the online archive project.

After the 1986 decision, BC's commercial fishing fleet went to court on a Charter challenge.

The Pacific Fishermen's Defence Alliance went to BC's Supreme Court, asking for an injunction to stop DFO from implementing the 500,000 sockeye allocation to the Native food fishery. The Defence Alliance also tried and failed to stop a favourable fishing allocation to the Nisga'a in their comprehensive claims negotiations with the federal government.

The 1986 decision established the Native food fishery priority as second only to conservation. It recognized the Musqueam right to fish for "cultural" and "social" needs.

The Defence Alliance joined the BC provincial government to fight the *Sparrow* decision to the Supreme Court of Canada.

Introducing *Archive Quarterly*

Journal of *the west wasn't won* archive project.

This publication is the unexpected result of an ongoing investigation into Indigenous "roadblocks" in British Columbia.

Asking the questions, "what led up to a "stand-off" position?" and, "what has happened since then? Court case? Resolution? Conflict? Change?", the answer is that so many events contribute to the situation, amid such extensive acts of colonialism, concerning 26 distinct nations, that the result would be too long for a book; even a series of books.

That's where AQ emerges. This journal accompanies the research process as an intermittent communication; a curated cluster of materials that should be read together.

In the meantime, the collection of archival material and interviews has taken on a life of its own, both by being sought out and retrieved from forgotten places, and by being donated to the Roadblock project. The collection asks for its own rightful place, where people can access the evidence and information.

AQ is here to promote the work of keeping that history, west of the Rocky Mountains, that it should serve the positions of Indigenous Peoples today in building a self-determing and viable future.

It is also here to bring attention and support to creating a comprehensive and focused archive, and help prevent further acts of genocide by promoting education, understanding, and memory among non-native people.

With a clap of thunder for the people of the land; for the generosity and grace of the tireless indigenous instructors at the University of the Kitchen Table; with thanks to our supporters, and the hope you will benefit by and engage in this work,

Kerry Coast, editor.

In every issue:

Original sources *in Archival documents*
Touchstone essays *for context*
Related events *giving insight*
Quotes *for the ages*
Interviews *with the Elders*
Book reviews
Maps
Timelines
That Day in Court
Fact check
Anniversaries *to remember*
In print and digital copy: April, July, October, and January.

What can AQ do for you?

Online Collection

Digitization is an ongoing work in progress. As stored materials are retrieved and digitized, they are uploaded to www.thewestwasntwon.com where they are free to download. A subscription to that will help keep you advised on new entries and articles.

Deposit

The Archive Project is working to offer a safe repository for collections, original or copied. We can work together to preserve materials and digitize them, making them accessible to others.

Travelling Exhibits

Curated exhibits provide experiences of history in motion. A binder full of roadblock news clippings mimics a stop-motion film that transports the viewer along a somber narrative. Surround-displays of timeline pieces reveal the cyclical progress of relapsing affairs, particularly visible in a year-by-year diorama of the power struggle.

Research Assistance

The Archive is not publicly accessible - yet - but that's the goal! Meantime, contact AQ for more.

Special Issues

When today's news announces a change, or progress, it can be hard to put it in context. Providing detailed overviews, extra issues will focus on Aboriginal Title in the courts, the Non-Status Indian era, and Fisheries.

Take this QR key to follow, subscribe, reply, and find more archived resources:

Canada's "Strategic Words and Tactics Team"

was revealed to Native leaders by sympathetic individuals in government in the 1970s and 80s. The Team has been busy.

Canada's policy to deny "undefined Aboriginal rights" - including title - provides instead a suite of legislation which enables First Nation Band Councils to surrender their rights, in favour of rights defined by Canada.

These 'Aboriginal rights' accommodation agreements use language identical to that used by Indigenous sovereigntists throughout the last century.

Parliament has made strategic use of those common words and phrases, defining them differently in the legislation, to serve Canadian legal purposes.

Once ratified by the only First Nations authority recognized by Canada - Councils constituted by the Indian Act - implementation agreements bring Indigenous Peoples under the domestic laws of Canada, by popular vote.

The alternative to surrender is continuing denial and lawless land encroachment. As the people said in 1899, considering Treaty 8, "You can lose your land with a treaty or without one."

GLOSSARY by comparison:

"inherent right" - a birthright: a capacity which resists encroachment by virtue of its ancestral continuity.

Inherent Right Policy, Canada, 1995
"The Government of Canada recognizes the inherent right of self-government as an existing right within s. 35 of the *Constitution Act, 1982*. ...It has developed an approach to implementation that focuses on reaching practical and workable agreements on how self-government will be exercised, rather than trying to define it in abstract terms."

AFN Grand Chief Ovide Mercredi told *Macleans* magazine at the time, September 1995, that the policy "has nothing to do with the inherent right of self-government. It is entrenchment of the federal system."

International Covenant on Civil and Political Rights, 1969
Article 1. 1. All peoples have the right of self-determination.
By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Jurisdiction - The legitimate power of decision.

First Nations Jurisdiction over Education in British Columbia Act, 2006 - Definitions: "jurisdiction: the Participating First Nation's law making authority, as described in this agreement."

Archive Quarterly is brought to you by Electromagnetic Print. See inside for a full introduction in this, our second year in print. Find out about the online archive at thewestwasntwon.com

$17.63

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