

Running head: YOU'VE GOT TO PADDLE YOUR OWN CANOE

You've Got to Paddle Your Own Canoe: The effects of federal legislation on participation in, and exercising of, traditional governance while living off-reserve

by

Tsaskiy (Ron George)
Bachelor of Social Work, University of Victoria, 2006

A Thesis Submitted in Partial Fulfillment
of the Requirements for the Degree of

MASTER OF EDUCATION

in the Department of Educational Psychology and Leadership Studies

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Supervisory Committee

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Dr. Darlene Clover (Department of Educational Psychology and Leadership Studies)
Supervisor

Dr. Catherine McGregor (Department of Educational Psychology and Leadership Studies)
Committee Member

Abstract

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This project describes the challenges and impediments members of two clans experienced while growing up and living off-reserve. Members of the Gitimt'en clan and their father clan, the Likhts'amisyu, descendants of Wet'suwet'en Hereditary Chiefs Gisdawayway (Thomas George), and Tsaybaysa (Mary George) respectively, and which includes the writer, related personal experiences of living off-reserve amidst the dominant colonial culture. Approximately 70% of the total Indigenous population in Canada live off-reserve. These experiences were documented through the Wet'suwet'en hereditary system which is an oral, transparent, publicly witnessed, and ever evolving living history.

Through this project, our clan realized commonalities of experience, both positive and negative, as well as potential strategies to continue our hereditary governance system with increased efficiency and unity while we continue, through legislation, to live off-reserve. Consideration that the off-reserve population comprises approximately two thirds of the Indigenous population in Canada, and is yet to be recognized by government authorities, added legal challenges disproportionate to those of the dominant culture, and to the on-reserve population.

Research for this project involved increased contact amongst clan members. Through increased contact and discussion, we discovered methods to ensure consultation and inclusion in our hereditary system while living off-reserve. Members of the Gitimt'en clan also worked toward increased communication with the Wet'suwet'en on-reserve population, as well as with both provincial and federal government authorities.

You've got to paddle your own canoe.

While the copyright of this thesis rests with myself as the author, I declare that the Gitimt'en and Likhts'amisyu clans of the Wet'suwet'en people, descendants of Gisdayway (Thomas) and Tsebaysa (Mary) George, have inherent cultural rights and ownership of all oral histories and cultural information on the Wet'suwet'en people living off-reserve as contained in this volume, and further claim first rights to any intellectual property arising from the cultural knowledge as derived from Wet'suwet'en elders and other Wet'suwet'en cultural specialists.

I also respectfully acknowledge that the oral histories and cultural information from other Aboriginal nations that I cite in this thesis in the same manner represents the intellectual property of these respective Nations.

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Dedication

This project is dedicated to the families of Goolhat, Felix George, and Satsan, Paddy Isaac, their ancestors and progeny. We especially remember my brother and Peter's twin, Paul George, whose life was snuffed out by white supremacy all too soon; a story told all too often throughout every Indigenous community in Canada.

YOU'VE GOT TO PADDLE YOUR OWN CANOE

Chapter 1 The Journey Begins

You have to know the past to understand the present.

(Carl Sagan, 1980)

Those who cannot learn history are doomed to repeat it.

George Santayana (1905)

Purpose

As Canadian statute law recognizes approximately 30 percent of the Indigenous population as “Indians”, the purpose of this study is to document the reasons why this discrimination, non-recognition, and forced re-location, which includes the non-consensual alienation of traditional lands into Crown lands, of Wet’suwet’en hereditary Chiefs Gisdayway and Tsabaysa, and their descendants, has occurred. We descendants relate the disadvantages and impediments of being part of the remaining 70 percent of the Indigenous peoples whom reside off-reserve. This information has been documented through the Wet’suwet’en hereditary system which is an oral, transparent, publicly witnessed and ever evolving living history. This project has assessed, analyzed, and interpreted the problems of meaningful participation and inclusion in traditional Wet’suwet’en governance while living off-reserve, so as to articulate potential solutions, which includes policy, legislative and constitutional change, while also edifying on-reserve clan members who may not be aware of the little known and particular problems seen from the off-reserve lens. The ultimate purpose is to ensure consultation and inclusion in governance of the off-reserve descendants of Wet’suwet’en Hereditary Chiefs Tsabaysa and Gisdayway. This report emphasizes and reports grievances that have all happened in public and in agreements made with government. While it may seem that we are “washing our linen in public”, these grievances are public record and need voicing if there is to be resolution and reconciliation. As taxpayers all our lives, we are exercising the right of free speech and the need for human rights to be acknowledged as any citizen expects.

Explanation of Purpose

Our off-reserve Gitimt'en clan members have come to an acute crossroads where our Aboriginal rights and title has been seriously infringed upon regarding land and resource use on our traditional territories, our *Yin Tah*. Timber and minerals, grazing permits, and any number of projects have benefitted only the settler. Of late, on January, 2015, the province of British Columbia, and Canada negotiated an agreement with the Wet'suwet'en First Nation (WFN), a band of the *Indian Act*, for passage of the Liquid Natural Gas (LNG) pipeline through our Yin Tah, quite outside government and band jurisdiction. All parties overstepped their jurisdiction by signing a \$10 million agreement that is diametrically opposed to our 1997 Delgamuukw/Gisdayway Supreme Court of Canada findings that the province has no role in negotiating matters of Aboriginal and treaty rights. The band only has legal jurisdiction to their small reserves and not the vast area of the Wet'suwet'en territory they fraudulently negotiated away. Fortunately, the LNG pipeline has been halted, but not before new access roads have been built. To challenge and rectify this "agreement" our cash starved clan, with no land, resources or infrastructure to compare to that supplied by DIA to the WFN, must entertain legal avenues; a remote possibility and a daunting task that needs to be funded from our own pockets.

This study interrogates the affects Canada's colonial *Indian Act* has on the sovereign Wet'suwet'en hereditary governance rights of the descendants of Wet'suwet'en hereditary chiefs, Tsebaysa, Mary George and Gisdayway, Thomas George of the Likhts'amisyu, Fireweed and the Gitimt'en, Bear clans respectively. The participants of this study have been forcibly relocated by legislation. This colonial act, Canada's polite word for Apartheid, relegates some seventy percent of Indigenous peoples in Canada outside the legal jurisdiction of the federal government, as mandated by the *British North America Act*. Canada's *Indian Act* and concomitant racist laws and policies have negatively affected the access of the participants of this study to our 1997 Supreme Court of Canada Delgamuukw-Gisdayway recognized hereditary rights, including governance. Significantly, the International Labor Convention 169 (ILO 169) outline human rights of all Indigenous peoples worldwide, which have been denied the participants due to racist,

genocidal, laws and policy¹. We descendants have been participants in the Bah'lahts, our hereditary governance system, but our isolation from reserve communities has presented particular difficulties not encountered by Wet'suwet'en residing on reserves.

In 2007, our Wet'suwet'en Hereditary Chiefs opted out of the BC Treaty Commission process, which calls for title extinguishment. However, the Office of the Wet'suwet'en Hereditary Chiefs, a non-profit society, has since entered into illegal funding arrangements with Indian and Northern Affairs Canada, as well as with the Province of British Columbia pertaining to our Yin Tah, our clan territories. These funds, as interpreted by Indian Act policy cannot be used toward off-reserve Wet'suwet'en. This project provides historical information to posterity and our succeeding generations how colonial policy and laws forcibly relocated us off-reserve Wet'suwet'en and how adversely this has affected reproduction of our culture, language and traditions and the ability to live on and thrive from our Yin Tah.

Introduction of the participants

Our Yin Tah has been under continuous attack by federal and provincial governments and corporations, with the collusion of the Department of Indian Affairs through the exclusionary band system. For this reason, each participant agreed to participate in this project and to share their experiences with the goal of mitigating this marginalization. Our oral history, uniquely recognized by the Supreme Court of Canada in our landmark 1997 Delgamuukw-Gisdayway court case, has been used in all interviews. Our Wet'suwet'en oral history must withstand the scrutiny of all clans in our Bah'lahts, providing rigor for our collective truths. Identical questions were asked of each participant and were recorded, transcribed, and included in this project. To respect Wet'suwet'en law, each interviewee received and approved as accurate, the words transcribed, summarized, quoted, and recorded herein.

Though all participants became registered status Indians when Bill C-31 became law in 1985, all still reside off-reserve, except Gilughgun, who, after regaining her Indian Status

¹ Canada (2017) endorsed the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which contain the human rights as outlined in ILO 169. ILO 169, which Canada has refused to adopt, unlike UNDRIP, is legally enforceable.

and band membership after 1985, returned to her band of origin formerly called Broman Lake Band, since changed to the Wet'suwet'en First Nation.

The interviewees:

Gloria George, Smogilhgim, my aunt, head of our Likhts'amisyu father clan², was born at home in Hubert BC on July 24, 1942. Gloria, like her parents Mary and Thomas George, lived off-reserve all her life. Gloria remembered visits to relatives and attending our traditional governance feasts, the Bah'lahts, which were held on reserve, often under the cloak of darkness because it was illegal, to gather in groups of more than five unless it was for religious purposes, and for off-reserve peoples to be on the reserve. It was illegal to hold feasts from 1884- 1951. Gloria graduated from Smithers Senior Secondary school in 1960 and later served as Secretary Treasurer of the BC Association of Non-Status Indians in 1971, the Secretary Treasurer of the Native Council of Canada (NCC) in 1972, its Vice President in 1974, and then as its first female President from 1975-76. Gloria attended the University of Saskatchewan Native Law Program as a mature student and graduated from University of BC law school in 1989. Gloria's many accomplishments and service commissions are well documented in *Encyclopedia of BC* (2000).

Gloria was in conflict with members of another house for succession of the name Smogilthgem, belonging to the Sun house, previously occupied by her late brother Leonard George, at the time of this interview. Gloria has since become the victim of internalized colonialism³, apparently because she resides off-reserve. Gloria has been

2 ²Our governance/feast system is Matrilineal where all Witsuwet'en belong in the clan of their mothers. The clans of the fathers are always there for support and guidance during any clan business. Use of both mother and father clan territories are used by the family for survival. Significantly, since Gisdayway, Gloria's father is Gitimt'en, we other participants are her father clan too. That is why the participants of this study know both clan territories so well.

3 ³**Internalized racism/colonialism** is loosely defined as the internalization by people of racist attitudes towards members of their own ethnic group, including themselves. This can include the belief in ethnic stereotypes relating to their own group (Wikipedia). Harold Cardinal speaks of how the colonized take on the characteristics of the oppressor to the point of becoming "colonial cops," such as chief and council ensuring the band system is conducted according to DIA rules, including discriminating against their own people off reserve. Another well-known syndrome that resembles this phenomenon is the Stockholm

unable to attend meetings that conflict with her employment during weekdays without significant loss of income needed to survive off-reserve. Warner Naziel, Togistiy, not from the Sun house, has taken the name against the advice of other clan chiefs. This has become a common occurrence when a name is to be passed on as it concerns off-reserve members, particularly those not living in the territory. Many younger individuals have no problems breaching our own Wet'suwet'en laws; the prevailing attitude within the Office of the Wet'suwet'en Hereditary Chiefs, where succession protocol breaches seem to originate or are at least condoned. The issue of name stealing is still unresolved.

Rita George, Gilughgun, my aunt, Elder and Matriarch of the Gitimt'en clan. Gilughgun, daughter of Satsan, Paddy Isaac and Naquaon, Julie Isaac, grew up on the Duncan Lake Reserve. This Reserve was later renamed as the Omineka Band, then the Broman Lake Band, and is now called the Wet'suwet'en First Nation. Rita taught her children how to survive off the Yin Tah like all the other participants learned while growing up on Toodinay. Rita attended the Lejac Indian Residential School near Fraser Lake BC in 1949, 1952 and 1954-55. Rita attended public schools in Rose Lake BC and Topley BC until she had to stay home to care for her invalid mother.

Rita is proud of all her accomplishments despite the many forms of discrimination she faced in school and in public because she was "Native", as we were generally known during the fifties and sixties. Rita not only faced persecution from settler society, she also experienced internalized colonialism from her own people because she was a non-status Indian, an Illegal Indian. Rita was enfranchised upon marriage to my paternal uncle and War Veteran, Tsaybaysa, Andrew George Sr. in May 1960. They raised five children in a wood burning two-bedroom home until a United Native Nation delivered housing program included plumbing and oil heating. Rita related her experiences growing up on-reserve, living off-reserve, and finally moving back to a persecuting environment from on-reserve residents after reinstatement of her Indian and band status after 1985 Bill C-31 adoption into law. Rita is disappointed that Wet'suwet'en law has been abused in the stealing of names, and many changes in our feast system that are not right.

Gilughgun is proud that all her children are well educated with degrees in their chosen professions. Rita herself is a Certified Interpreter in Wet'suwet'en language. As a

syndrome where the prisoner allies with the oppressor.

dedicated Wet'suwet'en knowledge keeper and Elder, Rita teaches our governance structure and our culture, in the community, in schools, at the University of Northern BC, and at gatherings throughout BC and Canada.

Rita's offspring, my cousins:

Brian George, Atna, born in Smithers BC in April 1961, grew up on Toodinay learning to survive from the Yin Tah like we all did. He faced racial discrimination in school, and recounts being alienated both by the "white kids" as well as the reserve Indians, who began attending the public school after the close of residential schools. The camaraderie experienced with the local agricultural community when riding the school bus to elementary school in Telkwa soon diminished when these same bus-riding cohorts gravitated to the more discerning and bigoted "white kids" in Smithers high school. Brian was a skilled hockey player sought by hockey scouts for junior A and major junior hockey teams. Atna acquired his BA in Political Science from UBC in 1990 and has been working for the Department of Indian Affairs main office in Vancouver since 1990, remaining there while raising his family on his wife Carla's Capilano Reserve, which is linked to the Squamish Nation, in North Vancouver.

Brian worked as a summer student raising funds for the Office of the Wet'suwet'en Hereditary Chiefs when Justice Alan McEachern moved the Delgamuukw-Gisdayway Supreme Court case (further explained in *Terminology*) from Smithers to Vancouver in 1989, to enable McEachern to attend to his rose garden (Monet and Wilson 1992). The entire legal team and all Gitksan and Wet'suwet'en witnesses had to relocate to complete the court case.

Brian was to be groomed for the succession of his grandfather Gisdayway's chief title, but was unceremoniously physically pushed aside in the feast hall by his great uncle, even though his grandfather Thomas George had previously ensured Brian's succession to the name in the feast hall by providing an enormous amount of gifts and money befitting a name of such high importance. The grand uncle forced his will at the naming ceremony and instilled Alfred Joseph, who gained fame as the Gisdayway in the Delgamuukw-Gisdayway Supreme Court case. The money and goods were never repaid. Brian recalled this as being a humiliating experience for a twelve-year-old in front of all the other clans in attendance. As Gloria stated in her interview, the reserve residents seem

to take it for granted that they are truer Indians than “this runny nosed kid” who lived off reserve.

Andrew George Jr., Skit'een, is a Master Chef, a Red Seal Chef, internationally renowned for his specialty in Indigenous Feasts, and is a well-known instructor in traditional and Wet'suwet'en fusion cuisine. Andrew George Jr. was born in Smithers BC on November 11, 1963 and grew up on Toodinay. From birth until 1973 his family lived in a small house with just electricity and wood burning stoves, but no running water. While they were very poor, Andrew recalled a very happy, healthy lifestyle growing up in the traditional Wet'suwet'en system. He too experienced the same transformation of alliances when these formerly friendly farm kids gravitated toward the Smithers “white kids” upon advancing to middle and high school. After matriculating from Smithers Senior Secondary school, Andrew graduated from chef training at Vancouver Community College, after which he apprenticed for the only - at that time - Aboriginal owned Tillicum Restaurant in Vancouver, followed by further apprenticeships in high end restaurants in Vancouver, and in Whistler BC. Andrew then cooked at the Aboriginal pavilion at Expo 86, where he patented a bannock recipe, which he used in his Toodinay Grill at the Vancouver Indian Center in 1988, and at the Aboriginal pavilion at the Pacific National Exhibition from 1990-1993. Andrew contributed some of his Indigenous recipes, along with other Indigenous chefs from across Canada, to form a culinary team which won seven gold, two silver and two bronze medals at the World Culinary Olympics in Frankfurt Germany in 1984. As a master chef, Andrew participates in both youth and adult chef training programs, and often demonstrates his expertise on television cooking shows. Andrew has White House culinary diplomacy standing on behalf of the Canadian Government and is on stand-by as a chef that the Queen and the Prime Minister may call upon for his unique menu selections.

Andrew moved back home in 1994 to help his father participate in hereditary chief meetings when Andrew Sr. lost his ability to speak cogently due to a stroke. Andrew drew respect from the other Wet'suwet'en hereditary chiefs from this training and was adopted by the Casyex house when given the name Skit'een. Skit'een was seconded by the Ministry of Forests to work with the Office of the Wet'suwet'en Hereditary Chiefs (OWHC) to develop a territorial resource inventory. Andrew helped acquire funding to

establish Wet'suwet'en Enterprises (WE) which he helped develop, to carry out plans derived from the resource study. Andrew left the employ of WE because the OWHC, who despite the Delgamuukw-Gisdayway court decision based on our hereditary system, was "going in the opposite direction." Andrew stated that the bands and chiefs were empowered and persuaded by the "almighty buck" by the administration and leaders at the time who adopted DIA membership criteria, where business is still conducted behind closed doors with little or no consultation with off-reserve members.

Greg George BA, Strategic Initiatives Advisor for Alberta Indigenous Relations.

Greg, born in 1969, was raised on Toodinay and brought up in the traditional system living in close proximity to cousins from three to four uncles and aunts who provided a safe sense of community. Greg related that people thought "Georgeville" was a reserve due to the large population of the George extended family. He recalled the surrounding community trading their fresh milk, meats, and eggs for fish and other foods gathered from our lands. Greg remembered how our grandparents were regarded as pioneers of the region in terms of the developing settler economy

Due to bigoted backlash from "our court case" and financial difficulties, Greg dropped out of grade 12. He returned the following year to matriculate with a different cohort, experiencing a reduced problem with racism in class. Greg was saddened by rejection from the people with whom he grew up, the local agricultural settlers, when alliances vanished upon moving to middle and high schools in Smithers where rural whites allied with the more racist whites in Smithers schools. The attitude toward Indians by teachers caused Greg and other Indian students to be racially profiled and assigned to courses attuned to modified math and the trades programs.

When Greg was reinstated as a status Indian after 18 years as a non-status Indian, he was enrolled with the Hagwilget band. The band entitled him to education dollars that afforded a move to Victoria, later Vancouver, to pick up the math and English courses he missed from the forced enrollment into modified high school curricula. Greg's pursuit of commerce and marketing led him to the BC Institute of Technology (BCIT). He proudly participated in establishing the still existing student unions at Langara and Fraser Valley colleges. Tensions from land claim roadblocks and the Oka crisis in Kahnawake made being an Indigenous student untenable, with racism even directed at him by his

instructors. Greg had been pursuing his Masters of Business Administration. Because of this racism, the assumption that all Indians come from reserves, and that settlers are unaware that the history in the education system is faulty, allows Greg to provide his rich experience toward these truth and information gaps now that he is an instructor himself. He took particular pride in having participated in the province's 1992 research on Indigenous education, which resulted in the revelation of Indigenous people and their issues into the curriculum; resultant support systems enhancing Aboriginal attendance are now institutionalized.

Greg stated that when he attended school there were a lot of fights and racism, but now he sees "Whites and Natives are growing up and there's a good understanding of the culture". The totem pole at Smithers Secondary would not have been seen ten short years ago.

All proposals Greg helped develop, for our clan to utilize the land and resources from our Yin Tah, have been vetoed by the legal Indians. Greg finally opted for a "real job" in BC. Greg currently lives and works in Alberta as the strategic initiatives advisor for Alberta Indigenous Relations.

Corinne George, MA (History) was born in Smithers in 1970, was raised among her many cousins on Toodinay and learned to appreciate and survive off our Yin Tah. Corinne's school experience was an eager to excel endeavor which was later transferred to her pursuit of post-secondary education. Her parents once spoke to her class about our Wet'suwet'en culture and traditions, and she remembered this "unbelievable sense of pride". Corinne stated that most students were quite unfamiliar with Wet'suwet'en customs and the more complex aspects of who we are, our connections to the Yin Tah which was our connection to the Bah'lats system. As was typical of this period in history, there was minimal information about Indigenous people, as the Indigenous people studied "were eastern, the Huron and the Iroquois". She knew they were Indians, the term used at the time, and noticed that their traditions and customs were much different than Carrier people, as we were known then.

When the *Delgamuukw-Gisdayway* court case proceeded while she was in high school, Corinne became more and more marginalized while bigotry and fear from settlers increased. Corinne stated she lost her sense of identity when attending college in

Vancouver and dropped out. After several years, she returned to university in 2003.

Corinne achieved her Masters of Arts degree in History from the University of Calgary in October 2007, and then began working on her PhD in History. Due to pressures from professors who saw the world through the white lens only, Corinne has since stopped her pursuit of this degree. Experience with racism did not overshadow her determination to be seen for who she is, a Wet'suwet'en woman with a knowledge of her culture that is foundational to who she is. This foundation was driven home when she returned home to attend her father Tsebaysa's passing. Upon arrival to her mother's home in Broman Lake, she was greeted by all the other clan chiefs who were paying their respects to the big chief and war veteran. Death is where our hereditary community demonstrates the largest support and acknowledgement of our chiefs within our nation, and continues to affirm our place within this time honored hereditary governance system.

Corinne is now confident in her ability to answering complex questions and feels her role mirrors the role her father played in WWII, a bridge builder (sapper), by continued communication toward building bridges of understanding. Corinne, now the Regional Principal for the College of New Caledonia, Lakes District, is also a martial arts instructor. Corinne feels she has a very firm foundation as a Wet'suwet'en women, to be able to continue walking well in both worlds.

Rod George BA, my brother was born in Smithers in 1956 to Mabel and James George, Ees Madeek and Tsaybaysa respectively. Rod is an educator, life skills and employment counselor, landscaper, and possesses many other skills and certificates useful to his own interests and development toward community service. Rod referred to his school experience for the first three years in Telkwa as unremarkable⁴. He did not recall racism being a factor in his life until the family moved to Prince George in 1963, and he attended St. Mary Catholic School, and later Prince George College. Here he experienced the bigotry and racism so prevalent in the late sixties and early seventies, which was even more pronounced because racism toward Indians was projected by nuns, priests and Catholic staff. He recalled the daily grind of defending himself in physical and verbal confrontations from "white kids" and the "reserve kids". Rod's nickname was "Mr. Lonesome" for not fitting into the "reserve" or the "white" community.

⁴ By the time Rod began school in Telkwa, Gloria, me and his older siblings and cousins had already attuned the school population to our "Native" presence, lessening the pressure of bigotry.

Rod fondly remembers his first two years of teacher training through the Native Indian Teacher Education Program (NITEP) in Prince George, an extension of University of BC, now the University of Northern BC. Rod enjoyed and thrived on learning varied subjects: how to be a teacher, native culture, history, and courses concerning the future of native people. He was confident in his abilities and that he was meeting his goal, but upon graduating to the UBC Vancouver campus his experience became quite disappointing. He found that student counselors appeared to have little interest in his goals or his success and was rudely pushed aside when he requested guidance on course selection. Rod stated that other students from popular nations such as the Haida, or the local natives, received more attention. Students from farther north or from the Interior all agreed that these counselors “actually felt like we were wasting their time. [So I] walked away from it.” Rod left NITEP and returned to university later to obtain his BA, but found he was still not accepted for his merits and was marginalized by “white” co-workers. Rod was disappointed to find that even Indigenous employers often preferred hiring some “white” person than this non-status Indian. Despite these challenges, Rod developed into an effective employment and community counselor, among his many other areas of self-improvement such as landscaping and other non-academic skills.

Peter George, also my brother, is a Master Carver, Wet’suwet’en artist, historian, and educator in Wet’suwet’en art and culture. Peter was born in Smithers in 1960, and raised in Telkwa for three years before the family moved to Prince George in 1963. Peter was a twin until his brother Paul was killed, days before their 21st birthday, by a group of non-natives who used to go around Smithers beating up Indians. No-one was charged. Peter attended St. Mary’s Catholic School, then Prince George College, a Catholic residential school that he attended during the day. Peter recalled the nuns, priests, and brothers constantly ridiculing and putting Indians down, and condoning racism from all of the non-Native kids; “It was just a laugh, a joke for them”. Peter particularly remembered discrimination from the “reserve kids” for being a “non-status’ Indian on the “white act”. Peter was re-punished at home by our zealous residential school mother simply because he was punished at school. Peter quit school in frustration after grade 11 and entered the work force for “a day’s pay for a day’s work”, without the toxic environment he experienced at school.

While at school, Peter felt very fortunate that living off reserve allowed him to attend² potlatches, while his cohorts had to remain residents of the Prince George College. Peter realized that his aunts, uncles, and grandparents were all hereditary chiefs, so knowledge gleaned from Yin Tah teachings and attending governance events from an early age greatly benefited him when he started his Native Arts and Culture Program for the local public school district years later. He stated that many on-reserve kids having had to attend residential school for ten months of the year had limited knowledge of how their own system worked, so it was annoying to them that this off-reserve, non-status Indian knew the hereditary chief names, the songs, dances and culture. Peter continues his active work as a Master Carver, an artist, and educator in cultural programs throughout the community, schools, and at the College of New Caledonia and University of Northern BC.

Vicki George, BA (Indigenous Studies), Likhsilyu clan, was born in New Westminster, BC, February 10, 1969, to Gitimt'en father Ron George and Phyllis George (Nee Pierrero), Likhsilyu clan. Vicki recalled her and her older sister being two of the few Indigenous students in both the elementary and high schools she attended in Surrey, BC. She recalled the discomfort of being portrayed in a negative light in the school curricula, and the prevailing stereotypes of the early seventies. She fondly remembered the few understanding parents of non-Indian school friends who would include Vicki in family and other holidays. Vicki achieved her BA in Indigenous studies from UBC the same year as I acquired my BSW from UVIC in 2006. Projects on racism with her fellow Indigenous cohorts proved quite revealing and contributed to suggested education solutions in this report. Vicki produced a historical film, *Constitution Express: A people movement*, in 1980-81, most of the activists being known to her as her mother and I had worked with all the proponents. Vicki also participated in the recently released National Film Board documentary (2017) *The Road Forward*, by Marie Clements, which connects a pivotal moment in Canada's Civil Rights history – the beginnings of Indian nationalism in the 1930s – with the powerful momentum of Indigenous activism today.

Vicki recalled her childhood as relatively rich in cultural experiences with other Indigenous families through her mother's and my involvement in local BC Association of Non-Status Indians (BCANSI) political and sports communities. She recalled our off-

reserve community tailoring events that always included special activities for children³ during holidays and other celebrations. However, few of these cultural activities included her own culture and language, and exposure to her culture was limited to family events like weddings, funerals, and other special occasions where we were able to travel to our home territories. Vicki fondly recalled summer holidays when she was able to spend weeks with “crazy” cousins her age when we traveled home to harvest from our Yin Tah. The bonds she made still endure in her adulthood. She recalled the transformation from filial support and camaraderie of family and clan changing drastically to the unsheltered isolated environment she had to return home to in the city; one could call this lack of cultural safety.

Though all participants have been restored Indian status when Bill C-31 became law in 1985 all still reside off-reserve, except Gilughgun, who, after regaining her Indian Status and band membership after 1985 returned to her band of origin formally called Broman Lake Band, since changed to the Wet'suwet'en First Nation.

Questions

Wet'suwet'en oral tradition, the basis of this project, is important for transparency.

The question that guided this project was: What are the challenges and potentials confronting my off-reserve Wet'suwet'en extended family's participation in our hereditary system of governance, and what are possible solutions?

Sub-questions

- What are the impediments to participation in the Wet'suwet'en hereditary governance process while living off reserve?
- Are there any advantages to living off reserve as it relates to the Wet'suwet'en hereditary process?
- How can Wet'suwet'en traditional governance ensure that the hereditary system includes and involves its off-reserve clan members?
- Should the federal government be funding the elected Indian Act councillors to be involved in the hereditary system, i.e. the traditional feasts/potlatches/bah'lahts?
- Should the BC Treaty process mandate that the off-reserve Indian population, who are part of the Wet'suwet'en hereditary system, be involved in the negotiations of the treaties, in particular, to any deliberations dealing with each clan's traditional territories and the use of its resources and could this integrated system be constitutionalized?

N.B. In addition to answering the above questions, each participant told how experiences throughout public education and university, and the resultant racism, affected their growing up and living off-reserve; therefore, a section on Education and Racism has been added to this report.

Correcting History

The participants in this study wish to educate the public, government, academe, and in particular, the on-reserve Indigenous populations on how the divisive Indian Act affects approximately two thirds of Canada's Indigenous population who do not reside on reserves. Bands/First Nations have federally-delegated jurisdiction over Indigenous issues and lands within reserve boundaries, which in many aspects affect us Indigenous peoples living off reserves. Artificial categories of Indians, "legal Indians", or First Nations as depicted in the Indian Act 1876, are the principal cause of this and other artificial divisions within our Indigenous communities in Canada. During the BC Treaty Commission process, active in British Columbia since 1991, our off-reserve family's exclusion from consultation and consent processes has been magnified.

Though the hereditary chiefs, including participants, opted out of the BC Treaty process in 2007, the non-profit society, the Office of Wet'suwet'en Hereditary Chiefs continues to receive funding under the auspices of self-government and Wet'suwet'en constitution development, the mandate of which has been obscure and held from our off-reserve membership. We understand not dealing with on-reserve issues such as sewage, housing, water, and other such delegated matters regarding life within these enclaves held in trust by the federal government exclusively for the "status Indians" who live there. We understand that Wet'suwet'en law does not exclude us and we expect to be involved with any discussion involving our Yin Tah.

I highlight the historical legal and jurisdictional concerns revealed through these interviews with off-reserve hereditary chiefs and members of my clan, and my father clan. The information explains how Canada's Indian Act continues to affect every aspect of Indigenous lives from cradle to grave. Policies and laws devised with no consultation with Indigenous peoples continue to exclude and marginalize off-reserve peoples pertaining to discussions on resource extraction and land use by government and corporations, despite case law that dictates that government and corporations **must** consult with Indigenous **Nations**; not just with DIA controlled bands/First Nations or

their representatives. Recommendations derived from this study are made toward mitigation of this deliberate exclusion of us taxpaying Wet'suwet'en living off-reserve.

My Wet'suwet'en nation's governance system is a manifestation of our oral historical experiences, epiphanies, rituals and metaphors of our ongoing actions, including culture, land tenure, hereditary chief succession, and Aboriginal title and rights. As of this writing, our Aboriginal and treaty rights articulated in our 1997 SCC case, *Delgamuukw-Gisdayway v British Columbia* 3 S.C.R. 1010, also known as *Delgamuukw v The Queen*, when the court had affirmed our title as a distinct form of rights, have been ignored. These rights have been further strengthened by the *T'silhqot'in* SCC case (2014). In this landmark case, the high court provided the first expansive test for the existence of Aboriginal title to specific tracts of land, *T'silhqot'in* land. The unanimous decision ended a twenty-five-year legal odyssey and set a historical precedent affecting resource rights. It only took 150 years of endless appeals to force governments to comply with the terms of the Royal Proclamation of 1763.

There are significant benefits to the hereditary system, including territorial resource use, and funeral and succession ceremonies supported by the whole nation. These advantages and difficulties of living off-reserve will be the focus of this report in edifying fellow Wet'suwet'en members, as well as the public, of our plight in the hope of resolving the systemic and other barriers to off-reserve and off-territory membership participation in our judicially acknowledged oral and ongoing history.

Background of Study

There are five clans in our Wet'suwet'en hereditary governance system: *C'ilhls'ekhyu*, *Likhsilyu*, *Tsayu*, *Likhts'amisyu*, and the *Gitimt'en*. This study deals with the *Gitimt'en*, Bear clan, as well as our *Likhts'amisyu*, Fireweed father clan member Gloria George.

My paternal Grandmother, Mary George, *Tsaybaysa*, (February 29, 1900 – October 1981), while she scraped, stretched and tanned animal hides she used to sew and bead clothing, and as she gathered, processed and stored traditional foods for trade and sale, manifested this piece of advice: "You've got to paddle your own canoe." This quote has sustained us participants throughout our lives. Grandmother *Tsaybaysa's* self-sufficient activities were possible as our family lived and grew up on one of the rare native pre-empted acreages situated off-reserve, approximately 30 miles from the nearest reserve,

Moricetown, where the Bah'lahts, our traditional governance system, was mainly carried out. However, since the passing of hereditary chiefs Gisdayway and Tsaybaysa, and in part, because of economic, educational and employment considerations, we descendants are living all over North America, and now experience impediments to "paddling our own canoes" in the traditional sense, thereby diminishing our participation in traditional governance as we did while living on Toodinay.

The land provides sustenance, traditionally through hunting, gathering and trade, and contemporarily through the cash economy, which adds to the political capital in our traditional system. Living off reserve does not mean that we cannot participate in our traditional system at all—if anything, at times the contrary holds true. All participants in this study grew up off-reserve, were trained to live off the Yin Tah, our clan territory, and attended feasts learning other clan boundaries and protocols, while our on-reserve cohorts were unfortunately attending residential schools. Moreover, with no government assistance availed us like our on-reserve counterparts, we could only rely on the bounty of our Yin Tah for survival, learning our territory intimately while manifesting our hereditary right to live off our Yin Tah.

Gisdayway and Tsaybaysa refused to move from George Ranch in Owen Lake, Biwini, on their traditional territory, to a reserve that could not provide sustenance and survival as did their Yin Tah. The Indian agent eventually followed through with his threat and enfranchised, stripped, Thomas, and therefore his wife Mary of their Indian status. They were stripped of their status because they chose to be self-sufficient. This prompted the eventual pre-emption of Toodinay, now affectionately known as "Georgeville." Henceforward, all their descendants became non-status Indians, Illegal Indians. The patriarchal Indian Act forbade non-status Indians Gisdayway and Tsaybaysa, and family to visit relatives, extended family and community on Hagwilget and Moricetown reserves near Hazelton and Smithers BC respectively. The effects of bigoted Catholicism, the brief stay of my father and his siblings in residential school prior to loss of Indian status, all hindered continued reproduction of our language and culture, and our ability to participate fully in our culture and hereditary governance. What began as simply living outside of the Wet'suwet'en reserve community within our traditional territory, has escalated to us being punished for standing on Wet'suwet'en law and remaining on our

Yin Tah, to the total exclusion from current government controlled colonial governance⁷ machinery. While it is acknowledged that on-reserve Wet'suwet'en suffer under INAC control as well, it is only they who qualify for consultation by government/INAC on Wet'suwet'en hereditary governance matters, to our exclusion. While these impediments are numerous, there are some benefits to living outside the control of the federal department of Indian Affairs, however, detriments far outnumber advantages.

Currently, my family, consisting of the Gitimt'en, Bear, Wolf clan, and my father clan, the Likhts'amisyu, Fireweed, Killer Whale and Grouse Clan, have been experiencing many challenges in carrying out important protocols dealing with succession of hereditary chieftainship titles. This study highlights these problems with the goal of mitigating impediments to allow future involvement in traditional governance of our off-reserve extended family. We hope to edify on-reserve chiefs and clan members of our apparent unknown off-reserve challenges in the hope that they will assist us to participate fully in clan business, consultation and participation in all matters regarding our land and resource issues. This study will illustrate how Indigenous Research methodology is absolutely necessary to correctly restate our thousands year old system, the history of which, until recently, has been written primarily by non-Indigenous scholars.

The Department of Indian Affairs oversees federal fiduciary obligations in the British Columbia Treaty process, as well as self-government discussions with the province of BC and the Office of Wet'suwet'en Hereditary Chiefs (OWHC). Since the federal government only recognizes their jurisdiction to the edge of Indian reserves, "Illegal" Indians fall outside Canada's fiduciary obligations as the federal government interprets section 91:24 of the BNA Act 1867. It is important to note that what some might argue is a federal interpretation is not one shared by the courts – fiduciary obligations come in all sizes – with s.35 rights trumping any fiduciary duties flowing from statute law. This causes a constitutional ambiguity that directly affects participation in hereditary and governance rights by us off-reserve Wet'suwet'en clan members, as funds acquired by OWHC can only be used by and spent for "legal Indians".

Terminology Used in Study

Delgamuukw-Gisdayway v. British Columbia, [1997] 3 SCR 1010, 1997 CanLII 302 (SCC). This project refers to this case as "our 1997 court case", or "our landmark court

decision”, the key being “our”, rather than repeat the entire title of the case. Other court⁸ cases will be referred to by using their names in entirety. Our SCC decision affirmed the existence of our Wet’suwet’en hereditary governance system and that our Aboriginal title and rights have not been extinguished. Our oral evidence was legally accepted by the courts for the first time in history. The SCC ruled that provinces had no jurisdiction in extinguishing our title and rights as claimed, and the burden was on the Crown to settle outstanding grievances.

Delgamuukw and Gisdaway are hereditary chiefs and their names were chosen by both the Gitksan and Wet’suwet’en chiefs respectively as the names to be used for purposes of the court case. The case was advanced by and speaks for ALL members and clans of both nations. Though both chiefs played significant roles in the court case, they did so in concert with all the other hereditary chiefs, so this needs to be stated as many incorrectly regard these two names as being the sole source of our collective knowledge and may have even been glorified as being the focal players, when our system regards all hereditary chiefs as our collective genius.

DIA/INAC is used to refer to the Department of Indian Affairs and/or Indian and Northern Affairs Canada which has undergone many name changes during its lifetime, but for all intents and purposes, DIA is a colloquial that is common to all Indigenous peoples in Canada, and its extinguishment and assimilation policies have never changed regardless of political taxonomy adjustments. In 2017 the word “Indigenous” replaced “Indian” in the department of Indigenous and Northern Affairs Canada, yet INAC still only recognizes “legal Indians.” The acronyms DIA and INAC are used interchangeably in this report. True to colonial practice of unilateral change, the Liberal government without consultation with Indigenous nations, even its First Nations, have recently announced a further split of this department into Crown-Indigenous Relations and Northern Affairs (CIRNA) and Indigenous Services. However, the omission of off-reserve status Indians in CIRNA and Indigenous Services policy still remains.

OWHC refers to the Office of Wet’suwet’en Hereditary Chiefs, a non-profit society wrongfully assuming jurisdiction of hereditary chiefs. OWHC does not include the off-territory participants of this study.

Aboriginal is the term used in Section 35 of the Canada Act 1982 that includes *Indian*, Inuit, and Metis. Aboriginal is thus rendered a colonial term, as the federal government limits s.35 processes to Bands. Those of us living off-reserve do not fit Ottawa's interpretation of the term Aboriginal.

Status Indians/ Legal Indians. The Indian Act defines what a band, now known as First Nations, is, and assigns status numbers to the band's members or who would be members if the Band permitted it. Status Indians living on these First Nation reserves, are now **also referred to as First Nations**. For emphasis and contextualization, I use the term **Legal Indians** interchangeably with Status Indians indicating those residing on federally owned and controlled Indian/First Nation reserves. This point is important, as government and many Indigenous people use the term First Nations to mean all Indigenous peoples, when in fact we have proven this to be untrue.

Metis defines Aboriginal peoples originating from the Red River Settlements and western Ontario with a distinct language and culture, who are represented politically by the Metis National Council. Indigenous people from the Maritimes calling themselves Metis are not recognized by the Metis National Council.

Inuit are Aboriginal peoples largely residing in the Arctic. They are recognized as a federal responsibility with no jurisdictional ambiguity that "Indian" and Metis peoples living off-reserve experience.

Indigenous, the term adopted by the ILO 169⁵, refers to original peoples subsumed and governed by a colonial regime. This term correctly and legally describes all Indigenous peoples living off reserve, and outside the "legal" jurisdiction and recognition by any government in Canada, including First Nation governments.

Enfranchised/Non-status Indians/Illegal Indians. These Indigenous off-reserve peoples, are persons Canada largely refuses to acknowledge as their federal fiduciary responsibility under Section 91:24 of the BNA Act 1867. The provinces refuse Indian

⁵ The sole international convention, ILO 169, states: "peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions"

responsibility and correctly argue that their fiduciary duties fall within Section 92 of the⁰ BNA Act. Enfranchised Indians are those who had their Indian status unilaterally removed by over a dozen different laws up to 1985. Those who were never registered were also known as non-status Indians pre-1985. There are still non-status Indians in Canada. The 2016 Census estimates 244,000 non-registered Indigenous people.

White privilege Throughout this project the phrase “White Privilege” has been used and, as anticipated, received numerous comments and a few rants; “What do you mean, White Privilege? I’m not “privileged in any way.” Peggy McIntosh refers to the term *privilege: as being a favored state, whether earned, conferred by birth, or luck*. An excerpt listing aspects of McIntosh’s “White Privilege” may be found in Appendix B.

Bill-C31 was an act to ostensibly remove sex discrimination from the Indian Act (IA) to conform to section 15 of the 1982 Charter of Rights and freedoms which forbids discrimination based on sex, among other categories such as age, religion, political affiliation etc. Bill C-31 became law as of April 17, 1985, the deadline for all statutes to come in line with Section 15. Originally, the Bill proposed to reinstate but a few categories of Indians who lost status as DIA was arguing many relinquished Indian status voluntarily. In 1984, I read the United Native Nation’s evidence to the standing committee of Indian Affairs that ALL sections of the IA were coercive and enticing, and that no one enfranchised voluntarily as they claimed. After our information revealed that Indian agents were supplied a “Brown Book” to record all those who were stripped of Indian status by zealous Indian Agents for career advancement rewards, the standing committee then ruled that there was no such thing as voluntary enfranchisement, that all sections of the act were coercive and therefore ruled that ALL Indigenous peoples may be eligible for instatement or reinstatement as status Indians into Sections 6(1) a, b, c, d, e, f or section 6(2). The act still discriminates based on gender.

Non-whites/Coloured: to contextualize these seemingly radical terms, I depict the shocking similarity between the enfranchised Indians, non-registered and off-reserve Indigenous people in Canada to those Indigenous persons in South African Apartheid who fell outside of the legal jurisdiction of their legal terms *White*, and *Natives (Blacks)*; those falling outside these two legal terms were legally known as *Coloureds*⁶, or *Non-*

⁶ This term normally referred to non-Indigenous Asians.

White. Since off-reserve taxpaying Indigenous people are unrecognized legally in Canada and are treated as such, I use the names that South African Apartheid used to legally describe their non-whites and non-Natives. Hopefully the use of these terms drive home the drastic similarity of these legally marginalized peoples from both countries (George, 2007).

General List: My Indian status card currently states that I am a *General List Indian*⁷, as I chose not to re-instate to any band. Being the president of the United Native Nations representing off-reserve peoples, I experienced a moral dilemma applying to be an Indian but did so because I was incorrectly advised at the time that I should apply so as not to affect my progeny's ability to apply for Indian status. I felt applying to be a member of a band to be a backward step by placing myself under this colonial regime. I have now been informed (February 2017) that that term ceased to exist, by law, after the passage of Bill C31 in 1985. Legally this must mean that I have not been an Indian for the last several decades. Regardless, I am still an illegal Indian. This element will be further discussed in Chapter 3, the Indian Act.

Second Generation cut-off rule: This rule still removes Indian Status from persons who are the progeny of two successive generations of status Indians marrying or having children with non-Indians or non-registered Indians. This formula is reminiscent to a dog breeding formula.

Unstated paternity. Dr. Linda Gehl's court challenge argues this rule discriminates against women and penalizes their children by denying Indian status if paternity is not declared. She argues, among other things, that this penalizes and does not accommodate women who flee endangering relationships, or those who have been raped. Apparently, the federal government feels it is too expensive to abide by the court's finding that Indigenous peoples affected by this rule be reinstated. (Gehl 2000)

Extinguishment: The history of extinguishment of title has its roots in old or historic treaties which contained the words "cede, release, surrender" of their rights, title and privileges to the lands included within the limits of that particular treaty.

⁷ There is no statutory "general list." It is an administrative list for those with no known band or multiple band affiliation from which they (mostly minors) have to make a choice of. So one may be registered, and therefore had to have had a band to which you are affiliated. I had a choice between the Hagwilget or Burns Lake bands, but chose not to affiliate with either as they were not situated on my clan territory.

Reserve: Defined by the Indian Act as "... tract of land, the legal title to which is vested in Her Majesty, that has been set apart by Her Majesty for the use and benefit of a band." A result of the definition of reserve land in the Indian Act is that reserve land cannot be privately owned by the Band or Band members.

Note: Residents on reserves do not pay property taxes as the Crown/Federal Government owns the land, not the residents. Technically Bands can raise property taxes on members, and some do so for residents on leased lands.

Internal colonialism is a notion of structural political and economic inequalities between regions or groups within a nation state.

https://en.wikipedia.org/wiki/Internal_colonialism

Internal colonialism is the way in which a country's dominant group exploits minority groups for its economic advantage. The dominant group manipulates the social institutions to suppress minorities and deny them full access to their society's benefits. Slavery is an extreme example of internal colonialism, as was the South African system of apartheid. http://www.sociologyguide.com/social_inequality_exclusion/internal-colonialism.php

Wet'suwet'en terms

Bah'lahts is the term that describes my Wet'suwet'en Nation's governance system, also known as our feast system. The frequently used Colonial term is "Potlatch."

Toodinay, meaning "*hill facing the river*", affectionately known as Georgeville is one of the few land pre-emptions⁸ used by non-status Indian hereditary chiefs to remain on their traditional territories and on which all participants in this study grew up. It is situated ten kilometers east of Smithers BC across from Hubert BC, which was to be the original location for what is now Smithers BC.

⁸ Mills (2005) states that Thomas George, my grandfather was one of four Wet'suwet'en chiefs who pre-empted land to use by Wet'suwet'en law. My aunt Gloria states that an arrangement was made to have the aunt of Thomas's wife Mary George, apply for the pre-emption of the place now known as Toodinay, a sort of mini family village where I grew up with our extended family. It is situated three miles east of Telkwa, 30 miles east of Moricetown, the nearest reserve and 50 miles east of Hagwilget, the reserve where Thomas George's family resides. Thomas and Mary have relatives on both reserves as well as throughout Wet'suwet'en territory and even as far as the Prince George area currently known as the Carrier-Sekani Tribal Council area.

Wet'suwet'en describes my Indigenous nation, which means the “People of the lower³ drainage”. The spelling “**Witsuwet'en**” has been used in the latest book by Melanie H. Morin, *Niwhts'ide'ni Hibi'it'en: The ways of our Ancestors: Witsuwet'en History and Culture Throughout the Millennia*, as linguistically correct as depicted by linguist Sharon L. Hargus. Hargus reworked the Hildebrandt writing system to suit sounds we use that are not covered in the English alphabet. Prior to this, the name Wet'suwet'en has been used throughout the court case and is otherwise widely known. As this report focuses on the pivotal Delgamuukw/Gisdayway court case, which used the “Wet'suwet'en” spelling that will be the primary spelling throughout this project.

Yin Tah: Wet'suwet'en expression depicting clan territories and resources therein. *Yin* means earth or land; when used together with *Tah*, it means “territory” and “all that is connected to the land.” It also means we have always been here, unlike other Indigenous histories describing migrations to their current homes. We also use the spelling Yinta.

About the Author

*When we walk in the Yin Tah,
We are at one with all that is part of the land,
And we breathe the dust of our ancestors*

Tsaskiy (2013)

My name is Tsaskiy, Ron George, of the Gitimt'en clan of the Wet'suwet'en Nation. The eldest of eleven children, I was born in Smithers BC on May 30, 1945 to Mabel George, Ees Madeek, of the Gitimt'en clan and James (Jimmy) Francis George, Tsaybaysa of the Likhts'amuisyu, Fireweed clan. I grew up before electricity and running water existed and we heated and cooked with wood stoves. After high school, I worked in the forest industry, then apprenticed four years to acquire my journeyman status as a Glazier in 1975. I entered politics in the early seventies when the BC Association of Non-Status Indians (BCANSI) was formed. I was the founding Vice President of the successor to BCANSI, the United Native Nations (UNN) from 1976-78. I also held the Vice President position in 1984, and was elected UNN president from 1985-1991. I was the president of the Native Council of Canada in Ottawa from November 10, 1991, until February 1994.

One of my proudest political actions was as one of the organizers for the *Constitution⁴ Express*, a grassroots movement that traveled by train from Vancouver, arriving 1000 strong in Ottawa in November 1980, and the following year I was on the advance team preparing for the European campaign. This largely self-funded movement was to promote awareness of, and protest, Prime Minister P. E. Trudeau's patriation of Canada's Constitution, which threatened, and indeed did omit, any reference to Indigenous rights. In November 1981, one hundred chiefs from the Constitution Express travelled to Europe to extend awareness of P.E. Trudeau's patriation plans. Over a two-week period, the chiefs presented at public forums, and media and university events in order to raise awareness of, and protest, Prime Minister Pierre Trudeau's plan to patriate the Canadian Constitution from England, without mention of our previous agreements and treaties recognizing sovereignty, or what are now known as Aboriginal and Treaty Rights. On November 6, 1981, while our delegation was in Paris, we learned that the first ministers actually did omit our rights in the proposed constitution at a meeting in Victoria BC. As a result of this primarily self-funded grassroots movement, England eventually forced Canada to include Indigenous peoples in Section 35 of the Canada Act 1982 (Manuel, Art, 2015).

To honour the 45th Anniversary of D-Day, as president of the United Native Nations in BC, I initiated a pilgrimage for Aboriginal Vets to travel the *Maple Leaf Up, Maple Leaf Down* route that the Canadian Forces travelled during WWII. Along with the WWII Vets, a Korean Vet also travelled with the group. Revisiting the very beach in France where Canadian troops first landed was a tearful, and spiritual awakening. The sounds of gunfire and the voices of fallen comrades and relatives haunted the vets as a spontaneous prayer circle manifested. The feeling of standing on this beach and hearing of the soldiers' experience, two of the Vets being my uncles, stays with me to this day. Our journey resulted in a Senate Standing Committee that awarded redress for Aboriginal vets of both WWII and Korea, to finally acknowledge their heroic efforts. The Vets had not received any benefits, such as land, education, and assistance in business, as did their white comrades. These benefits were not awarded previously as the Aboriginal veterans were not considered Canadian citizens until 1960. However, **Canada reaffirmed their**

apartheid policy in 2002 by only awarding \$20,000 for status Indian veterans only,⁵
and nothing for the non-status and Metis war veterans.

Another proud moment was when I was one of four national Indigenous leaders to negotiate the inherent right of Aboriginal peoples in Canada to govern themselves as one of three orders of governments in Canada for ALL Aboriginal peoples wherever we lived, in the unanimously agreed 1992 Charlottetown Accord.

As president of the United Native Nations, I continued my support of the Veterans by petitioning both provincial and federal government to permit the laying of wreaths to honour Aboriginal Veterans during the Remembrance Ceremony at the cenotaphs each November 11th. Previously, Aboriginal Veterans were not permitted to lay wreaths until after the completion of the Remembrance Ceremony and all delegates had left the site. I felt honoured to observe the first person lay a wreath on behalf of Aboriginal Veterans during the ceremony in Vancouver in 1987. As president of the United Native Nations, I had arranged for placement of the first wreath to honour Aboriginal Veterans in Ottawa in 1991. Coincidentally, as I had been elected to a new post as President of the Native Council of Canada the day before, I was the one honoured to lay this first wreath in Ottawa with Elder and WWII veteran Harry Lavallee.

Through the healing I began at the Round Lake Treatment Centre (Vernon, BC) in 1998 my mental health and ongoing recovery from secondary residential school trauma, and trauma from racism, enabled me to enter Camosun College in 2002, and the University of Victoria in 2004. I achieved a Bachelor of Social Work, First Nations Specialization degree with distinction in 2006, followed by completion of the course work requirements for a Master of Arts degree in Education Psychology and Leadership Studies at the University of Victoria in 2008. I began writing my Master of Arts thesis shortly after completion of coursework in spring 2008, gathering and transcribing tapes from my interview research data. I then began my eight-year hiatus from academe due to anoxia, a brain injury due to loss of oxygen during my triple bypass heart operation in September 2008. Ninety-five percent of heart operation survivors suffer depression from 18-24 months; mine lasted 18 very long months.

My 2010 psycho-neurological assessment from anoxia revealed significant damage to my executive skill functions, retention, and cognitive abilities. This was not conducive to

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completing an MA. A rigid daily regimen of brain exercises, and two previous premature attempts to conclude this degree has brought me to the point where I can finally complete the requirements for a MEd Degree. Nausea is common for Acquired Brain Injury (ABI) sufferers, and is still a daily visitor, almost always triggered by overstimulation, especially anything related to emotions; dealing with a topic with literally no positive content was challenging enough pre-brain injury. The flickering of the computer screen increases the sensory overload I experience in daily life. Sensory overload, compounded by the inherent negativity in this subject matter causes debilitating nausea within a short time and I become unable to write, create, or move freely. I am grateful to the Creator for the support I have received in order to finally complete this degree.

I spent my elementary school years being an over-achiever in the quest for acceptance by the dominant society I was forced to live amongst because I was an enfranchised, non-status Indian. I even skipped grade three. By the time my hormones ushered in adolescence, society's racial attitude relaxed somewhat. I became known as a "good Indian"; not the savage depicted in school history books and societal racial profiling, so I became a bit more extroverted, especially when I imbibed. Paradoxically, I was very uncomfortable when I at first encountered the "drumming and singing" Indigenous community. I felt far from a "good" Indian, and not good enough to be accepted. I was reticent to dance the round dance imagining everyone was looking at the degree of my Indian-ness. Once I felt accepted and overcame my quest to be the best Indian I could, I realized how colonialism has duped us through the many divides of the Indian Act and policies. The Constitution Express was my savior in realizing the "Indigenous" heart.

I, like many of my Indigenous cohorts have, and will continue, to confront our pain in alcohol and drug treatment centers all across Canada. The anger toward my mother, family, community, and society has finally been put to rest. As I am sure my parents did, I am satisfied that I also did my best at being a parent. My older children are aware of the dysfunctional behaviours that I passed on to them and are now dealing with their own healing journeys. Grace, the mother of our twenty-one and twenty-five-year-old daughters, and I, were ever cognizant of their best interests in our co-parenting and believe we have ended the cycle of codependency with our two daughters. My five

YOU'VE GOT TO PADDLE YOUR OWN CANOE

2

grandchildren are a precious delight now that I am able to appreciate living in the moment and am more aware of what is truly important in daily life. Other facets of my political advocacy will be incorporated in discussion throughout the paper.

7

Chapter 2 Methodology

I am an Indigenous Australian deeply, passionately, and actively committed to and involved in the struggles of my people. I see this research as part of that involvement, and therefore it must be overtly political. For that I make no apologies. I want Indigenist research to contribute to that struggle by unmasking some of the overt and brutal racist oppressions, which have been and continue to be part of our reality, and also by unmasking some of its continuing and subtle forms. (Rigney, 1999).

This quotation summarizes my *raison d'être* for my involvement in decolonization efforts since 1970, for being in academia, and for creating and writing this study. The journey of growing up off-reserve and my former roles as President of the United Native Nations in BC, President of the Native Council of Canada and as participant in the Charlottetown Accord, gave me first-hand experience with the outcome of imperial and colonial dominance of Indigenous peoples and its perception by same. The more I learned in university, the more insidious the picture became.

Unmasking the continuing subtle forms of racist colonialism came clear to me yet again when the 2010 Vancouver Olympic committee, on November 28, 2007, unilaterally appropriated Indigenous motifs under the guise of governments' ostensible recognition and respect of Indigenous culture. This event recalled previous experiences by federal and provincial government leaders. United Native Nations President, Bill Wilson and I (then the Vice-president) met with Premier Bill Bennett and caucus in 1977 where the Premier immediately swivelled his chair, turning his back to us to gaze out the window throughout the 20-minute presentation. On day two of the first Aboriginal constitutional conference (1984) then Prime Minister Pierre Elliot Trudeau condescendingly asked the Elder if he was going to open every event with a prayer. The documentary *Dancing Around the Table* (1987) showed how Trudeau recited the Lord's Prayer in English and the *Gloria Patri* in French drowning out the Elder's prayer. Trudeau, his DIA minister, and Quebec Premier Rene Levesque then made a farce of the traditional, sacred, pipe ceremony. These, and many similar experiences have compelled me to document our clan members' experiences so that others may gain insight and reconciliation.

A unique basis of this project is the meticulous and transparent oral tradition of the Wet'suwet'en family members who participated in this project. This paper is both personal to all participants and valuable to Indigenous peoples who live off-reserve. The intent is to form stronger, more direct links in order to maintain and uphold the responsibility of being a hereditary chief and continuing active participation in our Bah'lahts. Writing a unified paper based on oral tradition, in combination with the academic tradition of read and research, provided many challenges in forming a narrative acknowledged and accepted as truth by both traditions.

The methods used required approval by both my University of Victoria supervisor and Smogilthgem, Gloria George, hereditary chief of my Father Clan. The letter of confirmation and permission from Gloria, and a sample of the Participant Consent form may be found in Appendix A. Once both the Hereditary Chief of my Father Clan and my University of Victoria Advisor were consulted regarding the thesis statement, explanation of purpose, and content, and permission to proceed was granted, it was time to consult with potential interviewees and ascertain their willingness to participate in the study.

Participants are all members of the George Family and direct descendants of Thomas and Mary George. All participants grew up on Toodyay. The topic and procedures were discussed with each potential adult participant prior to the start of the project. The goal was to have a diverse group, including some with familiarity with academe, a professional Indigenous artist, and hereditary chiefs. All participants had interest in the subject, knowledge of the Yin Tah, and varied off-reserve experiences with all governments including our own. Ten members agreed and signed permission forms. It was time to proceed.

Prior to the interview, each participant received a written list of the interview questions. Participants chose where and when to meet and were notified that all interviews were to be audio taped. The tapes were transcribed and given to each participant to ensure accuracy of transcription. The process required regular dialogue and verification of truth and transparency by each participant, as per Wet'suwet'en law. Data was read for determination of common themes, then divided into categories dependent upon participant response: Education, Governance, and Racism. These three areas were further analyzed and categorized into: responses, conclusions, and solutions. Regular contact

kept both the individual and the study group informed. As our hereditary system is based on transparency where all business is done in full view of our community, witnessed, and approved through strict protocols, no additional considerations were required by the academic ethics committee, especially when we averred that our information needed public exposure, rather than confidentiality. Participants had the opportunity to secede from the project at any time.

Throughout each stage of the project various forms of research methodology were employed, in particular: Indigenous research methodology, participatory action research, Indigenous epistemology, narrative inquiry, and mixed methodology.

Indigenous research methodology provided the foundation of inquiry used throughout this project. Only since the Delgamuukw-Gisdayway court case has our oral tradition been accepted as a legally acknowledged source of knowledge. Oral tradition and narrative enquiry are used throughout this project and is based on Wet'suwet'en law, which requires transparency and consensus among our clan, especially with a study of this import, to ensure rigor. There had never been a study based on our off-reserve history beyond the official recognition and testimonies with our Delgamuukw-Gisdayway court case. Grounded theory was utilized to accurately interpret participant content. Indigenous research methodology honors the elements of participatory action research (PAR) so valued by Indigenous and other marginalized communities, who appreciate being participants and owners of contemporary research as opposed to past scientific/positivist methods that had a superiority and hegemonic flavor not requiring meaningful contact with target communities.

Indigenous epistemology incorporates all Creation as part of their world. Living in harmony with our environment manifested respect for all Creation, and is the way I was brought up, with my grandparents and elders illustrating this in every facet of our survival mechanisms. Many Indigenous cultures also honour the women in their society. Wet'suwet'en is also a matriarchal society.

When the women heal, the family will heal.
When the family heals, the nations will heal
(Margaret Lavalle).

This quote from Margaret Lavalle, an Ojibway woman, represents a very old Indigenous principle (Kenny 2002, as cited in SWC, 2005, Introduction, Para. 6.), that positions women in the center of change processes concerned not only with the lives of Aboriginal women, but the lives of the entire community. It implies that Aboriginal women must bring policy into focus although their nature as women, who are the moral guardians of the society and the ones to lead initiatives for positive social change. This interpretation of the role of women in society re-positions the concept of *gender-based* policy and expands the realm of responsibility and action for Aboriginal women (SWC, 2005). As I am from a matriarchal society, I know this is so.

Smith (1999) lists 25 Indigenous projects, many of which applied to my research problem. By the very nature of the Wet'suwet'en hereditary system which is an oral, transparent, publicly witnessed, and an ever evolving living history, this project involved Smith's (1999) notions of *claiming - our rightful place* currently denied us as off-reserve peoples; *relating - testimonies* as to how our lives have evolved as current off-reserve residents; *story telling* - about our history off-reserve; *celebrating our survival* despite disruptive false and divisive government categories; *remembering* the teachings of our hereditary chief grandparents; *intervening* on our behalf in a discriminatory government driven treaty process; *revitalizing* our displaced extended family's rightful location within our hereditary system; hopefully connecting our on and off reserve members in unity through *reading, writing, representing ourselves, envisioning* a workable future; *reframing* future tribal and societal interrelationships; *returning* to our territories; *democratizing* our system to include off-reserve members; *networking, protecting, negotiating, creating, discovering and sharing* knowledge and heritage with our future generations while indigenizing academe, government and the public through our rendition of our living history.

I deem research as fodder for the emancipation of the marginalized and Aboriginal peoples, particularly for us off-reserves who occupy the infertile ground of federal and provincial policy vacuums, largely as a result of inaccurate history. As this study revealed, every impediment to participation in and involvement with ongoing Wet'suwet'en hereditary governance has been due to Canada's *Indian Act*, the model used almost identically for South African Apartheid laws and policy.

My academic journey confirmed to me that the Indigenous Research Methodology project is almost exclusively about *revising history*, as has been stated by Vine Deloria Jr. (2004). 2

Indigenous research methodology which consists of oral history, story-telling and testimonies, as well as narrative enquiry methods, included interviews of key hereditary chiefs connected to our “house/clan” business, and explored the challenges and possibilities that still affect our family’s participation in our hereditary governance system today. Coffey and Atkinson (1996) acknowledge Denzin (1989) who states that interpretive biography provides a framework with which to contextualize a narrative account, that a narrative is a temporal story of a sequence of events with a beginning, middle, and end, and a logic, that has a significance for the narrator and her audience. The history of colonialism factors greatly in the sequence of events that has divided Indigenous communities and is central to this study. Given there is limited documentation about Wet’suwet’en self-governance with its clan/house systems from an insider’s view, it is even more unlikely that the off-reserve issue has yet to be addressed in this context. The interviews conducted with house members allowed interpretation of these biographies.

Absolon and Willett (2004) acknowledge that location of self in writing and research is integral to issues of accountability and the location from which we study, write, and participate in knowledge creation (2002; Said, 1994; Tierney, 2002). They further acknowledge that as Aboriginal researchers, we write about ourselves, and position ourselves first, because the only thing we can write about is ourselves (Allen, 1998; Monture-Angus, 1995). Wet’suwet’en clan/house protocol dictates that the only issues we may discuss are those that directly affect our immediate house/clan, and any overlaps into other boundaries require strict protocol which must be observed to honour the integrity of our system. My social work training and my focus on Aboriginal research methodology and cognizance of “power over” concerns will assist others, when I self-disclose my personal bias, as well as my passion for this project so readers will appreciate my partiality and the role it plays in this historical investigation and analysis of this narrative inquiry. With my active involvement in regional, provincial, and national politics of off-reserve issues since the nineteen seventies, my self-location is key to this project.

Indigenous Research methodology uses aspects of Western methodologies to advantage, while incorporating our epistemology and hopefully adding to academe's fabric of "truths". An academic focus on indigenous research methodology might profitably include a consideration of such principles as (a) the interconnectedness of all living things, (b) the impact of motives and intentions on person and community, (c) the foundation of research as lived Indigenous experience, (d) the groundedness of theories in Indigenous epistemology, (e) the transformative nature of research, (f) the sacredness and responsibility of maintaining personal and community integrity, and (g) the recognition of languages and cultures as living processes.

Participant Interaction involved this researcher being immersed in the research setting, becoming part of the participants' world, and being directly involved in the daily life of the participants. This researcher became even more familiar with the situation and the world view of the participants, making it possible "to describe what goes on, whom or what is involved, when and where things happen, how they occur and why" (Jorgensen 1989:12 as cited by SWC, 2005, Ch. 7, Research Methods section, Para.7). As we clan and father clan members verbalized our place in our own hereditary system, which affected our extended family, we are already and have been totally immersed in researching this project.

As in true anti-oppressive and participatory action research methodology, the participants had full control over the process and the outcome, and will benefit from the findings of this research project. I have availed this report to our house/clan members, according to the dictates of our elder matriarchs and patriarchs, and to academe and government, who need to know what off-reserve needs are to be addressed.

Mixed methods research

Both qualitative and quantitative methodologies were used in Aboriginal research methods. Qualitative methodology, particularly participatory/community action research is favored in Aboriginal methodology, as it accommodates the import of the researchers' participation and allows a respect for the mental, emotional, spiritual realities of human life, the medicine wheel framework (SWC, 2005); Mihesuah and Wilson, 2004; Smith, 1999; Rigney, 1999). However, as Rigney (1999), Smith (1999), Graveline (1998), and many non-Indigenous scholars say, Western methodologies are useful, and many non-

Indigenous scholars have been beneficial to decolonization research, including the use of quantitative methods for demographic, political, and policy review purposes.

A variety of social science research methods are used herein to interpret data, but most important is the *authentication of evidence*, as historians are judged by their intelligence and honesty in their work (Krathwohl, 1993) Numbers also speak to historical understandings, as in elections, demographics, and other enlightening factors that explain and support arguments and rationales of the researcher and are “always part of an art” (Krathwohl, 1993, p. 503) Authentication of evidence through use of numbers, however, is too frequently used as unauthenticated evidence, or selective interpretation of evidence. For instance, numbers may illustrate that currently 51% of children in care of the Ministry of Child and Youth care are Aboriginal, that 70% of the Aboriginal population live off-reserve, in contrast to government only recognizing and funding the 30% of Aboriginal peoples who live on-reserve.

Delimitations

This study uses Indigenous oral tradition to document the journey and challenges of members of the George family who grew up and lived off-reserve. Oral tradition requires each family member interviewed to read and to approve their words and intent as accurately captured throughout this project.

By our Wet'suwet'en laws, a person can only speak for her/himself, not for others. Although there may be similarities of experiences, as related in this project, this is in no way representative of other off-reserve persons, or of other reserves. One's experience is one's own. In this vein, we want to emphasize that our grievances are a result of our marginalization by INAC policy. We are by no means characterizing all on-reserve peoples as perpetrators of our ostracization; **we are simply pointing out that it is the political representatives on reserve who carry out these exclusionary acts based on government racist policy.** These federally delegated political representatives are whom we refer to as colonial cops, carrying out colonial policy against their own people, naming themselves “Grand Chiefs”, and in our case, undermining our Supreme Court of Canada recognized citizenship rights through our matrilineal hereditary governance.

Chapter 3

Historical Background, Historical Context

We [citizens] give mandates and can revoke them; the stirring of public opinion can bring down governments. We personally must be accomplices to the crimes that are committed in our name, since it is within our power to stop them. We have to take responsibility for our guilt which was dormant in us, inert, foreign, and demean ourselves in order to be able to bear it . . . We are not naïve, we are dirty. Our consciences have not been disturbed, and yet they are clear. Our leaders know this full well; that is how they like us; what they want to achieve by their attentive care and well-publicized consideration, is under the pretense of a **fake ignorance**, our complicity (Sartre, 1957, p. 64)

Sartre's words speak to Spain's colonization of Morocco in 1956, but could just as easily speak to how Canada has dealt with the "Indian problem." Since first European contact, a plethora of proclamations, policies and politics has caused us, as Indigenous peoples, to be dispossessed of our land and the wealth it generates. The words and intents of these policies illustrate a conscious government strategy to promote national economic prosperity without respecting the proprietary rights of the Indigenous people, and using any and all means to accomplish the goal, including martial law.

This chapter provides the historical background and context which led to the challenges of growing up native and living off-reserve, which participants relate in chapter four. From the Doctrine of Discovery, to the British North America Act, to the Royal Commission of Aboriginal Peoples, and the Truth and Reconciliation Commission, the law of the colonialist mindset has been evident, but not seen.

Where appropriate and where clarity and explanation are required, I relate Wet'suwet'en, as well as Canadian and global historical, events relevant to this study. Statements and observations from participants contextualize a history that is unique, and likely being heard for the first time. This human-based focus must be clearly understood in order for any and all human rights violations to cease for the demographic in this study. A historical timeline pertinent to the Wet'suwet'en participants, including provincial and federal events directly relating to this study, may be found in Appendix E.

Decolonization must be a goal for which we must all strive. As Sartre states, we can no longer allow our fake ignorance to be the cause of our inertia. All Canadians must take responsibility for our complicity in what the 2016 Truth and Reconciliation (TRC) findings describe as genocide. Canada's colonial policy still keeps Indians in Canada under TOTAL control through the Indian Act from cradle to grave, quite like South African Apartheid did to the blacks for 4 decades ending in 1994 (Bolaria and Li, 1988). In order for decolonization to occur, the story of the off-reserve Indian, the Non-Whites, the Illegal Indians in Canada, must be understood. The participants in this study agree our story to be vital to future human rights recognition.

The Invisible Seventy Percent

Much has been written about the deplorable living conditions and other social maladies on Indian/First Nation reserves, describing how they are victims of colonialism. However, approximately seventy percent⁹ of the Indigenous population living off reserve receive scant recognition by media, governments, and academe. All participants were affected by the pre-1985 Indian Act enfranchisement provisions that caused thousands to be stripped of their Indian status. Thomas King (2012) in *Inconvenient Indian: A curious account of Native People in North America* explains enfranchisement; "the government could take status away from a Legal Indian, with or without consent, and replace it with Canadian citizenship (p71); this resulted in forcible removal by law from their communities, culture, language, and extended families. This relocation, tantamount to removal to a foreign country, is no less traumatic.

To contextualize this peculiar racist policy, Thomas King's (2012) explains:

In Canada, "Legal" Indians are defined by the Indian Act, a series of pronouncements and regulations, rights and prohibitions, originally struck in 1876, which has wound its snaky way along to the present day. The act itself does more than just define Legal Indians. It has been the main

⁹ Census estimates vary from 70-75%. The statistics are not vital to the purpose of this study. It is enough to know that two thirds to three quarters of the Indigenous population are victims of colonial policy. Since Canada currently ignores this large percentage of Indigenous taxpayers, they should receive the same zealous corrective world sanctions that Canada participated in to force South Africa to end apartheid. The original model for apartheid still exists as law in Canada as the Indian Act. One or two percent variance does not diminish this shameful history.

mechanism for controlling the lives and destinies of Legal Indians in Canada, and throughout the life of the act, amendments have been made to the original document to fine-tune this control (p. 70:3).

King explains further that legal Indians are those Indians who are recognized as being Indians by the Canadian and U.S. governments; “Government Indians, if you like.” In Canada, Legal Indians are officially known as Status Indians, who are registered with the federal government as Indians under the terms of the Indian Act. **They are now also known as First Nations and they now live on First Nation reserves.** Changing the names of the Department of Indian Affairs monikers does nothing to their standing in law; they are still a unilateral imposition on the Indigenous and First Nation population. A former colleague compared such name changes to merely moving the deck chairs around on the Titanic.

Certainly, in this era of *Truth and Reconciliation*, ridding this 150-year-old fallacy, that only one third of Indigenous peoples in Canada are the real “legal” Indians, is long overdue. By extension, the other two thirds of the Indigenous population must be “illegal.” This is apartheid. One’s status card must be renewed every five years for \$25 or 10 years for \$50. Does that make a status Indian living off-reserve *doubly illegal* when one’s Indian license expires?

Indigenous nations on Turtle Island, today’s Canada, existed for over thirty thousand years with holistic governance based on the medicine wheel philosophy (Appendix F), a spiritual based culture that was practiced in daily life. Our culture did not believe that man is superior, but that everything in Creation is equal, interconnected, and all inclusive. Our prayers acknowledge that ALL Creation is related, respected, and cherished. The action on this belief, we applied especially to what is now referred to as environmental policy and conservation, which provided settlers the pristine environment they “discovered”.

It has been established that our Indigenous governance system was equal to or superior to the system now in place. Within the Wet’suwet’en matriarchal governance system, the human rights of both genders are honored and respected. As shown in chapter one, both men and women participants have chief names. Our nations had a well-established economy and trade system that sustained the nations of Turtle Island for thousands of

years. In fact, the European “discoverers” were taken on guided tours along these well-established trade routes, to which they assigned European names. ⁸

A mere 500 years of white supremacist policy reduced Turtle Island and occupants, which includes all living things, to become either endangered or extinct. The world has now reached critical circumstances that require Paris climate agreements to save the planet from destruction from outright pollution and desecration. Our tried and true governance ensured that Turtle Island remained healthy and pristine. The Delgamuukw-Gisdayway court case has established our Wet’suwet’en governance system to be all inclusive, inter and intra-cultural. We recognize and honour human and other rights that ensure earth’s survival of ALL our relations seven generations hence.

Doctrine of Discovery and Manifest Destiny

Despite Canada’s diverse immigrant population today, which includes visible minorities from a diversity of races,¹⁰ the BNA Act, the original colonial model designed by two founding white Nations, French and English, is still utilized in governance through the manifestation of the Indian Act that denies human rights of off-reserve peoples by only legally recognizing on-reserve Indians. Whether citizens wish to acknowledge white supremacist actions and laws or not, these laws are still in obvious practice today.

The Doctrine of Discovery utilized the term Manifest Destiny in the United States as the original rallying cry to all white people to exercise their God-given Christian right to occupy a land through well recorded thefts of Indigenous lands. This was regarded as justified because the doctrine of discovery as it was used in Canada considered our lands “terra nullius”, empty lands. Non-Christians were not considered people and had no right to stand in the way of God-fearing superior-in-every-way Christians. Martin Luther King’s statement also applies to Canada:

Our nation was born in genocide when it embraced the doctrine that the original American, the Indian, was an inferior race. Even before there were large numbers of Negroes on our shore, the scar of racial hatred had already disfigured colonial society. From the sixteenth century

¹⁰An added continuation of this false narrative is that it is passed on to all current new Canadians without any truths referred to in this paper.

forward, blood flowed in battles over racial supremacy. We are perhaps the only nation which tried as a matter of national policy to wipe out its indigenous population. Moreover, we elevated that tragic experience into a noble crusade. Indeed, even today we have not permitted ourselves to reject or feel remorse for this shameful episode. Our literature, our films, our drama, our folklore all exalt it. Our children are still taught to respect the violence which reduced a red-skinned people of an earlier culture into a few fragmented groups herded into impoverished reservations.

(King, ML (1969). *Why we can't wait*. Boston: Beacon Press)

Blood has been flowing for our “inferior” Indigenous race since the sixteenth century and the battle over racial supremacy of which King speaks has been entrenched in the 1867 British North America Act, ensuring that the French and English founders of confederation remained dominant as races that still harbor the Indian Act. South African Apartheid ended in 1994. Canada still maintains this model for apartheid, the Indian Act, which recognizes only about 30 percent of the Indigenous population.

The noble crusade M.L. King (1969) mentioned derives from the Papal Bull of Pope Nicholas V, and issued to King Alfonso V of Portugal, the Bull Romanus Pontifex, January 8, 1455, declared war against all non-Christians throughout the world, and specifically sanctioned and promoted the conquest, colonization, and exploitation of non-Christian nations and territories. Pope Nicholas directed King Alfonso to “capture, vanquish, and subdue the Saracens, pagans, and other enemies of Christ,” to “put them into perpetual slavery,” and “to take all their possessions and property” (Davenport: 20-26). When Columbus “discovered new lands” he was following an already well-established tradition of “discovery” and conquest. Upon Columbus’s return to Europe, Pope Alexander VI issued a papal document, the Bull Inter Cetera of May 3, 1493, “Granting” to Spain – at the request of Ferdinand and Isabella – the right to conquer the lands which Columbus had already found, as well as any lands which Spain might “discover” in future. Thus, the beginnings of Manifest Destiny and the Doctrine of Discovery policy which the United Nations has since declared illegal. This superiority complex still exalts such “discoverers” as Simon Fraser, Alexander Mackenzie, Captains Cook and Vancouver, and various other thieves of Indigenous Lands and resources.

Canada's paternalistic land claims policy still requires "their" alleged inferior Indigenous nations to "extinguish" sovereign title and rights in order to settle land and resource tenures, particularly through the current BC Treaty Commission Process. Status Indian groups today, through the First Nations Summit¹¹, have agreed to this UN-outlawed extinguishment process, and speaks to the gravity of the problem which this study has addressed. **The BC Treaty Commission does not represent any of the over seventy percent of Indigenous peoples outside of "First Nation" jurisdiction, the reserves.**

Proclamations, Policies, and Politics

The Royal Proclamation of 1763 established by King George III, ostensibly to protect Indigenous peoples from settlers, outlined a **nation to nation** process of settlement that required the consent of the several Nations in Canada for possession and settlement of land. The Proclamation stated that the Indians living on these territories "should not be molested or disturbed" on their lands. The colonial part of the proclamation, the part where the doctrine of discovery still lurked, was that it gave the Crown the now outlawed right to extinguish our rights through treaties.

The British North America (BNA) was Canada's original constitution. It outlines provincial jurisdiction under Section 92. All federal jurisdiction falls under Section 91. Therein lies the jurisdiction of "Indians, and lands reserved for the Indians", Sec 91(24). When Canada patriated the constitution on April 17, 1982, the BNA act was referred to in the schedule to have continued effect within the Canada Act 1982. The Indian Act has been law since 1876, wherein Canada began keeping band lists, and they began the registration of Indians in 1951, and assigned Indian status and band numbers.

The International Labour Convention (ILO) 169 of the United Nations, a law within the 20 nation states ratifying it, recognizes the right to Indigenous peoples to exercise control over their own institutions, ways of life and economic development with the ability to maintain and develop their identities, languages and religions, within the framework of the States in which they live. The Convention guarantees Indigenous

¹¹ The First Nations Summit was formed to represent status Indians who chose to accept the extinguishment of Aboriginal title and rights process Canada has practiced since confederation, and continues to practice through the BC Treaty Commission process.

peoples the right to participate in decisions impacting their societies and territories, such¹ as natural resource extraction, while maintaining the integrity of their societies, territories, and cultures. The Convention further recognizes:

the right to Indigenous peoples to prioritize their own development needs (Article 7). The Convention calls upon the government to uphold these rights and to recognize Indigenous peoples' unique historical and socio-economic position within the state and their integral connection to their territories, and protects them against displacement. The Convention further guarantees the rights of Indigenous peoples to equal and fair employment opportunities (Articles 20-23), rights to health care (Article 25), and education (Article 27), including education in one's own language.

Canada has yet to ratify this international law. But we have been displaced and lost our integral connection to our territories from well documented thefts of lands.

Racism

Ingrained Racism

Participants found that the superior attitude was overt in their school texts regarding savage, drunken, primitive, lazy, dirty, filthy, chugs, wagon-burners, and any other name that affirmed our inferior and sorry existence in their superior "white" disgusted eyes. This is not hyperbole. Aunts Gloria, Rita, and I grew up when Heggie's Café in Smithers BC sported a "No Indians or Dogs Allowed" sign on their window. When Indians were admitted to a restaurant they were often required to pay for meals in advance as the social profile continued to reflect the dishonest untrustworthy savage. Venom eventually came out the mouths of all authoritative figures we encountered. A veneer of familiarity with close neighbours or cohorts was so often short lived when these acquaintances realized that remaining with the majority was optimal and noses would inevitably raise a few notches. Each participant has dealt with this fabricated and one-sided history, every day of their lives. Due to the apartheid laws of the Indian Act, Indigenous peoples have been denied almost every legal human right mentioned in International Labor Organization 169 (ILO 169)¹² convention to which Canada is not a signatory. We have been forcibly¹² ILO 169 shown in Appendix D outlines human rights guaranteed every Indigenous person and is reflected in the non-binding United Nations Declaration of Rights of Indigenous Persons (Appendix C).

relocated by law, away from culture, language, community, and governance, to a taxation-without-representation existence among racist thieves of our lands and human rights.

Internalized Colonialism, Internalized Racism

According to Pino (1997), Internalized Colonialism is fourth of the five stages of Colonial encounter: steady state, first encounter, colonial relationship, internalized colonialism, decolonization. (Appendix F) Pino acknowledges decolonization as inevitable; (India (1947), Libya (1951), Sudan and Morocco (1956), and Hong Kong (1997) for example. This “inevitability” is further discussed in *Truth and Reconciliation* section at the close of this chapter.

In addition to the daily experience of bigotry from “whites”, all participants relate how we have been victims of another form of internalized colonialism from legal Indians, a deliberate result of the still employed white supremacist Indian Act. Well-practiced and documented British divide and conquer colonial tactics employed earlier on the Irish, Scots, and throughout the colonies helped Canada secure our lands and resources while we “Indians” fight amongst ourselves. We have unrequested identity numbers dividing us into categories, not of our making. Each category determines whether or not the government legally recognizes us, and in turn, the government legal Indians adhere to and enforce this exclusionary practice. The result: Brown Colonist cops aiding and abetting racism. Not only does the government not want to acknowledge us, neither do our own; the victim usually being blamed for racist government law.

Comparison of apartheid in Canada and South Africa

No participants had been taught in school that South African apartheid, a practice of the British Empire, was modeled after Canada's Indian policy (Bolaria, 1988) and this document makes a case that apartheid still exists in Canada, is entrenched within the constitution, and reinforced through off reserve Aboriginal *policy vacuums*, or as a recent front line worker on Aboriginal Peoples Television Network (APTN) called it, “A policy Chasm”, at the federal, provincial and municipal levels. The recently deceased (2017) Art Manuel, in *Unsettling Canada: A national wakeup call* (2013) labels Canada's constitution, a “white supremacist” constitution. No argument here. Those who designed

their Apartheid regime in South Africa, were soundly forced by worldwide sanctions³ and boycotts of South African products, to abolish their white supremacist laws and give the Native Blacks their freedom in law. Canada, sanctimoniously and with a straight face, was front and center in upholding and encouraging these sanctions until the recalcitrant South Africans came into line. **The Model South Africa was forced to abolish in 1991 still exists in Canada. It's called the Indian Act. Apartheid....in Canada....in 2017.**

Senator Murray Sinclair iterates in a response to a *Globe and Mail* article alluding to the fact that South Africa's apartheid experience has no lessons for Canada to learn since Canada's population is a minority, whereas South Africa was the majority. Sinclair rebuts in an April 4, 2017 *Globe and Mail* posting via Facebook that Apartheid in Canada officially started with Confederation and the Indian Act as the Indigenous population outnumbered the settler population. Sinclair took particular aim at the editorial's claim that Canada was a thinly populated territory before contact.

That argument of low numbers is essential to maintain the mythological doctrines of 'terra nullius' and 'discovery.' There are several expert reports which say that the population of the Americas was higher than the population of Europe at the time of contact, and there are experts who assert, with considerable evidence, that Columbus and his conquistadors (conquerors) were responsible for the genocide of more than 20 million Indigenous people within a very short period of time. Some estimate that number as high as 90 million," wrote Sinclair. "There is no doubt that such a genocide did happen, and there can be no doubt that it was done solely for the purpose of wiping out the larger numbers of Indigenous people (thinning the population) in order to sustain the fallacy of terra nullius.

Sinclair also criticized the thrust of the editorial's argument the majority black population in South Africa versus the minority Indigenous population in Canada made it difficult to transpose the experiences of both countries:

Excuse me, but apartheid is exactly what happened here. Canada's apartheid era didn't start until Confederation, when the population of Indigenous people outside of the original confederating colonies far outnumbered Europeans. Through chicanery, lies, and duplicity (i.e. the Treaties) the government lulled the Indigenous leaders in the West into a false sense of security,

and after asserting the extension of Canada's legal jurisdiction, enacted apartheid laws over them Only after such laws were enacted was Canada able to increase the population of Europeans in the West in order to overcome the much higher Indigenous population. That apartheid system still exists, and it is what we, who are working for reconciliation, are all working to dismantle. (<http://aptnnews.ca/2017/04/04/sen-murray-sinclair-blasts-globe-and-mail-for-propagating-racist-fallacy/>. Downloaded April 5, 2017)

In aid of this dismantling of apartheid, we illegal Indians believe Canada's fiduciary responsibility, Section 91(24) of the BNA Act, *Indians and lands reserved for Indians* should be interpreted as recent courts have ruled, to apply to ALL Indigenous persons in Canada. But the federal government steadfastly disputes this phenomenon as too expensive. "First Nations" is a designation recognized by the Assembly of First Nations, who represent the chiefs of Status Indian bands in Canada, and the term is more a political designation. The federal government accepts the term First Nations and actually deems it to be synonymous to their meaning of their interpretation of a "legal Indian". A First Nation, as the Wet'suwet'en First Nation¹³, formerly the Broman Lake Band, is always understood to be a federally recognized Indian band. For all intents and purposes, the federal government's non-recognition of Indigenous peoples living off reserve, could deny their calling themselves First Nation, using this twisted logic. Nevertheless, apartheid will not be dismantled until the legal and illegal Indians are one and the same.

There is no legal definition of an off-reserve Indigenous person beyond Federal denial of their existence. *Enfranchised* is the legal definition of the action or effect. i.e. My aunt Rita George, Gilughgun was enfranchised from marriage to my enfranchised Uncle Tsaybaysa because of the infamous Sec. 12.1.b. of the pre-1985 Indian Act. When "legal Indian" women married a non-Indian or non-status or Metis Indigenous person they were enfranchised. An enfranchised Indigenous person would fit in as *Coloureds* or *non-whites*, South African Apartheid's legal definition of those they denied legal recognition

¹³It is curious that the name change from Broman Lake to Wet'suwet'en First Nation predicated the signing of the infamous LNG \$10 million agreement. Curious, because how many people feel this agreement was legal by the mere use of the name Wet'suwet'en, which is the name of our hereditary Nation, and not just one small band? Thus the need for our report.

as *Native, Blacks, or Bantustans*—equivalent to Canada's legal Indians. By deduction, we off-reserve Indigenous peoples must be *Illegal Indians, and could very easily call ourselves "coloureds" or "non-whites."*

The Fifth World

Aboriginal peoples live in the Fourth World¹⁴ as my mentor, dear friend, and comrade, the late George Manuel described in his book *The Fourth World: An Indian Reality* (George Manuel, Michael Posluns, Collier-Macmillan Canada, 1974). Description: George meant this title to apply to all colonized Indigenous people around the world, and the Indians in Canada. Since there is no legal description for off-reserve Indians other than non-status Indian simply *by* virtue of having no legal Indian status, then we could qualify, by extension, as living in a Fifth World.... or at least Four and a half?

Blame for enfranchisement: An Off-Reserve Experience

The words of Duncan Campbell Scott (1862-1947), Superintendent of Indian Affairs, to a committee of the House of Commons, on Indian Act reform, 1920, explains the establishment of assimilation and enfranchisement:

I WANT TO GET RID OF THE INDIAN PROBLEM...
That is my whole point. Our objective is to continue until there is not a single Indian in Canada that has not been absorbed into the body politic, and there is no Indian question, and no Indian department, and that is the whole object of this Bill.

As participants tell their Kungah, their stories, in the next chapter, being enfranchised was NEVER a personal choice, but an arbitrarily imposed designation as can be seen in the above quote regarding enfranchisement policy. DIA's narrative that enfranchised people "turned their backs and left those on reserve to fight alone" is a total fabrication, a lie. Other false stereotypes and smear campaigns impugning the off-reserve Indigenous person included: "We thought we were better than Legal Indians" or we were "stuck-up" or "high tone" ...everything but the truth that *every enfranchisement* section was imposed; **none gave up "legal" Indian status voluntarily**. To believe otherwise is to fall into the divide and conquer tactics of colonialism and imperialism. The primary tool to maintaining Sartre's "feigned ignorance" and to maintain a false narrative is to cause the

¹⁴ Manuel, G. (1974) *The Fourth World: An Indian Reality*. Toronto: Collier-Macmillan.

manifestation of *internalized colonialism*, causing friction between on and off-reserve peoples. Then settlers sit back and blame the victim for incompetence, and all the other maladies they have assigned the colonized worldwide. Maintain the *ambiguity* of their divisive laws and policies. Perfect.

Bolman and Deal (1987) state that ambiguity may manifest when information is incomplete, vague, or when the same information is interpreted in a variety of ways by different people. At times, ambiguity is deliberately created to hide problems to avoid conflict, or, times events and processes are so complex, scattered, and uncoordinated that no-one can fully understand what is happening, much less control anything. All Bolman and Deal's descriptions apply to the complex off-reserve reality. Bureaucrats, politicians, and academe are products of an education system void of accurate information about legal and "illegal Indians". Most have learned the grand narrative that Columbus discovered North America, that Indians were savage, primitive, uncivilized and desperately needed someone to manage their affairs for their own good, so simple and incapable were these primitive savage heathens.

Common allegations today are that Indians now get everything for nothing and are still a nuisance, or as Thomas King (2012) states, we are *inconvenient*. It appears to be in governments' interest that these Indigenous issues remain vague. While Indigenous peoples try to educate the masses, the courts, corporate media and other Eurocentric mediums continue to perpetuate the age-old myths based on the now United Nation outlawed *Doctrine of Discovery* and *terra nullius*, an empty land, while their owner corporations and government continue to exploit lands and resources while unending land claims and treaty processes keep everyone in a state of confusion. Ambiguity is a handy tool.

The Indian Act

The over seventy percent of the Aboriginal population in Canada, the Métis and non-status, *Illegal, Indians*, have been forcibly relocated from their lands, community, culture and language through Indian Act legislation, and have been forbidden to reside on reserve or to participate in the business of those communities. While they may enjoy the "benefits" of Canadian society while living off-reserve, these original inhabitants of Canada have been illegally dispossessed of their lands and heritage, not unlike those

affected by apartheid in South Africa. The control of Aboriginal peoples from cradle to grave is total. Its colonialist policies began 113 years before confederation and was entrenched in 1868 with the establishment of reserves through the “Act for the Gradual Civilization of Indian Peoples.” (Monet and Wilson 1992, p. 8).

Steckley and Cummins, (2001) state that in 1755, due to the role of Indians in inter-European wars, Indians were administered by the military (p.121). In 1830 the lieutenant-governor of the colony assumed jurisdiction, when the reserve system was implemented to encourage Indians to become civilized farmers. However, the farmers needed permission from the Indian agent to sell their wares and could not sell their products if it competed with a white farmer. In 1867, the British North America Act made Indians a federal responsibility administered by the secretary of state until 1873, when they were transferred to the Department of the Interior, who administered the newly established Indian Affairs Department. Many transfers took place beginning in 1936, when the Departments of Mines and Resources assumed jurisdiction, followed by Citizenship and Immigration in 1949 (the irony is glaring), Northern Affairs and National Resources in 1965, Department of Indian Affairs and Northern Development in 1966, and, until recently, Indian and Northern Affairs Canada (INAC). The name of the department is of no consequence. The mandate is the same. Manage Indian Affairs for the total benefit of corporate Canada. Corporations and government seem to be synonymous where DIA is concerned.

Indians are wards of the state. As Thomas King writes in *The Inconvenient Indian*:

These three (American) cases (1823, 1831, 1832) unilaterally redefined relationships between Whites and Indians in America. Native nations were no longer sovereign nations. Indians were reduced to the status of children and declared wards of the state. And with these decisions, all Indian land within America now belonged to the federal government. While these rulings had legal standing only in the United States, Canada would formalize an identical relationship with Native people a little later in 1876 with the passage of the Indian Act. Now it was official. Indians in all of North America were property (King, p. 81).

As official federal property, Band council governance is restricted to menial tasks such as “bee-keeping and stray dog control. And ultimately, even these are subject to higher [government] authority” (Steckley and Cummins, 2001, p.121). Of late, portfolios such as education and social welfare have been transferred to bands for administration with characteristically inadequate budgets and strict guidelines. Control is from womb to tomb.

Since confederation the myth of extinction of the noble savage guided government policy development until the 1960's. Disease, starvation, natural attrition, war, and assimilation into the Canadian population was supposed to render the Aboriginal population extinct (Native Council of Canada (NCC), 1993, Annex 1, p.1). So as to ensure assimilation, the government removed generations of Indian children, like my parents and aunts and uncles, to residential schools drumming their culture from them. Laws rendered cultural and religious ceremonies illegal and outlawed the right to challenge theft of lands through the courts. But the biggest effort to exclude Aboriginal peoples from their rightful heritage was by *enfranchisement* measures causing forced identity loss, in exchange for unrequested voting rights, higher education, owning property, or from being away from their reserves too long, to name a very few (George 1993).

Monture-Angus (1999) states that as long as the Indian Act remains in force, colonialism remains a vibrant force in Indian Communities, that Indian-ness is based on on-reserve/off-reserve criteria created by the Indian Act dividing people from each other and the land and therefore more easily controlled (pp. 88-89). She states that after her three years in law school, she realized that Canadian law was the problem of transformative quality, not the solution (Monture-Angus, 1999, p.93). She states that she can take us to the law library and:

show where in statutes that the taking of Aboriginal lands, children, residential schools, outlawing of the potlatch, sun dances and other ceremonies, and stripping women of their status and so on, are written down in Canadian law. . . And because the courts owe their origin to British notions of sovereignty, Canadian law cannot question the very source of their own existence without fully jeopardizing their own being and therefore cannot question the legitimacy of their claims to sovereignty over the claims of Aboriginal

sovereignty, so we cannot hope to litigate the issue that is at the heart of our claims. (Monture-Angus, 1999, p. 93).

This system worked so well, that the National Party of South Africa studied Canada's reserve system in the 1920-30s and developed Apartheid (Bolaria and Li, 1988, p.67; Jordan, 1993). Canada still harbours the original model, which continues to distinguish between on and off reserve Indigenous peoples. Meanwhile, Canada still chooses to maintain the myth of happy, racially diverse equality. Sadly, racism remains, still imbedded in law and in practice.

The exodus off reserve

Segregated as on-reserve and off-reserve, and the federal wish to divest themselves from the expense of Indian management caused the escalation of forcible relocation from the reserves. The post-war era witnessed an exodus of Aboriginal peoples from reserves because of lack of economic or educational opportunities, poverty, overcrowded living conditions, depleting resource bases, and coupled with the federal off-reserve housing program [which ended in the 1980's when the Tories took power], provided Ottawa with an opportunity to abandon them (NCC 1993, p.3). Frideres (1988) states that through the 1969 White Paper Policy, the government tried to encourage Natives¹⁵ to abandon their reserves and treaty rights to become Canadian citizens. By curtailing services on reserves, especially housing, they were trying to push Native peoples into the city especially during winter in an attempt to reduce its treaty [and fiduciary] obligations (p.219). Once off reserve, the provinces begrudgingly provided welfare services claiming that jurisdiction to be federal, and for most "the government social services are not sufficient to encourage Natives to remain in the cities. . . [resulting in] increasing numbers of urban Natives to be classified as transient" (Frideres 1988, p. 219-20).

Upon arrival in urban centers, these Indigenous people joined even larger numbers of Indigenous people who were never part of the reserve system, the Métis and non-status-

15□

I prefer to use the word Indigenous. When searching for a more appropriate term, one elder stated that both *Indian* and *Aboriginal* are colonial terms; The World Council of *Indigenous Peoples* was born, to which George Manuel was elected President. To better contextualize our legal position in Canada, the word Indigenous encompasses those who live off-reserve. The words Indian and Aboriginal are used interchangeably when dealing with colonial topics.

Indians. Thousands more were forced to give up their official status for basic Canadian citizenship rights to vote, pursue a higher education or own property, or were stripped of Indian status like soldiers or others who were away from their bands for too long, or women who married non-status Indian men, Métis or non-Indians (NCC, 1993, p. 3), to name a few. Métis, who have never been recognized as Indian or lived on reserves, were never completely recognized as a distinct people until 1982, (NCC, 1993, p. 3) along with Indians and Inuit under Section 35 of the Constitution, where all Native Canadians are supposedly officially recognized as Aboriginal. Members of the George family, although Andrew and Frederick George were decorated WWII veterans, were still not considered Canadian citizens nor did they qualify for support or benefits in recognition for their service, as were non-Indigenous veterans. In fact, Gloria states that Gisdayway had to travel to Ottawa in 1942 to secure actual “blue cards” issued to them to ensure his two sons received equitable treatment by the army and thus join comrades in licensed lodgings in Europe¹⁶. The colonial Indian Act which attempted assimilation of Indians to a European culture is still as controlling as ever by its creation of illegal Indians.

Colonialism, distorted history, and stereotypes

The tired and worn statement, “why don’t you Indians get off your collective asses and get a job like the rest of us” is a phrase participants hear repeated almost daily, like a mantra for the privileged and the ignorant. Experiences of presenting in my 500 level university classes, half of which were comprised of teachers, one a teacher of teachers, indicated to me just how uninformed and ignorant the academy can be. My classmates knew virtually nothing regarding the effects of Colonialism on the Indigenous population in Canada. Many did not know that since confederation total control over lands and resources, owned and held in trust by Canada, was vested in the federal government and their Indian Agents, which effectively prevented use of lands for mortgage (Howell, D., Howell, J., and Roman, Z., 2003, p. 287). Nor were they likely to know that European style farming was forced on Indian communities with laws not allowing them use of European machinery; sale of products required permission of Indian agents, who usually prevented Indians from competition with non-Native farmers (p. 287). Many were forced

¹⁶Frederick George reports in Morin (2011) that he had to camp under the Eiffel Tower until he received his enfranchisement card so he could satisfy Army regulations and join his comrades in lodging and licensed establishments.

off reserve to make a living, were never registered, or they lost their Indian status in the¹ assimilative enfranchisement process. We are taxpayers with no Aboriginal rights. Most income, sales and property tax exemptions only apply to status Indians (637,660).

Of the nearly 1.7 million Indigenous peoples in Canada, approximately 490,000 live on reserve. On-reserve peoples need not pay property tax as the federal government already owns that land. To put it in perspective less than 1% of the total population of Canada are exempt from paying certain taxes.

Aboriginal peoples in eleven major cities paid \$232 million in personal income tax in 1990 (Aboriginal People's Survey, 1992), and it was believed a further \$400 million could have been accessed from these same people, based on a fair proportion of other revenue provided to governments [taxes from property and land holdings], for a total of \$631 million: more than the total federal program expenditures provided non-reserve peoples across Canada in 1992-93 (NCC, 1993, p. 31).

According to its 1992 study, the Congress of Aboriginal Peoples (CAP), the political body representing off-reserve interests across Canada, government *Main Estimates* indicate that INAC allocated some \$20 million per year for reserve-based self-government affecting approximately 300,000 people, and the Privy Council allocated 1/20th of that amount for the over 974,675 Aboriginal people outside of reserves (CAP 2007). Off-reserve peoples received core, or infrastructure funding from the Privy Council at the same level as immigrant and ethnic minority groups. This was grossly inadequate considering off-reserve Indians face the same barriers and trauma suffered by the on-reserve population. The United Native Nations (UNN) of BC, representing off-reserve interests, presented the following to the Standing Committee on Indian Affairs respecting Bill C-31, an act to amend the Indian act in 1984:

In addition, to the lack of consultation, the lack of resources availed to us regarding our future (Bill C-31) in comparison to the Status Groups, we are further penalized by our lack of accessibility to funding sources such as: Secretary of State, Canadian Employment & Immigration Commission, Department of Indian Affairs. We cannot fit the criteria of these sources which call for a community base, with an infrastructure that is afforded the Bands by the Department of Indian Affairs. Since we don't have a land and resource

base to draw from, we are in a "Chicken and Egg" situation. (UNN, 1984).

We still have no land base, no infrastructure or resources to draw from and we still live in almost total dependence of government. And we still have the negative stereotypes. And Canada further complicates matters with distinctions between status and treaty Indians:

In general, Status Indians are also Treaty Indians, though there are reserves created by legislation rather than by treaty and members of those bands are Status Indians in the same way that Treaty Indians are Status.” (King, p.167:2)

Yes, all is crystal clear!

Once off reserve, us Indigenous peoples are left in a constitutional limbo where “Ottawa pretends [we] are not Indians; yet the provinces take the opposite view and claim [we] are a federal responsibility—which could justifiably be called ‘Canada’s greatest hidden scandal’” (NCC 1993, p. 3; CanWest, 2003). The Royal Commission on Aboriginal Peoples (RCAP, 1993) confirmed in the National Round Table on Urban Aboriginal Issues report that the federal government restricts its BNA Act Section 91 (24) fiduciary responsibilities and provision of services, to Indians on reserves and to Inuit and Indians in northern communities [where reserves were not established]. Upon leaving the reserves or northern communities, federal services cease and are non-existent for Metis and Indians not defined as Indians by the Indian Act. RCAP reported that off-reserve applications for services are shuffled from one level of government to another, which results in being served by no-one, while Aboriginal lobbyists listen to arguments of federal government off-loading its responsibilities to the provinces (RCAP 1993, p.5). This means they are unable to access treaty rights like trapping, hunting and fishing [unless they reside in territories where status is no longer criteria to practice Aboriginal rights], or programs Ottawa administers as part of its fiduciary obligations to Aboriginal peoples (NCC 1993, p. 3-4). The off-reserve Aboriginal populations in Canada must “sink or swim” on their own as they enter the legal and bureaucratic policy vacuum.

It is a common argument that rather than helping restore wholeness and injury from unemployment, child neglect, suicide and other ills, whether living on or off reserve, Aboriginal peoples must address these symptoms in isolation as a result of *misuse of*

power by public authorities. RCAP advises that services be adapted to Aboriginal life ways and not be determined by bureaucratic divisions that undermine the effectiveness of social services (RCAP 1993, p. 7).

The Royal Commission on Aboriginal Peoples (RCAP)

The Royal Commission on Aboriginal Peoples (1993) identified a *jurisdictional void* where all levels of government offload their responsibilities for urban Aboriginal peoples to other levels of governments, including Aboriginal governments, who all deny their obligations to urban communities (p.63). These communities compete for funds with other Aboriginal organizations giving rise to internal racism leading to further fragmentation of Aboriginal communities and even though everyone acknowledges these self-defeating legal differences, the political divisions are deep leaving this fragmented community with no recognized political representation and a fragmented political voice for a transient population (RCAP, 1993, p. 63).

Max Weber (1944) was prophetic when he voiced concern about the trend toward increasing bureaucratization and rationalization because it threatened freedom of the human spirit and “the values of liberal democracy, because those in control have a means of subordinating the interests and welfare of the masses. Hence his view that “bureaucracy could all too easily turn into an iron cage” (Morgan, 2005, p.295). According to Weber’s *typology of domination*, the Indian issue would fit into two categories, *traditional domination* and *rational-legal domination*. *Traditional domination* occurs when the power to rule is underwritten by a respect for tradition and the past, where legitimacy is vested in custom and in a feeling of the rightness of traditional ways of doing things; a kind of inherited power status.

Rational-legal domination legitimizes power by laws, rules, regulations, and procedures, and the “typical apparatus is the bureaucracy, a rational-legal framework; authority, concentrated atop the organizational hierarchal administration does not belong to the bureaucrat (Morgan, 2005, p.295). These two domination theories explain the traditional power of the Minister of Indian Affairs and INAC’s 200-year-old inherited power status. Their bureaucracy does a commendable job of obeying authority and manifesting the ambiguity of jurisdiction and proving RCAP’s above assertion that off-

reserve populations are shuffled from one level of government to another and being served by none; Empire.

The Royal Commission on Aboriginal Peoples (RCAP), the Truth and Reconciliation Commission (TRC), and the United Nations have all established that colonialism based on *Doctrine of Discovery* rationale to be illegal. Canada still employs the Doctrine of Discovery in subjugating the Indigenous peoples of Canada. Based on the two founding English and French nations which formed the Dominion of Canada through the British North America Act (1867), Canada remains entrenched in the still existing Indian Act as the colonial administrative and governing body of Indigenous peoples from cradle to grave. Government law and policy interprets the BNA act, Section 91:24 fiduciary responsibility to Indians and Lands reserved for “Indians/First Nations”, to apply only to those unilaterally assigned a status Indian and band number by the Minister of Indian Affairs; this excludes over seventy percent of Indigenous peoples who were omitted or were stricken from the Indian Act. This is a microcosm of the story of the Indigenous diaspora, the off-reserve peoples that Canada does not recognize as “legal” Indians.

Chapter 4 Findings

Throughout my journey, as that of the interviewees, it was clarified that the challenges and potentials confronting our off-reserve Wet'suwet'en extended family's participation in our hereditary system of governance concentrated on three major areas of personal experience: education, governance (Federal, Provincial, Hereditary, and Band Elected), and racism. It was found that key elements of each area intertwined, interconnected, and was overwhelmingly present throughout the experience of all participants. This chapter focuses the personal experiences of each participant, as well as the commonalities of the group. The resultant summary, conclusion, and recommendations are stated in chapter 5.

Oral tradition is a panhuman culture which continues throughout Indigenous communities worldwide. The Canadian Federal courts now allow Indigenous oral history as admissible evidence in rights and titles cases, as seen for the first time in our Delgamuukw-Gisdayway court case. Hearing a story does not give the right to retell the story; that is also the case here. Permission to reproduce the stories in this paper, according to Wet'suwet'en law, had to be given by the participants and the head of our father clan. Each section of this project had to be verified as true by each participant.

This chapter is lengthy, as a direct result of fulfilling Wet'suwet'en governance and laws pertaining to oral history. A key benefit of documenting these stories, these Kungahs, is the capture of the story essence and character as heard directly from, and approved by, each participant. Although this requirement may not necessarily be present throughout all Indigenous communities, it is a strong point with Wet'suwet'en peoples. Knowledge is one of the greatest gifts an Indigenous person has to give—the telling of oral traditions requires the storyteller to trust the listener to take away the proper message of the story. It is an honour to be granted permission to record this historic information directly and personally.

Growing Up Off-Reserve

To Vicki, growing up off reserve meant isolation from family:

I always felt separated from the other relatives that I had in the north, in the Prince George and Smithers area. It was so fragmented and the only opportunities when I would see

my grandparents was holidays like Christmas, or Easter, and if I was fortunate to spend some time, like a month, maybe two, in the summertime when school was out. That was my only connection to my other relatives and in my territory, my traditional territory.

My daughter, Vicki George, of the Laksilyu clan, of the Wet'suwet'en Nation, was born in New Westminster, B.C., and raised in the Vancouver area. She spent her school years in Surrey, which at that time was a suburb of Vancouver. Now Surrey is a city in itself. Recalling her childhood, Vicki fondly remembered the forest behind the house, which is now a concrete jungle. Vicki attended local schools, and graduated from Queen Elizabeth High School. Realizing she did not have sufficient skills to go out and get a job, she joined the Native Youth Job Corp which, at that time, focused on Aboriginal students and youth and helped prepare them to enter the job market.

Vicki described her journeys to visit extended family as "a rich and wholesome experience", however, she found returning home to the lower mainland would require an adjustment "to prepare for what it was like down here as an Aboriginal person and being a minority, as compared to being totally safe and protected with family, because it seems that we weren't outnumbered up there, just because I was always surrounded by so many relatives."

She learned how to survive in the city at a young age and missed playing and fishing with her "crazy aunts and uncles and cousins" and wishing she could understand her aunts and grandparents when they spoke Wet'suwet'en to one another." She was aware that each other knew of this difference, which gave her a feeling of separation and isolation.

Though Vicki has had brief visits and actually lived at or near the territory occasionally over the years, it was never enough to participate with elders or family who could help her learn the language. She remembers listening to her grandmother and other aunts and uncles speaking to each other in Wet'suwet'en, but only spoke to the children in English. Her grandmother never spoke Wet'suwet'en directly to her grandchildren. She took basic beginner French in school, which she found to be easier to learn when in grades four or five, but found language harder to absorb when older. She returned to university at the

age of 33 and was instructed to complete a second language requirement in order to achieve a university degree:

I was totally angry and upset I had to take another language besides my own as a breadth requirement. I was angry at having to learn French, and I was angry my language wasn't offered at university. It was really difficult for me to get through that.

When Vicki was younger, before her parents separated, her community experience at the urban center was memorable:

I was involved in dancing, and traditional [regalia] dressing, and we had family outings all the time, such as baseball games, and camping, and all of these wonderful things that these Aboriginal families in the Vancouver area got together. I got to know the kids and there were always parties for the kids, and parties for the adults. One thing in particular that I really liked was that the adults and the children were always together, doing stuff together. It wasn't secluded where the kids just did something and then the parents just did something. It was just total family, and my community... I got a good couple of years of community understanding, especially at the urban level.

Vicki observed the camaraderie and connection with off-reserve cohorts:

Regardless of any Indian Act label, status, non-status, Métis, off-reserve, on-reserve, when we're at a university, the pressures there of succeeding and being in such a bureaucratic system and an institution as they are, there's definitely tight knit groups and friends that you know you can have for life because they can relate to your experiences.

Vicki felt that on-reserve cohorts who lived away from home to attend university began to understand what being an "off-reserve" was like, and how it felt for the students that had lived in the city their entire life, even though they are from other nations. These students began to understand the disconnect of being away from support systems, away from our hereditary system, and away from family, language, and culture. They pretty quickly saw:

a) how sad it is and b) how we have to try to make it work, whether it's learning about our hereditary system from

books that are now in First Nations courses, or trying to get back to our territories depending on whether we are accepted or not, to try to learn about our hereditary process and system.

Notwithstanding divisive federal laws and policies, “who is status, who is non-status, blood quantum, Inuit, Métis, Aboriginal, all of these classes and labels that are in the Indian Act. I know that side of it,”. Being Indian, for Vicki, means:

knowing my nation and my clan; knowing that I'm a caretaker of earth; knowing that I have responsibilities in my clan if I had a better understanding and people I could get information from, which I'm hoping that will happen in the future, then I will better know my place, and what I can do.

Vicki thinks that Indigenous identity and status are of importance, mostly due to the Indian Act. Status Indians acquire funding from government when living on-reserve, whereas, Indigenous off-reserve often do not. She understands that the federal government wants to “police” who is an Indian and does not consider you Indian unless you're a status Indian.

Vicki highly recommended, “A really good documentary that talks about this is *Club Native*. I would suggest people watch it because it *breaks it down to identity and blood quantum and so forth*...those Indian Act labels are all important because the federal government made them, in their eyes, to be important.”

Vicki feels that though so many of our own people follow those identities and labels, a sad, complicated, and complex mess that we didn't create, labels are not important. However, because she walks in both the Indigenous and the white world, she understands that they do have importance. She now knows that she is Wet'suwet'en and a caretaker of the earth, despite what the Indian Act calls her.

Vicki wishes that off-reserve reality and its many nuances be discussed more by *our elected leaders*, whether on-reserve or off-reserve, at the national and provincial level. It certainly must be covered more in academia, at conferences, where students knowledgeable of the off-reserve reality be encouraged to speak.

The Canadian government and Indigenous organizations have very different lens and understanding when they refer to urban Indigenous populations. The government's Urban

Aboriginal Strategy defines "urban Indigenous" as First Nations, Metis, and Inuit

residing in urban areas, but the Indigenous and Northern Affairs Canada website mostly refers to us as "off-reserve." In 2011 the Government of Canada reported that the Aboriginal population reached over 1.4 million and 56 percent of that population lived in urban areas. There has been a seven percent increase on the Indigenous population moving to the urban areas from 1996 to 2011. Cities with the largest populations in 2011 (Canada Census) were Winnipeg (78,420), Edmonton (61,765), and Toronto (36,995). The migration to the cities for a better life has unfortunately been met most times with poverty, loss of identity, placeless-ness, invisibility, discrimination, systemic racism, and homelessness.

Indigenous people moving and being pushed from their home territories into the cities has been a common narrative unknown to many Canadians. Canada has secrets and hidden history they do not want you to know. In 1857, during the gradual Civilization Act which was followed up by the Indian Act in 1876, everyone who was identified as being an Indian were put on the Indian registry, confined to the reserves, and given numbers. These assigned numbers are now reflected on the current Indian status card. Counting Indians is not new—there are even children's songs written about it. “ One little, two little, three little In-di-ans...”

Education

Dawn Lavell-Harvard (2017) stated that though discussing genocide cannot be easy, that it is the "truth" aspect of truth and reconciliation and we have to admit that “it was a crime. It was genocide.” She remarks that Canadian soldiers had a better chance of surviving the Second World War than Indigenous children did residential schools:

That some students found some spark of hope, a friend perhaps, is not a testament to the benefit of the schools¹⁷, but a testament to the human spirit and strength of our people in the face of incredible inhumanity.” As much as education was used as a tool of destruction, it can now be used as a tool for empowerment. It will require significant

¹⁷This may be a response to a recent revelation in the Senate of Canada, in the presence of Senator Murray Sinclair by Senator Beyak who claimed not enough attention is paid to what good came out of the Residential School system as the senator has heard some survivors claimed they valued the education they acquired. Facts unequivocally show the opposite to be true.

investments in health and education, [because] we know now that First Nations children are more likely to end up in jail than they are to graduate high school. We have to be realistic about the fact that it now costs over \$100,000 a year to house an Indigenous person in jail. Not to mention the costs of foster care when Indigenous women with children go to jail. These consequences don't begin to address the human costs in failed potential. And that is why we need Indigenization of the education system. We should establish a national centre for reconciliation. (Senator Murray Sinclair, Phil Fontaine, Dawn Lavell-Harvard. March 31, 2017. Indigenous leaders issue call to action: here's what Canada must do to make amends for residential schools (sic) tragedy. (nowtoronto.com/news/indigenous-residential-schools-call-to-action/#WN F2YTGbZo.facebook by Senator Murray Sinclair, Phil Fontaine, Dawn Lavell-Harvard).

A litany of untruths tacitly perpetuates the “burden-on-the-taxpayer” Indian profile. The 1996 Royal Commission on Aboriginal Peoples (RCAP) outlined a government led re-education process, to correct the myths and fabrications that continue to allow Canada to remain the only commonwealth country to harbor a legislation of white superiority. The world forced South Africa to abandon their white supremacist Apartheid regime in 1994; Canada, front and center, with a straight face, enforced sanctions until Canada’s pupil apartheid regime was abandoned by South Africa. Canada’s education system has allowed this apartheid phenomenon to remain under wraps thus far and continues to defend and retain Indian Act laws and policies that provided the very model South Africa used since 1948.

Canada’s white supremacism is reflected in many stories now being revealed regarding this state’s outright disregard for the Indigenous peoples in Canada. It is no surprise that Indigenous peoples were not Canadian citizens until 1960. Each participant experienced direct, daily contact with this “white supremacist” culture. The “Kill the Indian, Save the child”¹⁸ process has affected every Indigenous person. Genocidal policies manifested through every facet of Canada’s extinguishment plans regarding the “Indian problem,” since contact, has illegally stripped lands and resources from all Indigenous nations. Case law, the RCAP, and Truth and Reconciliation (TRC) findings clearly establish that the

¹⁸Attributed to Sir John A. MacDonald, (Hansard Canada), the saying appears to be an adaptation from American Captain Richard H. Pratt’s phrase, “Kill the Indian, Save the Man.”

Christian Inter Caetera of 1497 essentially “granted” all *terra nullius*, empty, territories¹ open to the self-described superior white Christians, to be a planned genocidal process. The Papal Bull instructed to either kill them or Christianize the heathens. Canada’s current legal defense, the *Doctrine of Discovery*, for assuming ownership of our lands, has been deemed illegal by the United Nations. While growing up, and throughout the education process, all participants bore the brunt of the open disdain to our presence... daily. It may be said that children are our youngest warriors, the front-line troops, the defenseless infantry from birth. Racism was overt and purposeful. These laws were “for our own good.” “Kill the Indian, Save the child” was ever in full force. Each participant learned the standard colonialist curricula everyone else did; that is everyone off reserve.

Canada continues its white supremacist attitude through the BC Treaty Commission Criteria that adheres to DIA’s narrow interpretation of constitutional obligations to those they deem legally Indian; “only” those living on reserves/First Nations. Canada still illegally expects title to be extinguished in land claims negotiations. This speaks to a governmental superiority attitude, that their grand majority is the logical race to continue assuming jurisdiction over Indigenous lands and lives. We had no input in the contents of the BNA Act, or the Indian Act, since its enactment by the British declaring two white founding nations, English and French in 1867. We still have no voice in anything pertaining to our lands and rights; 99.8 percent of all lands. The 0.2 percent of reserve lands on which Status Indians or First Nations live are completely owned, administered, and held in trust by the federal government. Racism from cradle to grave.

The 1996 Royal Commission on Aboriginal Peoples (RCAP), and now the 2016 Truth and Reconciliation Commission (TRC), have made strong recommendations to reverse Canada’s reign of terror, achieved by false propagandist use of the education system, and replace it with historical facts. The misinformation that lent to our collective negative experiences of being among racist settlers, and still having to answer to outrageous historical fabrications, continues. This project report will fill in some glaring historical gaps.

Justice Murray Sinclair, Chair of the Truth and Reconciliation Commission (2015), stated that:

Canadians must acknowledge that for generations their public schools have fed them misinformation about aboriginal people. **This is not an aboriginal problem... This is a Canadian problem...** Because at the same time that aboriginal people were being demeaned in the schools and their culture and language were being taken away from them and they were being told that they were inferior, they were pagans, that they were heathens and savages and that they were unworthy of being respected — **that very same message was being given to the non-aboriginal children in the public schools as well. (my bolding)**

As a result, Sinclair continued, many generations of non-aboriginal Canadians have had their perceptions of aboriginal people “tainted.” They need to know that “this history includes them”, Sinclair said of Canadians. He said many people have told the commission “they did not know their country had set up a school system that treated aboriginal children so poorly. (‘Teachings about aboriginals 'simply wrong', says Murray Sinclair. <http://ottawacitizen.com/news/politics/teachings-about-aboriginals-simply-wrong-says-murray-sinclair>).

Throughout their education experience, each Wet’suwet’en participant interviewed for this research had experienced racism as manifested through government directed curricula. Interview results showed that curricula-based racism focused on three main areas: deliberate omission, governmental policy through ‘blame the victim’, and fabrications regarding Colonialist history.

Experiences in Education

Gilughgun, Rita George, recounted ostracisation at public school and how she was the recipient of incessant racial slurs regarding her attire, her “moose meat” lunches, and how she spoke English with an accent. Similarly, many of these slurs originated from the teachers; Rita recounted her late husband describing how he and his siblings at the school in Quick, BC, were also ostracized and were denied participation in any sports. They just looked on. Staff and students left all the Aboriginal people to sit back and not participate in anything. Each of them longed to be included in all school activities.

Rita recalled it being so hurtful when the non-Indian kids continually laughed and pointed fingers at the Indians because they didn’t know how to speak English. Rita found

this to be such a shameful situation that she did not want her children to have the same experience:

So, I didn't speak my language to them. But thank God they are able to learn. They're all going into their forties, fifties, they're still learning their language, and that's what one of the things I advise any mother, not to deny their children their language no matter what the mother went through, no matter what we experienced. I should never have denied my children my language, and I'm paying dearly for that.

Rita spent several early years in Lejac Indian Residential School from 1949-55:

I went through a terrifying situation where a little ten-year-old girl, I had to witness when four girls ran away. They weren't even allowed to eat at the table, but they knelt down on the floor facing the wall in the dining room. They were gone for four days, and yet for four days they had to do that without even eating, and finally the priest came in, he had a strap about two inches wide and must have been about six to eight inches long and it was a really hard strap. What I experienced there was the girls were asked to lift their hands straight out, and it sounded like a gun shooting off. They were being strapped on the hand. They were continually ordered to bring their hands back up. Each time they got strapped, they were screaming and their...right from their elbow down to the palm of their hand was beet red. Every one of them...four of them, and that was the scary part for me.

Rita reported that the Lejac spoons were so rusted and chipped that her lip and inside of her mouth became badly infected:

Those were the things I experienced in residential school. We weren't allowed to talk our language. Thank God that my language stayed with me because I learned it fluently as a little girl. I never forgot my language. And, all those experiences made me determined to be strong for who I am.

Despite all the trauma, residential school was where Rita felt more comfortable:

We were all Aboriginal people with different dialects, but we were all the same. Nobody was making fun of nobody. Nobody was pointing fingers and laughing at us. No matter

(that) we were different nations. We all got along and we all just mingled together, not like public school. These are two different things I experienced through school.

While she was not molested, as was common, Rita experienced ridicule toward her “primitive culture and language”, which was under attack by the “Kill the Indian, Save the Child” policy that Sir John A. MacDonald entrenched in the residential school mandate. She witnessed all forms of spiritual, mental, emotional and physical abuse as reported in the TRC findings. Luckily, Gilughgun was able to retain her language and culture and still teaches it today. Rita continues to educate her adult children and grandchildren in language, ancestral history, culture and governance. But mostly Rita is teaching them, “how to be proud of who they are and where they come from, and to what clan they belong, and where the territories are, the boundaries and everything.”

Gloria George found her early education experience in the small public school in Telkwa to be denigrating. Three years her junior, I learned the same “dirty, rotten, filthy, blood-thirsty, savage” history portrayed in our school texts in the nineteen fifties and sixties. Being among a very visible minority of one or two percent Indigenous students in both elementary and high school, Gloria and I had to endure accusing looks during strictly one-sided lessons in colonial history; the ridicule and abuse continued afterward in the school grounds and in public. Gloria reasoned that the north country must end up with the “dregs of the teaching profession” because either the people did not want to go to the rural areas to teach, or maybe they did not “have the marks to get the posh jobs in the city.” Gloria remembered how she and her classmates used to giggle at one teacher who was a drunk, and would show up in classes with a hangover. An Anglophone taught French. Gloria spoke better French than he did, because our Wet’suwet’en language has incorporated a lot of French words: “The teacher couldn’t enunciate them very well and we used to have a hoot. I think he passed us just because he got fed up with us knowing French.”

In addition to the homemade food, clothes and mittens, Gloria remembered wearing moccasins inside her boots to keep her feet warm, but was not permitted to wear moccasins in class. She had to wear socks over her moccasins in a room where the only heat source was a wood stove at one end of the classroom. Later, her parents purchased

“canvas” shoes and bought big sizes so she could wear layers of socks to stay warm.

She stated that at her young age she knew how to camouflage herself to fit in.

Like Rita, Gloria spoke of the challenges of learning and speaking English while maintaining our ancestral language. At home:

We were told to speak English and my parents and my siblings, who were much older than me, stressed the importance of us learning English properly so that we could fit in culturally. Today we still speak with a little accent even though we grew up speaking English. In my early years, I had to speak our language because of my Granny, Tsoh'. She was blind and of course she didn't like us to speak English because she didn't understand it. So, we had to speak Wet'suwet'en to her. (However when) my parents spoke Wet'suwet'en to me I'd answered in English because they said I have to learn to do my English well. But it's always been a struggle writing, and speaking English.

Gloria also remembered discrimination between urban and the rural kids. In addition, Gloria was rural, plus native:

“Native” was the term used when I was going to school. I always knew I was different. I would be doing my home work by coal oil lamp, because my parents could not afford two gas lamps, so I did my studies by coal oil and that's what affected my eyesight later on. Actually, my eyesight was not hot even when I was a teen, because I finally got glasses when I was a teenager, because I couldn't see the blackboard. My marks were terrible before I got the glasses.

Gloria felt that because the rural kids grew up in comparable living conditions they became friends more easily and supported each other. Daily bus rides, an hour both to and from school, cemented these friendships which she attributed to their similarities such as home grown foods, homemade clothing, and participation in the daily chores of rural living. Gloria mentioned trading food with these “farm” friends, who tired of their cheese, pork, and beef sandwiches on bakery bread, foods she did not have growing up. The farm friends favored our moose meat and wild game sandwiches on homemade bread. Interestingly, we tired of our food as well and eagerly traded. I remember and concur with Gloria's point of camaraderie with our neighbors.

All Toodinay residents experienced the same camaraderie with surrounding farm cohorts. Brian, Andrew, Greg, and Corinne, too, noticed how this dynamic changed when these same Caucasians gravitated toward each other in Smithers middle and high schools, forgetting earlier alliances during the Telkwa school years. Corinne noted that this was not always the case, that some are still her friends today. Greg noted how attitudes have changed to the point that there is a totem pole at Smithers Senior Secondary school; something not considered a decade previous.

Atna, Brian George, mentioned that upon arrival at Chandler Park middle school, there was a tacitly designated place for the Indigenous students to “hang out”, called the “mezzanine”. Brian recalled that this happened after residential schools, such as Prince George College, closed, which resulted in an influx of reserve students in Smithers. Brian recalled racism being quite overt in both community and school, so he used sports to try to fit in. Brian played minor hockey in Smithers and played with the A team in every level up to the age of 17. He attended hockey school in the Okanagan during August for about three years and at 16 years of age, Brian was invited to try out for Merritt Centennials, a Junior A team of the BC Junior Hockey League. He did not make the team but was sent to Fort St. John Golden Hawks, a Junior B team of the Peace Cariboo Junior Hockey League. For the most part, Brian’s experience in his time in hockey were good but there were times in minor hockey that offensive comments were made. During his time at hockey school and his very short stint with junior hockey tryouts, the experiences were good. Brian commented that the loneliness of being away from home and the isolation of not fitting in was the most challenging.

Brian’s relationships with his billets were for the most part congenial, except in Fort St. John where the billet questioned his “Indianness” and the relationship deteriorated to the point that the coach moved the four players, including Brian, out of the home. He recalls that they stayed with the coach but the reason for the removal of boarders was never discussed.

From an education standpoint as it relates to Brian’s junior hockey journey, he felt that he did not quite belong as he was the only brown face in the schools; not surprising, for he believes that many of the Indian kids were in residential school. This further contributed to Brian’s feeling with isolation. Overall, Brian feels that the life lessons

taught to him by the various hockey coaches were invaluable, and Brian still carries those ideals with him today.

By the time **Skit'een, Andrew George**, and his siblings were of school age, their cousins living on Toodinay nearly filled the school bus, numbering twenty at times. Our cousins formed an economy of scale that had its own acceptance and protection factor. Andrew's passion was, and still is, cooking. He learned to cook over a wood-burning stove, over open campfires on our Yin Tah, and he was one of the few males in the home economics class in Smithers High School.

After graduation, Andrew moved to Vancouver for his chef training. He arrived during the bus strike of April 1984, and had to hitch-hike or walk from my rental unit to the Vancouver Vocational Institute, a distance of several miles. Andrew persevered, apprenticed at high end hotels, cooked at the only Aboriginal owned traditional food restaurant in Vancouver, cooked at the Aboriginal pavilion at Expo 86, the Vancouver Indian Center, and the Aboriginal pavilion at the Pacific National Exhibition. Andrew has published two cook books featuring his traditional and fusion recipes. Now a master chef, Andrew participates in both youth and adult training programs, and often demonstrates his expertise on cooking shows on television. Andrew is on stand-by as a chef that the Queen and other dignitaries may call on for his unique menu selections. He is thankful that his parents encouraged him to persevere his studies despite the many trials of bigotry and discrimination.

Greg George recounted being knocked unconscious by an overtly bigoted Joe Harding, who threw a stump at him because he was a "f'n Indian", with no repercussions from the teacher who found him thus after he missed the roll call for the bus. The teachers' attitude toward Indians caused Greg and other Indigenous students to be racially profiled and assigned to courses attuned to modified math and the trades. Despite the intensified high drop-out rate from secondary school as a result of racist repercussions from our court case, Greg believes himself to be one of the survivors. He stated his parents "really encouraged us to keep going to school and stick to it." Due to racism from our court case backlash, and financial difficulties, Greg temporarily dropped out of grade 12 and tried going to school in Prince George while residing with my family. Greg returned home to participate in cultural activities of the seasonal round, such as trapping

beaver, marten, otter, and fish for rainbow trout, salmon, hunt for moose, mountain goat,⁸ and the following school year, reenrolled to matriculate with a different cohort, thus a reduced problem with racism in class. Greg was deeply saddened by the rejection from his Caucasian cohorts.

After 18 years as a non-status Indian, Greg was instated as a status Indian. Enrolment with the Hagwilget band entitled him to educational financing that afforded a move to Victoria, and later Vancouver, to pick up math and English courses he missed from the modified high school curricula. Greg pursued commerce and marketing, which took him to the BC Institute of Technology (BCIT). He proudly participated in establishing the still existing student unions at Langara and Fraser Valley colleges, as tensions from land claim roadblocks in BC, and the Oka crisis in Kahnawake, made being an Indian student untenable. He reported that the issue of economics, and his instructor's belief that Indians were a drain on the economy, resulted in grief from the instructor, and a failing grade. This rejection and racism made Greg even more determined. At the time of this interview, he was pursuing his Masters of Business Administration. Because of the rampant belief that all Indians come from reserves, and that people are unaware that the history the education system teaches is faulty, Greg's rich educational experiences fill in the truth and information gaps, now that he is an instructor himself. Greg took particular pride in participating in the provinces 1992 research on Aboriginal education resulting in the revelation of Aboriginal people and issues into the curriculum. Resultant support systems enhancing Aboriginal attendance are now institutionalized. Greg has worked with his home community to work towards economic development through eco/cultural tourism, renewable forestry, and non-timber forest products. Greg is currently a strategic initiatives advisor for Alberta Indigenous relations.

Rod George attended his primary school years in Telkwa. His earliest memory was of feeling accepted "just a person, able to mix and mingle, play, and be part of things, and to excel at different things." However, upon moving to Prince George, Rod's experience was shockingly the opposite:

[When we] moved from there and went to St. Mary's in Prince George, we were the only native family going to that school, so we really, really stuck out. We were really put down. It was prejudice right from the very beginning and it

was so new to me. I didn't know what it was. I had no prejudice toward them. But they found all kinds of reasons to dislike me, to abuse me, to limit me. When I say limit, I mean they didn't take interest in the things that I was learning, they mostly focused their attentions on the non-native people. Whether or not I was doing my homework, or whether or not I participated in class, the teachers didn't really care. They made no effort to include me and certainly never give me any praise or any reason to feel like I was progressing. All I ever felt was that I was being put down. I was being beaten. I was just a bad person because I was Indian, and I wasn't smart. I wasn't smart enough to learn. That's basically where it (the attitudes and actions) stayed for the whole time 'till I was in grade twelve.

By the time Rod was in high school at the Prince George College he was able speak up for himself, but the racism was the same. The Catholic-run residential school was predominantly native, yet still, "we were all put down, and the smaller white population was allowed to excel. The teachers, and the other students were allowed to openly put us down as well." Rod remembered that the only time he felt really accepted was the last two years of high school where he was accepted by about six native students in residence. Rod stated that "being non-status" [Indian] was a big thing in those days:

People always used to call us non-status and they would make fun of us. There was quite a separation between status and non-status. So beyond being ridiculed by white people for being Indian, I was being ridiculed by the Indians for being non-status. In lots of ways I was quite lonesome. In fact, they nicknamed me "lonesome," because I was always alone. I didn't have any white friends, and I didn't have Indian friends. I think it was a pretty bad place to be accepted by anybody.

Being marginalized was a definite thing for Rod. He was "non-status", a student not in residence, who could freely return home every day. In the eyes of the Indian students, he was a "privileged Indian" not having to be in residence, and "according to the white guys, I was just an Indian like the rest of them."

Rod felt he was always being tested. He was tested by the white students for how much he could take, and by the Indian people:

I was tested for how strong I was. I was also being tested just because I was non-status, and how Indian I was, in comparison to themselves. This testing from both sides was pretty equal, even though it was opposite. Neither one was good, but I felt more resentment towards the native people for not accepting me, than towards the white people. In fact, I just ended up being resentful to the Indian people for their treatment of me. I thought that because I was native, I would just automatically be accepted. I wasn't.

Rod felt the reason that the native students kept testing him was because they just need somebody to look down on too. Rod reasoned that "in a lot of ways they were right:"

I wasn't part of the community. I wasn't part of their community. I wasn't part of anybody's community. I was a like a stray, a stray who could get kicked around, and it wasn't anybody's responsibility. You know, they're busy getting kicked around by the same people too, and since I'm not part of their community, they just decided to give me the kick that they got. I can't really blame them. I know the same people now. I come across the same people that used to do that, and they're totally different now. They don't do that. They would never think of putting me down. In fact, eventually, [they] congratulated me and respected me for the work that I've done and the way I've turned out.

The litany of untruths perpetuated in Canadian history infiltrated all levels of education. Growing up, Aunt Gloria had told us how even the name 'Wet'suwet'en' had been changed by early Europeans. Spirituality had been a central part of Wet'suwet'en life long before the missionaries brought Christianity, and cremation, not burial, was the tradition of our people. "I would not be buried in Telkwa or Hubert. My cremation remains would be in our traditional territory, the Smogilthgem (my father clan) traditional territory." Gloria recalled:

when the Missionaries came, and the anthropologists, and fur traders came, they called us "Carrier." As it happened, early missionaries witnessed an individual carrying cremation remains to the traditional territories, thus the name "Carrier." The missionaries embellished the story and told that the widow would carry the cremated remains of her husband for a year. In actuality, shortly after death and cremation, all family members would carry the remains to a sacred site. Some sites were near culturally modified trees,

other may have rock circles and mounds, or would be in cavities created in the ground. The site chosen was usually a place where that person had the best time of their life.

Despite Rod's negative experiences with the Native Indian Teachers Education Program at UBC, he discovered he enjoyed both learning and teaching, so he chose diverse fields of training. He took many different counseling courses, because he felt that rather than project apathy like his former counselors at UBC, he wished to be a helpful caring, knowledgeable, and educated counselor, teacher and role model. Once Rod achieved his goals and worked at it for a few years, he decided to continue his own education in what he enjoyed rather than what he "thought [he] should do."

Rod took a cooking course and worked at that for a while, but he also chose to turn his life around. Rod studied meditation, which he still practices. He stopped drinking and smoking cigarettes, and worked to improve himself, and his own health, but:

Also, to achieve what I thought would be better respect from others. What in fact it actually was just good for me. It was beneficial just for me. What others thought really ended up not mattering. I continued to go to school, and I think education is something that just doesn't stop. You know, even if you don't sit in a classroom, you're still being educated in some manner.

Rod enrolled in and received diplomas for building management, restaurant management, and leadership. Rod was working to get his garden design and career practitioner diploma at the time of this interview. Though Rod's experience in school in the beginning was not good, he decided to accomplish and teach himself the way he wanted to be taught, at places that he chose himself, and "that [he] was going to be taught what [he] was promised [he] was going to be taught." Rod felt that all these challenges made him a better student and a better person. Rod believes that though the experience was taxing, "sometimes heartbreaking, and sometimes lonely, always trying. I think it's been a good one."

Regarding Indigenous course content in university, Rod found his university instructors to have a very limited knowledge of Indians in general, and often teachers "actually called upon us to educate them." Their ideas about natives both on and off-reserve was sparse. The instructors' only knowledge was based on Native Americans, and very little

was taught about Canadian natives, even local natives. Rod stated that he and his

Indigenous cohorts “never sat back and listened. We were always voicing our opinions, letting them know how things actually were.” Rod recalled that Miss Flick, their English teacher, said “[I had] never ever been put in my place before, and I’ve never been so thankful.” She thanked the students for dispelling the myths she was teaching and passing on to others. Rod recalled:

This happened in our Anthropology class as well. We were able to put life back into those old bones and give them a better understanding, and the teachers were willing to accept it, to change their ideas, and to change their class presentations. I think the native peoples in the classrooms that followed us in those same classes benefited by our actions and our speaking out about the truth.

Regarding the divide between on and off reserve Indigenous peoples, Rod approaches life, not as problematic, but as having a solution.

I always think that bad things are good because they are educational. I always got something to learn from different situations...somebody’s mean to you, and says bad things...there’s a reason for it. You can learn from it. So, I really have difficulty making distinctions and trying to distinguish between things because of the way I think. My opinion, everything is good.

Rod mused that he actually enjoyed the diversity, which he thinks made him a stronger person. He enjoyed being a non-status Indian, “because I have a lot to say. I’ve enjoyed being Indian in a non-native community, because I’ve got lot to teach, and I’ve got a lot to learn from them.” Rod added that he enjoyed working and living among the native community, and feels that whether we are Indians in the States or Canada, “we’re all Indians and we shouldn’t put ourselves down or each other down.” Rod thinks the “on-reserve/off-reserve” distinction is not necessary:

We never made the reserves, but we seem to live by them. I don’t know if we’re creating the problems or we’re creating the differences; maybe we are. But I don’t see any differences. I used to think that Indians that live on-reserve were privileged, because they got clothing allowance, they got this, they got that...whatever, and we didn’t. But now I

know that it's so wrong. There's not that much that makes us different, like the government issue.

Peter George attended the same elementary and residential schools with his brother Rod. Peter iterated that the Prince George College was a residential school for Indians, which other non-Indian Catholics also attended. Like Rod, he described the nuns, priests and brothers, as constantly ridiculing and putting him down, while condoning racism from non-Natives. It was just a joke for them, and "if anything at all went missing, or something got damaged by accident or on purpose, we were naturally the ones who got blamed... So we grew up with all the stereotypical Native things." That Indian status was denied each participant, it is clear they were not denied the bigotry from both the "whites" and the status Indians.

Peter remembered the attitude of the 60s and 70s to be incredibly racist. Peter stated that even though he and his twin, Paul, were getting As and Bs in all classes, this did not change the attitude they had to deal with. "When I became about 14, 15 years old, I started working too, because we were always fairly poor growing up and if we wanted spending money, we had to go and earn it somewhere." Peter added:

No matter how successful or smart you were, you still got looked down upon. Back then, any white person could come up to you and say whatever they wanted, or start swinging, start hitting you, and they were incredibly shocked when they got hit back. Or they picked a fight with us or argument and we'd win the argument, they just couldn't believe it. It was just a bitter pill for them to swallow.

At that time, the family lived near Prince George College, and Peter and his siblings were able to return home each night. Like Rod, they were treated as badly as all on-reserve residents were being treated by the whites during the day at school, and were also treated badly by their own people, a double jeopardy. Peter endured the same treatment in earlier years at St. Mary's Elementary School. "Experiencing racism from both sides hurt even more when it came from our own people." Peter and his siblings made the choice at their young age that either you would go with the flow, or you would fight. "We grew up fighting it. I had a couple older brothers, one that was around when I was growing up was

Jim, and he did a lot of fighting as well. I guess it was just a part of our survival.”

Taunts and name calling usually initiated friction, such as:

Hey you fuckin half-breed. Hey you fuckin non-status. And that was it. That was all we needed. The fight was on. I lumped out quite a few of my cousins because of that. I found out later on that we were related [to the name callers]. We had never ever seen them in the feast hall. None of them ever went to the feasts. They were all stuck in the residential school.

Peter felt fortunate that he was not required to live at the school, so our family could go back to all the potlatches. Attending the feast hall, Peter discovered that our aunts, uncles, and grandparents were all hereditary chiefs. Peter felt that experiences on the Yin Tah and at the traditional feasts, the Bah'lahts, strongly influenced and benefited him, and provided him with cultural fundamentals. Based on his earlier teachings, Peter later developed a Native Arts and Culture Program, where he was able to transfer all this knowledge to on-reserve kids.

Peter observed that his mother lived her life solely around Catholicism, and showed all of the symptoms of residential school syndrome. She would not do anything unless a non-Native had done it before and given their approval. She was puzzled as to how he developed these cultural programs on his own and wondered who let him do this. Not surprisingly, when Peter developed and implemented his own art and history programs for school, community and university/college curricula, he found that often his pupils were the same “reserve kids” he fought in self-defense at St. Mary's Parochial school and Prince George College. Since these reserve kids were away from their Yin Tah attending this, and other residential schools, they had not been taught the histories of our clan territories, as was our off-reserve family. We learned our Yin Tah on the ground from necessity and for our very survival:

It became annoying to them that this off-reserve, non-status knew the culture, knew the hereditary chief names, knew a couple of the songs, dances and stuff like that. A lot of the guys that I went to school with, and a lot of the Natives working in the school system at that time, were status Natives. They were brought up on reserve for two or three months of the year. At that time, there were residential schools. Us off reserve Indians knew about the culture. It

was a little bone of contention. It's what my cousin Greg calls 'professional jealousy'.

Corporal punishment was the norm. Peter stated that punishment at school always meant punishment at home for having been punished at school, and the infractions were always racially grounded. Peter and his twin brother Paul, finally gave up on this futile existence, quit school, and got away from our mother's unending criticism and her devoted defense of this violent Catholic education environment:

By the time grade 12 rolled around, I pretty much had enough of the education system and, being a teenager and being rebellious, finding out about the workforce, if you go out there and do a full day's work and get paid for it.... you didn't have to put up with the guff, and the school teachers or anything, so that was my option. I took it. Twelve years of hating to go somewhere like, St. Mary's, Prince George College....it was hell. We hated it. So, we quit and got the hell out of there.

Peter stated that his experience working with academia was quite positive, as far as the College of New Caledonia (CNC) is concerned. CNC was quite happy to employ him and did not mind that he did not possess a post-secondary degree. Peter became involved at a time when Native programming was manifesting a big upsurge in elementary, secondary, and post-secondary institutions. At the outset, teachers were blatantly and incredibly racist. Budget cuts in education came with the mandate that all Aboriginal funding had to be spent on Aboriginal programming, so administration could no longer "take that Aboriginal education funding and buy new basketballs or take field trips or anything else, or fold that money onto general revenue, and a lot of them are still bitter about it. As far as they were concerned it was their right to do whatever they want with that funding."

The schools, with the exception of a few superintendents and assistants, tried to set Peter up to fail by sending him the more "problem students." When his students started to thrive, the school "made it an incentive program." Most of these students just wanted to be acknowledged as individuals. Peter inspired students to learn about their own culture. They started to ask their parents about their own ancestry, what language they should speak, and from where they originate; "many discovered they were Indigenous from Ontario, Ojibway, Cree or Plains Cree or whatever, and began realising that it was okay

to be Native.” To assuage their indignancy at this new focus on Aboriginal programing,⁶ teachers would alienate the class by proclaiming loudly:

Would all the little brown kids please stand up in the class and leave? You're going for your Native art and culture class with Mr. George, so they separated us. That was a huge problem for me. (my italics)

The Education Minister “actually sent memos out to all the principals and school districts saying that all Aboriginal funding had to be spent on Aboriginals alone”, to the exclusion of non-Natives; Peter excluded no one and received a lot of grief, but maintained his stance. Once the supportive teachers left, his program ended in a very demeaning fashion. Peter has since been doing presentations and full teaching classes with professors at the University of Northern BC (UNBC). In addition, Peter is helping design post-secondary curriculum for two and four year programs at College of New Caledonia, as well as still teaching cultural programs in the community.

Peter received no support from the Aboriginal Education Board in Prince George for his Aboriginal program. He believed the entity to be a sham and a rubber stamp process by Aboriginal board members just there to collect honorariums. The board positions primarily consisted of, and were controlled by, a certain family possessing degrees, and who disbursed themselves around the local Indian organizations. Peter was an anomaly to them as he learned his cultural history by living and being a part of it: “They believed the only way to learn about being Native was by going to school”, so naturally, conflict and lack of support ensued.

Corinne George MacDonald Corinne’s school experience was an eager to excel endeavor which continued as she pursued her PhD, at the time of this interview. Her experience with racism did not overshadow her determination to be seen for who she is, a Wet’suwet’en woman with a knowledge of her culture that is foundational to who she knows she is. Her parents once spoke to her class about our Wet’suwet’en culture and traditions, and Corinne remembers this “unbelievable sense of pride.” Corinne stated that most students were unfamiliar with Wet’suwet’en customs and the more complex aspects of who we are, our connections to the Yin Tah; our connection to the Bah’lahts system. As was typical of this period in history, there was minimal information about Indigenous people, as the Indigenous people studied “were eastern, the Huron and the Iroquois.” She

knew they were Indians, the term used at the time, and noticed that their traditions and customs were much different than Carrier people, as we were known then.

Corinne was competitive in sports and school. She recalled her grade three teacher holding contests for poem memorization where she would receive one candy per stanza. She memorized a 12-stanza poem, just for the candy. She was always at the top of the class regularly receiving As and Bs, until her rebellious stage during high school where she dropped to C pluses. Due to lot of misunderstanding of who we are as Indigenous peoples, she often took the brunt of the racism, and remembered the very first time she was called a squaw in grade two or three. Even at that age, she knew it to be a negative term used against Aboriginal women. She knows now from her own MA in History that the etymology of squaw is “esquewgh”, Cree for Indian woman, and “that’s just matter of fact. It’s just like calling me a Wet’suwet’en woman today. Esquewgh.” Corinne possessed a sort of sixth sense as an Aboriginal woman: “I can almost intuit when non-Aboriginal people are just having a bad day, or if it’s me that they can’t deal with. Right from high school, right from middle school, and even from elementary school, I kind of felt that.” Corinne states that while some cohorts would never even give her “the time of day”, there are people still in her life today “who are very, very good people, for non-Aboriginal people.” Though Corinne faced marginalization, she encountered a great deal of acceptance from her cohorts. Drawing on her strength as an Aboriginal woman, she engaged in both Indigenous and non-Indigenous communities, and finds this to be one of the ways that we can walk well in both worlds. Sadly, “Squaw” is still used only in a derogatory sense. Despite the racism, and negative experiences of living off reserve, she “always had this sense of being a Wet’suwet’en girl.”

While Corinne experienced racism in school be it overt or covert, her excellence in sports mitigated this treatment as people had no choice but to accept her. She was always “in their face” and was difficult to ignore: “some people I didn’t feel the acceptance outright, but when they saw me shoot a hoop or shoot a basket...then they slowly started saying, ‘she’s not bad, she’s okay’.” But with some people, there was always that underlying feeling of discrimination. As a young child, Corinne invited people home, unaware that non-Indigenous students would not know what our traditional food, Be’eh (dried, smoked salmon) was. That was just the way it was, so many of her non-

Indigenous friends had to accept her. As she got older people started realizing the difference between Indigenous and non-Indigenous students, and many dropped her. Corinne related that outside of her grade three “candies for A’s” motivation, she always strived to be her best in school, but during middle school and high school she concentrated more on sports and did not excel as much as she would have liked. She described a nonchalance to her studies in high school.

When the *Delgamuukw–Gisdayway* court case began during her high school years, Corinne became more and more marginalized. People were even more vocal about their attitudes towards Indigenous people to the extent students would stand up in class waving their finger at her saying, “You Indian people are going to kick us all out of our houses, aren’t you? You’re going to boot us off our land.” In one instance, she remembered writing a paper for self-government in history, one of the few papers she “dove right into.” She was confident she was going to get an A. Sadly, she got the paper back with B or C+, and the comment was that this was just an average person’s insight to Indigenous self-governance, which she stated “just ripped me to pieces.” She felt her teacher had no idea of the relevance and importance of her topic. This same teacher ridiculed Corinne even further, when in grade eleven she wrote a letter to the newspaper about racism. She discussed the division in the local community and how it wounded and hurt her. Excited to see the letter in print, she acquired a copy of the Smithers *Interior News* during her lunch time and was feeling very good about it. However, in front of the whole class, this teacher made a production of picking the paper off her desk, hemming and hawing over it for several minutes, shaking his head with the comment: “It’s just amazing what sort of junk people write”, and he flopped the paper down in front of her and commenced class. Corinne was devastated.

Corinne continued her education and attended college in Vancouver. She maintained a strong connection to her identity and the connection to the Yin Tah, our traditional territory, was omnipresent: “You can take the Indian out of the bush, but you can’t take the bush out of the Indian.” Being off reserve, she still relies heavily on the salmon, moose and berries that she harvests from the Yin Tah year after year. However, at college, Corinne lost her sense of identity and her connection to herself, and “got off the path for a

while.” She left school for 7-8 years, felt she bungled her opportunity, and did not anticipate her return.

Corinne did return to university in 2003 intent on acquiring a teaching degree in social studies. In one of her history courses, she learned about the right wing in Canada, nativism in Canada, a really dark history, about the Ku Klux Klan, the Aryan nation, and the Orange Order. This is the history of Canada. Getting reacquainted with the discipline of History, she studied Canadian Indian History and learned of the significance of the Royal Proclamation. She recalled a book by Paul Tennant regarding Aboriginal Peoples in BC, about BC's relationship going back to the *White and Bob*¹⁹ court case in Nanaimo. She recalled being intrigued with the relationship between Aboriginal people in Canada and the government, about the Indian Act and the sequence of events leading up to current times. Corinne took a course, *History and the politics of Europe*, skeptical as to its utility. She learned about the age of Enlightenment²⁰ and realized how connected this was to the relationship Aboriginal people had to Canadian history. Uppermost in her mind was “how much things that we might have perceived as being removed from Aboriginal history is so intertwined with who we are.”

Corinne acquired her Masters of Arts degree in History in October 2007 from the University of Calgary, and then began working on her PhD in History. It has been “a tough journey for sure. But then you know there's moments when.... I often want to go back to my grade three teacher and thank her because (laughs) she gave me that edge of

¹⁹The White and Bob (1965) court case was one of the first cases testing Aboriginal rights. Bob White and David Bob (Snuneymuxw) were charged for having deer carcasses during closed hunting season contrary to the BC Game Act. Both men claimed a treaty right to hunt based on the conditions expressed in the Douglas Treaty for the region of Nanaimo signed by Douglas with “The Nanaimo Tribe” in 1854. The Court of Appeal held the accused were within their rights by virtue of s. 87 of the Indian Act. A valid treaty existed covering the hunting rights of the accused; the provisions of the provincial Game Act did not apply. In the Douglas Treaties, the First Nations were promised that they were “at liberty to hunt over the unoccupied lands as formerly.” This promise overrode any provincial laws and the Indian Act.

²⁰“Enlightenment”, also known as the “Age of Reason”, brought about the transformation from the church being the source of unquestionable truth, and nature as unknowable, to the age of science and individual knowledge. Immanuel Kant (1784) encapsulated the era, “Dare to know! Have courage to use your own reason!”

competitiveness.” Corinne is now confident in her ability to answer complex questions⁰ regarding Indigenous rights and history. In so doing, she realizes how little understanding people have of Indigenous people:

I think that’s why we’re here, to communicate that...I definitely wouldn’t say I’m here to tear bridges down, but to build bridges of communication and to build bridges of understanding, because historically, the root of misunderstanding and the root of division and conflict.... we’ve already shown that that doesn’t work.

Corinne’s firm foundation as a Wet’suwet’en woman enables her to continue walking well in both worlds.

Regarding the level of Indigenous content in academe, Corinne optimistically reasoned that things have improved and are still continuing to improve. A solution orientated person, Corinne tries to live within the problem, and devotes her time to building bridges of understanding, much like her father Tsaybaysa who was literally a bridge builder, a “sapper”, during WWII. Tsaybaysa was a key source of our clan history to the Delgamuukw-Gisdayway court process, an important communication bridge in Canada’s history. Corinne thinks that Indigenous content has shifted, since earlier and often considered radical scholars like George F. Stanley²¹. Corinne referred to her MA supervisor Sara Carter’s book *Aboriginal peoples and Western Colonizers to 1900*, who stated that we are still very much in the “zone of contact” between Indigenous and settler peoples. Corinne paraphrased Carter’s assertion that European explorers were not explorers at all, but were “taken on guided tours often along well traveled routes.” Corinne feels that this insight shows that “people are starting to engage and get an understanding of Aboriginal people and who we are. And so, it is shifting, but very recently.” She is not certain how long this new awakening will take.

Corinne is encouraged by the fact that more Indigenous people are becoming part of academe as another ongoing level of development, and that history is starting to “shift away from the patriarchal motive of scholarship.” She swiftly stated that she is not a

²¹ George F. Stanley was a Canadian historian and author whose books often ran counter to the conventional histories of the time, especially in their sensitivity to the rights of French Canada and the Metis.

spokesperson for Indigenous people, but with her own cultural awareness and scholarship, she can offer some insights. In her last semester while a teaching assistant, she “told the students I would much rather people ask questions than assume that they know the answer, because most assumptions I find are based on misconceptions.”

There were many challenging moments when Corinne felt like giving up on the path of academe. She recalled one instance when she conveyed feelings of despair, wanting to discontinue her path. Her mother Gilughgun quietly listened and phoned Corinne a few days later and related a story of how her grandfather, Gisdayway, told the family of a similar challenge when trying to cope with the colonial advance and economic shifts therefrom, and had to work in a mine to provide for his family. “Papa” always used to tell similar stories and, in this instance, spoke of traversing along a canyon on very narrow precarious pathways, often fearing he was going to go over the cliff. At those moments when he knew he could not turn around, he would say “*Insayatsaya hout saya*, which means where we are going, we must keep going. We must never give up.” After relating this story, Corinne’s Mother proceeded to talk to her reminding her about who we are as Wet’suwet’en, and our connection to our traditional territory. Gilughgun said: “White people don’t know those stories. Somebody’s going to have to tell them.” Corinne felt it very fitting that her mother tied that story to the essence of *Insayatsaya hout saya*; “so my experience in academe has been tough going, but I intend to keep trudging.”

Vicki George, my daughter, recalled her elementary school years as confusing and bewildering. She knew she was different and remembered the tenor of information about Indigenous peoples as being quite Eurocentric. Vicki remembered school being very difficult, as she and older sister Heather were the only Aboriginal students in a huge school in Surrey BC. She experienced racial comments, which she regarded as some kind of test period, as other students were curious about her and always watching her:

after grade three (other students) kind of laid off, but still never let me forget that I was different. I would get some racial comments and stuff over the years up into grade seven [in] that particular school, but not as much as my first three years. The comments and taunts always happened on the school grounds, so a lot of the teachers never knew what was going on and I never bothered talking to them about the situation. I never felt safe enough, and [the

teachers] never created an environment where I could feel safe enough to talk about that.

To gain acceptance, like other participants in this study, Vicki immersed herself in schoolwork, becoming an A student. She used sports as an outlet, later becoming known as a star runner. Vicki experienced the same period of testing and racism in Grade 8, and again in Grade 11, when she advanced to each different school. Outside of school, her like-minded cohorts provided a relatively safe environment and whose families accepted and included her in outings and holidays.

Vicki's earliest memory of the stereotypical portrayal of Indians in school was a film with this white person standing beside an Indian statue with this sports medal, and she recalled thinking:

why did they have an Indian statue that has a medal around the neck, and then a white person standing there. Are we just made of wood? Don't we exist? I remember thinking what the hell does that mean, and what are they trying to say? Who put this film together and...you know...there are Aboriginal people roaming the earth. Why couldn't they get a real person? Aren't we real?"

Apart from the underlying message in that film, that we are no longer here, her history books taught that her people were either blood-thirsty savages, or a noble savage, and Vicki wondered what that meant. Through attending university, Vicki learned that anthropology readings were created from anthropologists observing Indigenous people, and then thinking up unsubstantiated and often bizarre and untrue concepts and comments, none of which were derived from consulting Indigenous peoples themselves. The general public seemed to just take it for granted that "what that white person wrote was true about looking at Indians from afar. It was just bizarre."

In university Vicki recalled a still limited Indigenous curricula and equally uninformed instructors to teach Indigenous issues. She recounted a research film project with two other Aboriginal female cohorts who all agreed:

universities... many of them aren't Aboriginal friendly. A lot of the instructors don't have any knowledge of Aboriginal people, particularly the history, which is of utmost importance...so they often say the wrong thing, or have their own ideas. If an Aboriginal student speaks up to

correct them, there [are] many instructors with say, PhDs or MAs that don't like that.

Indigenous/Aboriginal students in this video project agreed that they had to endure racist comments in classroom. Vicki reported: "I had a student in my class standing up and he went on a racial rant for about 10 minutes, and this was allowed. It was a classroom full of about thirty students and my teacher didn't say anything." In the video Vicki told how this racial rant affected her personally, that the effect lasted weeks, to the point of not being able to deliver a paper on time. Her other course work suffered too. The other eight or nine students in the video recounted similar experiences.

Solution minded, Vicki feels that Kindergarten-Grade 12 students, as well as those attending university, should be required "to take some Aboriginal history content courses in order for students to learn about our people and the true history, particularly the colonial history." Vicki and her research cohorts proposed that anyone teaching Aboriginal content must not just know about the current Indian Act, but also the Indian Act changes since 1867, Section 35 of the Constitution, and basic Aboriginal history in Canada, and BC (or local province) Aboriginal history as well. Although many instructors were uninformed, "there were some instructors with PhDs and MAs that encouraged Aboriginal students to correct, or to speak up, or to share, so that they can learn."

Although universities talk about furthering education and multiculturalism, they need to extend that to Aboriginal content so that the university experience may be more positive, especially regarding off-reserve Indigenous peoples. Vicki would like schools and universities to have guidelines for course content and curriculum so that the off-reserve realities and experiences can be learned by their students. "I think that our voice is just as important as any Aboriginal person. Just because we're off-reserve, doesn't make us any less Aboriginal."

Vicki felt that increased education on Indigenous culture and ways of knowing would also bring the on-reserve and off-reserve students closer together. They, too, would learn that they have more similarities, than differences

Vicki wishes that off reserve reality and its many nuances be discussed more by our elected leaders, whether on reserve or off-reserve, or at the national or provincial level. It

certainly must be covered more in academia, and at conferences, where students knowledgeable of the off-reserve reality be encouraged to speak.

A litany of omissions tacitly perpetuated the myths of the blood-thirsty warriors or the wise and noble savage. Rita and my mother attended Residential School, an educational institution in name only for much of its existence. The Truth and Reconciliation Commission refers to residential schools as being created for the purpose of separating Indigenous children from their families, in order to minimize and weaken family ties and cultural linkages, and to indoctrinate children into a new culture—the culture of the legally dominant Euro-Christian Canadian society, led by Canada's first prime minister, Sir John A. Macdonald, the man on our ten-dollar bill commemorating Canada's 150th birthday. The schools were in existence for well over 100 years, and many successive generations of children from the same communities and families endured the experience therein, and which survivors passed onto their progeny. While that experience was hidden for most of Canada's history, those who attended, and their descendants, continue to experience multi-generation trauma which Canada now confirms as cultural genocide.

The Truth and Reconciliation Commission explained:

Cultural genocide is the destruction of those structures and practices that allow the group to continue as a group. States that engage in cultural genocide set out to destroy the political and social institutions of the targeted group. Land is seized, and populations are forcibly transferred and their movement is restricted. Languages are banned. Spiritual leaders are persecuted, spiritual practices are forbidden, and objects of spiritual value are confiscated and destroyed. And, most significantly to the issue at hand, families are disrupted to prevent the transmission of cultural values and identity from one generation to the next. ... Getting to the truth was hard, but getting to reconciliation will be harder.

The effects of legislated cultural genocide were expressed by all participants, with further information to be found in the Governance section of this document.

The racism of academe, according to the participants, expanded beyond educational policy and textbooks as referenced in their interview reports. Racially based bullying from fellow students and teachers was prevalent throughout their experiences in the educational system. Bullying through physical abuse, taunts, degradation, ostracization,

denial of educational rights to fully participate in school activities, and the proselytization of the colonial curriculum of untruths, challenged their education in every way. Despite these unsurmountable challenges, each participant expressed a development of strength, self-confidence, and an unshakable belief in Gisdayway's words, "Insayatasay hout saya," Where we are going, we must keep going (Thomas George). Some approach the challenges of life and living off-reserve, "not as problematic, but as having a solution." Self-knowledge, confidence, and strength of ancestral connection as a Wet'suwet'en woman support Corinne as she confidently walks through both urban roads and the Yin Tah. Others related the camaraderie of being, and keeping in contact with "fellow warriors" as strength-giving. Another stated that regardless of any Indian Act label, the pressures of succeeding in the bureaucratic system and institution of university, or elsewhere, fosters a connectedness with others through common life experiences. All participants found that threats perceived by non-aboriginals, such as the fear expressed when Caucasians believed that the Delgamuukw-Gisdayway court case would "kick them out of their homes," diminished when these same people learned the truth of the case; they and their homes were unaffected.

Governance and the Indigenous Red Curtain

Former Assembly of First Nations leader Phil Fontaine, noted that in 1876, shortly after Confederation, Parliament passed the Indian Act, which not only ignored our contributions but subjugated us as wards of the state essentially making us non-citizens in our own country, not really a part of Confederation where we have no protection of our languages, laws, or our cultures. Fontaine stated that the true origin story of Canada can only be told by parliament by recognizing that there are three founding peoples of Canada: the British, the French and Indigenous peoples. He added that this would set the record straight where the correct and powerful narrative of Canada's origins would become part of the shared story of every Canadian for generations to come opening up possibilities for genuine and lasting reconciliation, "not the lie that's been imposed on all Canadians." Fontaine reminded that the "1996 Royal Commission on Aboriginal Peoples wrote, 'A country cannot be built on a living lie.' We should celebrate Canada's 150th anniversary."

(Senator Murray Sinclair, Phil Fontaine, Dawn Lavell-Harvard. March 31, 2017. Indigenous leaders issue call to action here's what Canada must do to make amends for residential schools' tragedy. https://nowtoronto.com/news/indigenous-residential-schools-call-to-action/#.WN_F2YTGbZo.facebook.n by Senator Murray Sinclair, Phil Fontaine, Dawn Lavell-Harvard)

Canada has steadfastly refused to endorse the International Labor Organization Convention 169 (Appendix D), a law which guarantees human rights to Indigenous peoples. The majority of these guaranteed human rights have yet to be practiced in Canada and have been denied the participants of this study. All off-reserve Indigenous people are surrounded daily by the “superior culture.” We were forcibly relocated from our communities by law, forced to speak English, denied close contact with our community and governance, and were to regard our culture as inferior in almost every aspect of our interface with this constitutionally declared “White Supremacist” regime. We hunted and fished under cover of darkness to survive. My father was affectionately known as “Midnight Jimmy.” We grew to know our Yin Tah well, always having to clandestinely remain undetected in our own country. That is how the Indian Act affected entry into what Gloria refers to as the “Colonialistic Berlin Wall”; Gloria calls the policies and laws guarding everything within these Colonial “Indian Reserve” walls, the “Indigenous Red Curtain.” Though the wall was lowered somewhat in 1951 by removal of laws forbidding entry on to reserves, the Indigenous Red Curtain is very much alive and well, making it illegal for participants in this study to be recognized as Indian or First Nations. We can only be legally recognized as Indigenous. Indeed, the Indigenous Red Curtain.

Disadvantages of being “Illegal”

All participants stated that hereditary governance is most affected by Canada’s apartheid legislation and genocidal policies. All attributed the Indian Act to be central to our problems of participation in our Bah’lahts, and in all deliberations regarding our Yin Tah. All agree that our human rights are violated by all governments, including by our own “so called” representatives in the Office of Wet’suwet’en Hereditary Chiefs. The federal government will only deal with its “own” legal Status Indians, as King (2013) summarized with this explanation:

...it means that only about 40 percent of Live Indians in North America are Legal Indians. A few more than one in three. This is important because the only Indians that the

governments of Canada and the United States have any interest in are the Legal ones (69).

Initially, the outlawing of our Bah'lahts from 1884-1951 forced Indigenous governance underground. When the enfranchisement process began in 1876, so began the problems for off-reserve Indigenous peoples, to even visit families on reserve. DIA laws and policy usurped recognition of hereditary governments through legally establishing Indian Act bands and their elected chief and councils, to represent approximately 30-40 % of the Indigenous population. DIA ensures full control of all matters within these federal enclaves, including denial of human rights of enfranchised Wet'suwet'en.

Thomas George, Gisdayway, was persecuted because he would not leave his clan territory, where he managed his "George Ranch" at Biwini (Owen Lake), totally under sovereign Wet'suwet'en law. As Gisdayway would not move onto a reserve, the Indian Agent advised him he could not be a status Indian. He and we descendants have been blamed ever since for being on this "White Act", the colloquial for becoming enfranchised. It also seemed to imply that we were "high tone", as Thomas would remind Gloria, Rita, and I, when recalling gossip that reserve Indians opined that we were behaving and living above our station by being on this "Act." Henceforward, by being on this colloquial "White Act", all forms of physical, mental, emotional, and spiritual violence have been wrought on our off-reserve family.

Gloria George recalled hiding under sheaves of hay in the horse-drawn wagon, often under cover of darkness, when entering Moricetown and Hagwilget reserves to visit family and to attend feasts. She remembered the feast halls lit by coal oil or gas lanterns, and that lookouts were posted to warn when the Indian Agent was near. She told of being hidden under benches, behind the legs of parents, and that she was "to be very quiet." Gloria recalled being intrigued and humored, as a child, having to hide upstairs in their relative's house on reserve, surrounded by boxes, while her parents dealt with either the law or the clergy, these colonial shock troopers:

We stayed at Johnny and Madeline David's place who lived in an old log house . . .when the Indian Agent or fish warden came onto the reserve to check those of us who were non-status Indians or enfranchised Indians on reserve. . . . because it was against the law for us to be there, we were sent up to the bedroom upstairs and hide

underneath the bed. I remember it was quite dusty underneath those beds and we used to look through the cracks in the floors and we would see the Indian agent or fish warden downstairs talking to my parents, who said that we were only visiting and we would be leaving shortly. And that's how we had to exist as non-status Indians and enfranchised Indians. We were not allowed to visit our own relatives on the reserve . . . In a sense, we lived with the Colonialistic Berlin wall, Colonialistic barrier that you could not stay longer than a few hours. Those are my early childhood memories of being brought onto reserve and having to leave under cloak of darkness.

Gloria recalled that the same thing happened when they traveled to Hagwilget (Reserve), where many members of the Thomas George family, Gisdayway's relatives, lived. As the train did not leave until the next morning, the family had to stay hidden through the night. In order not to be caught and charged with breaking the law, the family would walk through bushes along a narrow trail in the dark in the very early morning hours to meet the train:

We could not reside on the Indian reserve, and we could not stay for long visits with the family. When we traveled by train, we couldn't carry any of the fish that we so badly needed for our own larder. I remember when we went to Moricetown, because we had a horse and wagon, we were able to bring fish back, but we had to leave in the dark hours of the night or morning, so that we would not get caught with the poaching in the wagon. Being very young at the time, I thought it was fun and didn't realize the legal implications that were existing in the mired framework in that injustice. I didn't, of course, appreciate the hell that my parents must have endured not being able to see their relatives, not being able to go to a funeral of their relatives and stand a little while to grieve with their family.

Gloria now understands the enormous pressure her parents were under; always having to avoid detection by the clergy, Indian Agent, or game officials. She recalled, as do I, her father Gisdayway being charged and sentenced under dubious game and other legal infractions to ensure he knew who was in control. Gisdayway spent time in jail for harvesting deer, like he and our ancestors have done for millennia. He was charged under provincial game laws because he was an enfranchised Indian; on-reserve relatives were

able to hunt without a license. Gisdayway, however, would have his equipment confiscated, be fined, or jailed, and often all three. Gloria stated that game legislation “catered to the needs of the majority of society so that they could be game hunting or trophy hunting, but that the provincial legislation did not apply to the Indians who subsisted on the natural resources of the traditional territories.”

Early Contact

Gloria mentioned that in the earlier days when the Europeans arrived in our area, mainly the Dutch and the Swiss, there was understanding that our people still had access through their areas to pick our berries, and harvest foods. Many of the immigrants were poor and starving so our people had to feed them. In the 1950s and 1960s a lot of Americans arrived in British Columbia, mostly to avoid their wars. Many Americans bought and created huge ranches. These later immigrants had more money and so they weren't as generous in allowing us access. Despite our courteous requests, they were not as open to us walking through "their" land. Many would threaten and call us trespassers. Gloria happily recalled a particular neighbour that lived high up on the mountains:

This particular neighbour allowed us to go up there anytime, but my parents always looked after him too. We gave him vegetables and fish and deer meat and bear meat...and he'd eat it ...he loved it. We used to give him that in exchange for us walking through his property so we could pick berries. We'd also give him cranberries.

Gloria learned from infancy that she did not have the same rights, and could not practice liberty:

I knew that we were deficient in citizenship, (that) we lived as an illegal resident, we had to lie to eat, lead a double life, one where we lived in the bush and we were quite happy with that. We used natural instincts and we had a happy personality, and we had the mentality like the medicine wheel. When we returned to the property and school, we had to wear a mask. We had to have proper discipline and pretend we were not who we are. We had to pretend we existed like other people.

Living this double persona, Gloria related, had probably served her in good stead in later years, particularly when she was in her elected positions in Ottawa, when she was able to express herself fairly explicitly about the life of non-status Indians.

Constant Advocacy

Gisdayway's father, Felix George, is on record speaking to the McKenna-McBride Commission lobbying for return of our lands, or at the least, larger reserve allocations.

Gloria's father, Gisdayway, preceded her when he journeyed to Ottawa on his own funds:

This must have been after I was born, in July 1942, and I have a little document, the *North American Indian Tribes of Canada*. He journeyed, and I don't know how he got the word, but he went to Ottawa to indicate to the authorities that his relatives were living in an impoverished state, and someone had to improve their condition. Because it was against the law for him to travel, (as) this was before the Indian Act was changed in 1951, he went there in 1942. He was also concerned at that time about the situation of his two sons who had gone into the army in World War II and was concerned about them being treated equitably and being safe. He had to do this like the underground railway, or the underground. He traveled across by train, and we have pictures of him standing in front of the parliament buildings. He was hidden in Ottawa, with a priest who believed in social justice, and he accommodated my father, who met,.....and I don't know who this delegation was...a lot of people were involved in the delegation. So, he met with a Sioui (spells it out) to talk about improving the situation of Indigenous people in Canada. (R)emember, before 1951, no more than [five] people could gather to speak about Aboriginal issues, or they'd be jailed. After that meeting I think my father was not jailed, but he certainly was jailed quite often for infractions of the wildlife legislation. I don't know if it is related to the Ottawa trip, but Sioui was there for quite a long time. When I was in Ottawa in the 1970s, I met his grandson, who said his grandfather still did not talk about (something) because it was against the law and he thought he was still going to be persecuted, forty years later.

Gloria's father never spoke about it too much, only that he was in Ottawa; after he died they found the documents. Gloria's mother explained: "Our relatives were living in such

terrible conditions on the Indian reserve that he went to speak to some important people¹ in Ottawa [in 1942], to try and improve the conditions of our relatives on reserve.”

Despite Gisdaway's earlier advocacy efforts, Gloria found that many of her relatives on the reserve, were very narrow in their thinking, to the point of being very racist with their own relatives. A couple of her siblings, though they have done well in the contemporary world, are still quite angry from the way they were treated as youngsters. Gloria finds many on-reserve members take their role as hereditary chief for granted. She stated that their concept is so narrow they have a difficult time being flexible enough to accommodate everyone: “I think it's to the point of greed, as well that they live in such an impoverished state...that you and I are a threat to their minute possibility of profit.” Gloria also feels that some of the chiefs feel because they can speak our language, that it qualifies them to be “more Indian.” She added that the accolades some chiefs received from being witnesses for our court case, gave some chiefs a false sense of leadership. “Just because they were a witness does not make them self-sufficient. They were paid from honorariums, or however their expenses were paid. They did not earn it.”

It was discussed how the on-reserve feel threatened by the off-reserve Wet'suwet'en, and try to denigrate our integrity because we are educated and highly self-sufficient. Gloria stated that the on-reserve people do not see the off-reserve's accomplishments as a success to our Nation: “They see us eventually returning to the community and taking over what little they have, if they have anything...The fact that our family is also mostly sober and drug free, they also see that as a threat.”

Gloria stated that because some of the people on the reserve make big dollars, they think they can buy their hereditary names with their one paycheck, “and yet they haven't prepared over a lifetime like we have, in acquiring the hereditary names.” Gloria recounted that at her brother Fred's funeral, there were non-relatives who threw in \$500 dollars each because they knew it was being publicly announced, “but they didn't contribute to the \$2000 worth of material goods and food that went around the hall.” These people wanted the public accolades without adhering to traditions and protocol. This action was repeated at the funerals of Gloria's brothers Leonard and Andrew.

Gloria stated that we know that the elected band chiefs and counselors get their money from the elected system, but witnessed her own brother receiving a cheque to use in the

feast hall: "the band council gave him some money, a cheque. The band council would send a cheque in and I think the Office of the Wet'suwet'en put money in, and I disagree with that, because my contribution is certainly not federally funded." She witnessed people on income assistance suddenly bring significant amounts of money into the feast hall, and wonders if they, too, have received funds from the band, as did her brother. She felt it ironic that at her brother's passing, the OWHC printed up a poster regarding his contributions, then sent his grieving daughter the bill. As the family did not order the poster, Gloria refused to pay the bill.

Regarding the Office of Wet'suwet'en Hereditary Chiefs negotiations, Gloria stated that the Province, and the people at the negotiating tables, ostensibly assume a democratic process is taking place. Federal and provincial negotiators leave it to the respective Indigenous group to ensure appropriate territorial representation. As the potlatch system is public, government representatives therefore assume that the representatives are inclusive of ALL hereditary chiefs: "The federal and provincial negotiators are not going to push, nor enforce, any group to make sure that they represent the interests and concerns of the off-reserve population." Gloria feels that committed communication between on and off territory hereditary chiefs is vital, and miscommunication can easily be rectified using today's technology. "We can voice our concerns through videoconferencing. That's not expensive. The problem is the federal government officials are not going to do it."

Gilughgun, Rita, recalled her non-status Indian aunt, Ellen Gerow, having to pay a fine of \$16.50 each time she was caught visiting Rita's mother, Julie Isaac, on the Burns Lake reserve. Rita and her family lived under constant harassment from these government agents. Around 1901, Gilughgun's great uncle was burned out in Forestdale, BC, by one of the numerous Boer War Veterans granted legal title to our homes and territories; Rita's Great Aunt suffered serious burns when their home was torched by the "White Settler", who had the legal protection of the RCMP. The non-arable Wet'suwet'en First Nation reserve is compensation for this history. Rita lost her Indian status under Section 12-1b of the Indian Act due to marrying my WWII Non- status Indian Veteran uncle, Tsaybaysa, Andrew George in 1960. Gilughgun then experienced the effects of racism while living off reserve while they raised their family on Toodinay. Rita received her status under

Section 6.1C²² of the revised 1985 Indian Act. We became known among ourselves as Alphet Indians, or Crombie Indians²³. On-reserve Indians often refer to us as those “damn Bill C-31s”, often with a hiss. Rita recounted:

Living off the reserve, we had nothing. We had a little tiny house. I told my children not to be ashamed of where they were raised. We had no running water. We had to pack our water, and we really struggled to get what we need to get. We weren't getting help from anybody. We became self-independent and we were really strong at it. I never let go of my language. I never let go of my clan system. I became very strong and knowledgeable of everything today. And that's what living off the reserve taught me.

Gilughgun recalled violence from her own family after receiving her “blue enfranchisement card”, along with \$19²⁴, which forbade her to live or visit family at her former home reserve, or to hunt and fish without a license. Rita was chased off the reserve by the chief, at gunpoint, when she tried to visit her mother; the chief was a family member. The term “Colonial Cops”, coined by Harold Cardinal (1969), is an apt description of chiefs and councils who diligently guard that Indigenous Red Curtain, ensuring every DIA rule is followed. These same colonial cops on the Wet'suwet'en First Nation fiercely denied any help to “those non-status bastards.” Band members were told “to not even lend them an axe”, when Gilughgun returned to build her home, after 1985,

²²Women who lost status upon marriage to non-Indians or Non-status Indian or Metis men, lost their status under the infamous “12 (1) b” of the Indian Act; Conversely, women would gain status upon marriage to Status Indian men, thus the need to remove this discriminatory section and restore Indian status to “12(1) b's”; “12 (1) b's” then became 6.1c's.

²³The new act divides all Indians into Section 6(1) a, b, c, d, e, f, and 6(2) Indians. David “Crombie Indians” Crombie was the Minister of Indian Affairs who marshalled this change, and proved an advocate for this important discriminatory section; and not just because the constitutional equality clause dictated that no law could contravene Section 15 protecting discrimination based on Sex, age, religion etc., after April 17, 1985. As history notes through the successful Sharon McIvor, and now, Linda Gehl, SCC decisions, discrimination based on sex has not as yet been wholly resolved.

²⁴In numbered treaty areas, “12 1(b)'s were given a prorated sum of money, ostensibly the amount they would have received over their lifetime had they not married out. In non-treaty areas, such as BC, an unknown formula determined that Rita should receive \$19.00.

on the five-acre Certificate of Possession²⁵ land that her father willed to her. As a provincial elected leader during and after this change of law²⁶, I was privy to a plethora of similar incidents happening across Canada. Bill C-31 houses were actually being torched by on reserve members. Resistance to their return home after re-instatement of Indian status after 1985 was widespread, and often violent.

Gilughgun, matriarch of our bear clan, advised that we have five different clans within our matrilineal clan system, all representing animals; the bear, frog, killer whale, beaver, and caribou clans:

This is how we get our chief name. We are chosen...the name goes on; as the chief passes on, the name is passed on to the next generation. And when we get a name we are taught to be respectful. We are taught to say positive things, not to be negative about things. When we say anything negative, when we do crazy things, maybe like drinking and doing all those stuff, they tell us, our ancestors tell us, we're dirtying our ancestors' names. We are taught not to abuse the name in any way while carrying it out, and to be responsible to our clan, and that's where the name is so important. This is what I'm teaching my children, how we maintain our name and our responsibilities in the Bah'lahts hall.

Gilughgun stated our clan governance system is less efficient than it used to be, because the younger generation are getting in and making different rules, without understanding the cultural background. "Since our court case, clan names have been confused and misused. Wet'suwet'en just had the bear clan, now the wolf crest is being used as well. We also did not use "big frog" and "little frog", which are Gitksan clans." Another young chief, against considerable controversy, took a name and is using the raven on his crest. Another rule is when a family member passes on, the father clan, brothers and sisters of the father, are hired to conduct funeral protocols like buying caskets, digging graves, and conducting a wake: Now, instead of hiring the real father

²⁵A Certificate of Possession is a piece of property still owned and held in trust by DIA, and can be willed by the owner of the CP land that is in their name. Regular band lands are not held by one person.

²⁶Presidents of each provincial organization made up the board of directors of the Native Council of Canada, the national representative body of Metis and Non-status Indians at the time. I was on the national committee dealing with Bill C-31.

clan, some clan members are hiring their very own in-laws no matter what clan they are.⁵ “That’s what’s going on today. The in-laws can be a different clan from all the five-different clans, and they still hire them and they’re not following the clan system. That’s what I mean by changing a lot of things.”

Rita also mentioned that there are hereditary chiefs who advocate that chief names be taken away from off-reserve clan members because they are seen as not maintaining their responsibilities in the feast hall through their absence, even though money is contributed on behalf of her adult children, and their names acknowledged. Gilughgun noted that the only way names change is through the passing of the chief.

Gilughgun believes that urban clan members whom are going to school, “or for work because there’s no such thing as a job on a reserve,” need to have their needs taken into consideration by both on-territory and urban chiefs. Chiefs at home need to ensure that traditional foods be set aside for processing for students and needy clan members who reside in the cities. City based Chiefs need to ensure that the needs of urban members are accounted and provided for. These actions would need open communication between both on and off reserve members, as opposed to the artificial separation we currently experience. Rita suggested that clan members must remember that “every dollar counts”, and that we need to contribute from afar. Many urban members live below the poverty line and are unable to contribute monetarily, but through organization and communication, we can reverse the omission of rights and entitlements:

I think there should be salmon allotted to people that’s living off-reserve, living in the cities. There should be, being a student and a clan member, that they should be provided with salmon and given to the family to can for them, to dry for them, or whatever. That’s another solution that I can see.

Gilughgun is convinced that her declarations are true and depict her reality:

I myself, I have no problem with releasing anything. What I stated here is the truth. It’s right from my own experience and that’s how we were treated and this is how we survive everything...the survival from all kinds of stuff from our life. **I’m not ashamed to say it and it’s not to be confidential, because this is my true experience and it’s coming from me.** (my bolding)

Tsaybaysa and Gilughgun, traveled with their children throughout our clan territories year-round, and ensured they were well prepared to understand the hereditary system, which Gilughgun continues to do with her adult relatives and grandchildren. Greg recalled how silence and respect were expected. Children were trained to watch and listen within the feast hall. He noted "other kids from the reserve were allowed to run around, not seeming as disciplined as we were required to be." On the territory, all participants were taught respect, hunting and gathering, and maintaining a continued traditional lifestyle. During territorial travels, Tsaybaysa would point out the boundaries and recount his experiences growing up therein. The current road systems were once the trails they walked from their homestead in Toodinay to their traditional territories in Owen Lake, and Parrot Lakes. This changed in the 1950s when a road was pushed in from the main highway. When the railroad was built, our uncles and grandparents took a train from Toodinay to Houston, and hiked fifty miles to our Yin Tah. Understanding the Bah'lahts system is a lifelong process. Greg feels he and his siblings were provided a good foundation with the experience in the Yin Tah, how that relates to the feast hall, and how that expands into how you conduct yourself:

because you can go to a feast hall, and everybody's watching. All the chiefs watch how you conduct yourself, your actions are a reflection of your attitude and your behaviour, and that comes down to respect, self-respect, respect for the land, respect for the system, respect for other people, and so.... Yeah, I've learned a lot about our hereditary system.

On-Off-Reserve dichotomy

The argument that the Indians on reserve have been discriminated against is no less true for us off-reserve Wet'suwet'en. This paper illustrates how myths and stereotypes have also limited our participation in the hereditary system. Discrimination is even more harmful and hurtful when it comes from our own people, especially when the cause is forcible relocation by legislation, the Indian Act. The general public, whom we live among daily, seems unaware that approximately one third of the Indigenous population garner all the attention and funds from any government, yet we off-reserve members are often the target of their racial profiling. Both governments, including Indian ones, deny us everything. Out of sight out of mind. Forcible relocation by legislation.

Each participant experienced the dichotomy between on and off reserve Wet'suwet'en⁷ members. Many are typical and can be seen all across Canada. Stereotypes abound when it comes to denigrating the Indian-ness of the off-reserve Indigenous. Stereotypes are government generated, if not in law, certainly in practice. Thomas King (2013) humorously explains these categories. King's feature stereotypes are the "Dead Indian" and "Live Indian":

Dead Indians are Garden of Eden – variety Indians. Pure, Noble, Innocent. Perfectly authentic. Jean-Jacques Rousseau Indians. Not a feather out of place. Live Indians are fallen Indians, modern, contemporary copies, not authentic Indians at all, Indians by biological association only (64). For Native people, the distinction between Dead Indians and Live Indians is almost impossible to maintain. But North America doesn't have this problem. All it has to do is hold the two Indians up to the light. Dead Indians are dignified, noble, silent, suitably garbed. And dead. Live Indians are invisible, unruly, disappointing. And breathing. One is a romantic reminder of a heroic but fictional past. The other is simply an unpleasant, contemporary surprise.

King continues by distinguishing the live Indian as a "legal" Indian:

Legal Indians are those Indians who are recognized as being Indians by the Canadian and U.S. governments. Government Indians, if you like. In Canada, Legal Indians are officially known as "Status Indians," Indians who are registered with the federal government as Indians under the terms of the Indian Act (68).

King notes that "legal Indians are Live Indians, because only Live Indians can be Legal Indians, but not all Live Indians are Legal Indians" (68). This is where participants of this study situate. We are the live Indians whom are not legal. By deduction we are "Illegal Indians."

King explains another facet of this legal quagmire in regard to treaty rights: "with the exception of certain First Nations bands in British Columbia and some executive order reservations in the States – Legal Indians are the only Indians who are eligible to receive them (69). Apparently, Canada stands firm on who is allowed to participate in any discussions regarding treaty or other rights through the current BC Treaty Commission;

only their Indian bands. We Illegal Indians still remain non-participants in “legal” Indian matters. From this platform, stereotypes abound.

A key stereotype is that we off-reserves sold out and turned our backs on our people, have assimilated, and are not real Indians. The participants of this study demonstrate the opposite. On most reserves situated in the numbered treaty areas, the term *treaty* is used synonymous to “Indian Status.” In these areas, women who married non-Indians or Non-status Indian and Metis, the infamous “12 (1) b’s”, were given a prorated sum of treaty payments they apparently would have received had they remained status and not “married out.” The belief, no doubt fanned by DIA, that these women “turned their back on their people” and “sold out”, was rampant across Canada. As the history of Bill C-31 presentations to the standing committee show, this is a case of the victim taking the blame for the oppressor’s tyranny. The 1984-85 Hansard records of the Bill C-31 standing committee clearly demonstrate the venom and disdain for the “damn non-status in our area.” All manner of chaos was predicted. “They are now assimilated”, and if “we have to accept them back with this law...they will dilute our culture while overcrowding our reserves,” and so on. Walter Twinn from the Sawridge band, sitting on millions of dollars’ worth of oil revenues in Alberta, challenged Bill C31 in the Supreme Court of Canada to block these damn “Bill C31’s” from returning to his reserve. (The Tories later appointed Walter Twinn a senator). I sat in meetings in Ottawa during this period listening to these status groups speaking in public, hissing out the words “damn non-status”, and other such epithets. One has to ask whose interest this serves? This disdain was common all across Canada.

Participants acknowledged that one is a product of their environment, and on-reserves only react to their reality of living under total control of DIA. But, when that reality makes one believe that having status, and being able to reside among your own people in an exclusive community—when that becomes the reason to think one is more Indian—and that attitude justifies deliberate exclusion of off-reserve Wet’suwet’en, then we have a problem. We literally fill the “Illegal Indian” category. We can all moan that the white man thinks they are superior to us “Natives”, but how does that justify these same “oppressed” on reserves people meting out that same superiority reasoning that us off-reserve are less Indian for not residing on a reserve?

How Indian are we? By whose standards? Whose lens? It depends on what import there is to the term. "Indian" is generally associated with someone from a reserve. That is usually the first question asked of us. What band are you from? My friend and colleague, journalist and author Brian Maracle offered this succinct explanation regarding the attention such a small percentage of the Indigenous population receives from government and society, to the disadvantage of our off-reserve majority:

And speaking as a former reporter and not as a DIA indian²⁷ (sic), there are several reasons why the media ignores everybody but the AFN²⁸. It has to do with the way native people are "organized." It is much easier to locate DIA indians because they live in a strictly defined area the media can find on a map. There is a sign telling reporters when they are entering a community. The reserves also have a local government that is recognized by the federal government, often by the provincial government and sometimes by neighbouring municipal governments. Reserves also have many ties with local and regional businesses. By comparison, urban natives, even though most of them are DIA indians, are nowhere near as visible. They don't live in a strictly defined geographical area, they don't have a local government that is recognized by other governments to the same degree as band councils. And they don't have nearly as many businesses going.

And as for the Metis they are completely invisible, except in Alberta and to a lesser extent, Manitoba and Saskatchewan. The Inuit are very visible -- north of the arctic circle but the media has very few reporters stationed there. One reason the Inuit don't get all that much coverage is because they are not trouble-makers like DIA indians are on-reserve. When I used to be in the news business I used to say "no news is bad news, bad news is good news and good news is no news." The life of reserve indians is one enormous pile of bad news -- political, social, economic --

²⁷Author and journalist Brian Maracle appears to have intentionally used lower case for the word "indian" to likely illustrate his disdain for this Columbus misnomer.

²⁸AFN, Assembly of First Nations is the national political organization representing the chiefs of the bands in Canada. They are the legal Indians Canada recognizes and funds. Chiefs are paid through transfer payments to bands, and receive honorariums to attend AFN and other national meetings. Funding for off-reserve concerns has been virtually eliminated since the Prime Minister Harper regime took office. The Justin Trudeau government has not reversed this policy.

which is good news for the media. They cover a lot of those stories and develop contacts and relationships and histories with the leaders of the reserves so that when a straight political story comes up it's natural for them to look to the people they deal with most often for comments, interviews, etc. (Email received on January 27, 2004 from Brian Maracle)

Brian Maracle added that because of this special recognition by DIA, the reserve Indians and the AFN have a stronger public relations presence and are bigger and more organized with more people on scene: "this bigger presence dominates the native side of things if only through force of numbers."

Gloria, Greg, Brian, and Andrew pointed out that chiefs seem to take their positions for granted and have adopted the myth that they are the "true Indians." Greg stated that this special treatment from government through provision of funding and infrastructure by DIA legitimizes their existence, as we remain illegal:

People on-reserve, they have a package deal and it's prescribed from Ottawa. Everything is policy and it's handed down. All they have to do is.... well they don't have to do anything. But for us living off-reserve, we have a little more freedom in terms of survival. So, that's a brief overview of my experience while living off-reserve. A little bit about me too (laughs).

Greg reiterated that the band chief and council, an administrative body, are paid to attend all meetings, ostensibly serving the purpose as governors, leader, and advisors to Canada's political system. However, nothing is done without the sanction of the Minister of Indian Affairs. The band representatives are simply guests of the "Feds", as therein lies the ownership of all reserve lands in Canada. Often large meetings are attended only to be advised by DIA officials, under the guise of consultation, of decisions already made. These court-required "consultations" are simply paternalistic after the fact reports.

All participants found distance to be a major impediment to participation in hereditary governance. There appears to be little empathy or understanding from on-territory chiefs of the trials that off-reserve hereditary chiefs' experience in attempting to participate in our governance process. Gloria voiced that most meetings were held on weekdays, which prohibits those working during the week, to attend. Gloria notes that the staff of the

Office of the Wet'suwet'en Hereditary chiefs only work Monday to Friday, "so there's no commitment by any of these people" to accommodate the many off-territory chiefs.

When Gloria attends, it is a four-and-a-half-hour return drive from Prince George to Moricetown/Smithers, with no accommodation provided, and loss of wages due to loss of work. Peter, who used to chauffeur his late Mother, observed that the feast system had begun to arrange meetings around bingo. They would often have to wait, after this long drive from Prince George, for the bingo playing chiefs to arrive at governance meetings. The meeting would then be long and late, creating the hardship of driving all night, often in inclement conditions, to return to work in Prince George.

In absence, Gloria and participants miss the details of why certain decisions were made. Gloria was advised that existing chiefs motioned "that if I'm not there personally, no one can speak on my behalf." The colonial cops strike again. They would not allow her niece or nephew to attend as observers in order to report back to her. As Gloria is the last surviving chief of the Sun house, she requires her younger members to observe and report oral proceedings in her absence. Written minutes are not part of our oral governance system.

Gloria observed a few of the elderly hereditary chiefs have no apparent succession plan. "I can judge it from my own brothers. They left no succession plan. They left me a hell of a mess." With the stealing of "names" there appears to be no succession plans that accommodate and empathize with off-territory Wet'suwet'en. Gloria observed that elderly hereditary chiefs attend meetings:

when they eat, they snore after that. So, they don't know what's happening between one and two-thirty, because they're napping. I'm only surmising, but they may do the same thing at the chief's treaty meetings because it's a long day for three, four, seven, eight hours. I suggest that many of them are not fully versed on the activities, or where the decisions have to be made. And someone just speaks up constantly. Someone is very forceful and verbose and probably intimidates some hereditary chiefs who do not know all the issues or details. When it comes to a decision and whatnot, they vote in favor, but they vote by being present. I'm just going on my experience when I did fieldwork. A lot of them didn't know their traditional territory, because they've been away while they were in residential school, and we introduced them to their

hereditary territories. It was an emotional experience to see that.

Brian, Atna, remembered the humiliation he felt when he was rudely pushed aside in the feast hall by his great uncle, at the time when Brian was being stood up as successor to his late grandfather Gisdayway: Brian, Atna, still remembers the feeling of humiliation when his great uncle rudely pushed him aside in the feast hall. His grandfather has specifically chosen Brian to carry the name, responsibilities, and honour as Gisdayway. Young Brian was being trained in readiness to receive this name. Brian recalled:

there was that division in the family because of who my grandfather was. His own brother couldn't accept him. He hated him. And so there was like a ganging up and then, I remember being just pushed aside as a twelve-year-old. And in a lot of ways, I was really upset about that... how can adults let that happen?

Atna recalled the contempt toward him when he worked with Gitksan-Wet'suwet'en residents in Vancouver who were supporting our court case. Thinking they could receive some of the funds borrowed toward the court case for operating costs, after the case moved to Vancouver, the team was summarily advised: "Well, you're self-governing... go get your own money." Meanwhile, everyone from the north received expenses from Indian Affairs, as well as from test case funding from government, and other monies borrowed toward our court case. Fortunately, as president of the United Native Nations, I availed many resources, as well as office space for the team of Indigenous law students from UBC working on the case. Judging from the continued contempt described in these interviews, this off-reserve assistance has not been appreciated or acknowledged. Brian was concerned about the non-disclosure of moneys borrowed and expended on our behalf, with no input from us off-reserve members.

The contempt continued when Brian attended a rare meeting in Vancouver held by the OWHC. There appears to be lack of transparency and capacity, an essential, vital part of hereditary governance:

There was no transparency... we had one meeting, asked several questions, and the next thing you know, we were looked at (chuckles) as a bunch of trouble makers, right? Because we were asking questions about updates ... a

catalogue of industries in our territory, what each corporation is doing, and what kind of arrangements are you making with those corporations, so some of those benefits could accrue to us. And they were just like 'oh, well we were working on it.' Come on, you've been at it since 1993, and it's now, 2008, and they're still working on it? Do you know it's a fine line, because what we are dealing with is a capacity issue. There was a capacity issue big time.

Although some people call the Indian Act an artificial barrier, Atna feels that that barrier is very real and is manifested by these attitudes toward us when we ask questions they are unable to, or choose not to, answer. At one traditional meeting, a Hereditary Chief responded to Brian's comment on the need to include, not only those members who are excluded because they are off-reserve, but also members of communities that are at the centre of the overlap between the Office of the Wet'suwet'en and the Carrier-Sekani Tribal Council, with this terse comment:

'Well, you should be so fortunate that we allowed you back on reserve'.

Brian suggests that this comment represents an attitude that still exists towards off-reserve people that pervades leadership, even toward Hereditary Chiefs, but more importantly, toward those labeled as "Bill C31", that may often be viewed as an artificial barrier. Brian views that the whole purpose of the court case was to show that the hereditary system is alive and that the challenge is to move away from a system that has not worked. However, those individuals who are hereditary chiefs and those who purport to believe in the system, hang onto a power base-and the authority that goes with it. How to reconcile the opposing systems along with the values and beliefs is still on-going and the clash remains in existence today.

Unfortunately, that power base is delegated and exclusionary. Brian related that his brother Gary, who briefly worked for the OWHC, went out to acquire his BA degree, and was not re-hired. Brian mentioned that employees with only a grade ten education were being favored over our many qualified members. The power of exclusion.

Regarding this divide between on and off reserve Indigenous peoples, Rod approaches life, not as problematic, but as having a solution.

I always think that bad things are good because they are educational. I always got something to learn from different situations...somebody's mean to you, and says bad things...there's a reason for it. You can learn from it. So, I really have difficulty making distinctions and trying to distinguish between things because of the way I think. My opinion, everything is good.

Andrew, Skit'een, left the employ of the Office of the Wet'suwet'en, who despite the Delgamuukw-Gisdayway court decision based on our hereditary system, was going in the opposite direction. The bands were being empowered more than the hereditary system. Andrew attributes this to the persuasion of the "almighty buck" by the administration and leaders at the time. Many of the hereditary chiefs at the OWHC, not having a Western education or knowledge in the Western system, had difficulty interacting with scientists representing the following: Ministry of Forests, and big companies like CanFor, West Fraser, Houston Forest Products and mining companies such as Huckleberry Mines, and Blue Pearl up at Hudson's Bay Mountain. Consultation and negotiations have always been one-sided. Alternately, Andrew was very proud of the traditional ecological knowledge of the hereditary chiefs. They know their territories intimately from centuries of use and occupancy, while the companies employing western science argue only theory. Traditional ecological knowledge is based on oral history and on-the-ground experience of their collective pasts: "To me, there are two different systems there, banging heads. But because of the almighty dollar, it always went the other way."

Andrew acknowledged the stress and the toll the Delgamuukw-Gisdayway court decision had on hereditary chiefs. Andrew believes his father Tsaybaysa's stroke occurred due to stress from the manner in which the administrators and negotiators were acquiescing to the "almighty buck." Andrew believes a lot of good chiefs went to their graves broken hearted because the court case was supposed to support our oral histories and the traditional house system of the Wet'suwet'en.

Over the past ten years, Greg has been involved in economic development, talking to and educating people about the Wet'suwet'en. A frequent query concerned his different world view and lack of dependency on the system. Greg explained that "off-reserve peoples did not have a legally binding prescribed plan or legislated enforced dependency dictated from the Department of Indian Affairs, such as education, housing and other

benefits like medical and dental.” He added that our dependency was on the Wet’suwet’en hereditary system, self-reliance from the land, and having to work for a living to survive. Greg stated that the greatest value of living off-reserve was the ability to practice our traditional system:

We get a lot of jealousy from people who live on-reserve. There’s a lot of fear. We’ve become well educated and we’re innovative thinkers. People on-reserve they’ve got a...well they have a package deal; you know and it’s prescribed from Ottawa. Everything is policy and it’s handed down. All they have to do is...well they don’t have to do anything. But for us living off-reserve, we have a little more freedom in terms of survival. So, that a brief overview of my experience while living off-reserve. A little bit about me too (laughs).

Greg grew up close to the territory, learning the language of place and boundary names they repeatedly visited, and could grasp the gist of our language while in the feast hall, but does not speak it. As his mom attended residential school, she did not teach her children the language. His mother, as were all our elders, was forbidden to speak our language, and was shamed and under constant ridicule for her accent when speaking English:

She can speak Wet’suwet’en. She can speak some Gitksan, she can speak some Lake Babine language too, so she’s multilingual...white kids would make fun of the accent of those who do speak the language because there is a little accent there. When we were growing up in school, it would become a point of...as Peter said...ridicule. So, I never really spoke the language and it’s quite unfortunate.

Greg believes that the hereditary system is changing. The true chiefs, believers in the system, have passed on, and the younger generation who do not really understand the feast system have begun stealing names from the families:

You know the Gisdayway name was stolen. Someone tried to steal my Dad’s name, Tsaybaysa. You know, from what I can see, I think they just see the dollars of having a chief’s name. They don’t really understand what the chief’s responsibility is...Now you look around the treaty table and our hereditary system...they’re all from on-reserve, they’re on-reserve [elected] chiefs, and coming from that

perspective, everything is viewed as being on-reserve... Government and industry too, believe that everything belongs to the reserve and to the band, and therefore it alienates us off-reserve people because we don't have that connection.

Greg noted that we have to educate both government and industry about the house system and how we survive off the land. The treaty negotiations, seem to be selling away that right: "So being off-reserve has a huge impact and is a huge impediment, because a lot of people have that view that the band, the reserve is it." **It is bewildering why the on-reserve peoples do not understand that this same law that alienates us from our traditional territories, does the same to them, yet they join in persecuting their own off-reserve relatives.**

Another discrepancy is that reserves receive money for programs such as language and culture. Greg knows of two language programs in the Bulkley Valley that are run on-reserve, but not offered to off-reserve people, so we are marginalized through that process too. Our efforts to organize toward resource development will ensure such proceeds be rolled back into the community to build a cultural element, "where family members can go back and take advantage of cultural teachings and learn about the history and traditions that is rightfully theirs. So, we're in a good position to make it happen, but it's also a challenge."

Working in economic development for the last two decades, Greg found trying to create a steady source of income for his family uncharacteristically difficult because everything is polarized around the treaty table and the reserve system. His business plan attempts have become a "political hot potato" tossed around with nothing accomplished, "so I get sucked into that whole treaty process." Greg agrees we have no need for a treaty because we already have our title and rights as recognized in the Delgamuukw-Gisdayway SCC decision, which extends throughout our whole Yin Tah, and not limited to the very small reserves or government agenda:

Government and industry must be educated that we do not come from a band and do not need permission from a reserve to start up a business. Current policies have a misunderstanding of a community for example. Many see the community as being the reserve, but from Wet'suwet'en

perspective community is the feast system and the clan and houses make up the community.

Greg recounted that our clan, in forming our provincial non-profit society, WRDS, felt that the province has unwittingly recognized our traditional structure as our board positions are held by hereditary chiefs or agreed to appointees. Conventionally, non-profit societies elect board members, where our society simply superimposes our hereditary chiefs into the board chairs. We must now educate other government agencies and industry interests who are looking to invest in our Yin Tah. His original career goal was to set up a lodge up in Biwini (Owen Lake); twenty years later Greg was still trying to set up that lodge:

We can't do it. It's just a bureaucratic nightmare that's hung up in treaty discussions. And it really shouldn't be. It gets frustrating trying to achieve that goal. At times, it takes its toll on my marriage, for example. We're constantly trying to jump through all these loopholes. It takes its toll. Sometimes you just want to throw your hands in the air and just say, Screw it. Let's move somewhere else. Get a real job. To me, all I want to do is a nine to five job and have a good life (to) create a good solid foundation for my family, but the way the environment is now, I can't do that because it's a full-time job.

Greg, as of completion of this report, is the Strategic Initiatives Advisor for Alberta Indigenous Relations.

While living at home, young Rod learned a lot about the hereditary system by listening to his parents, aunts, and uncles talk about, and prepare for, ceremonies and Bah'lahts. Rod felt hindered, as the hereditary system is primarily in the native tongue. One needs to be fluent in order to fully understand "who owns what, who lives where, who does what, who's related to who, why they have that name, what the name means, what comes with the name, and the different strengths the name holds."

It's not just the distance that stops me from participating, it's also because I don't live closely enough to know what's going on. I know I'm missing out on so much. I'm the son of a hereditary chief, and I should be right in the thick of things. The names my parents hold are big hefty names and I should be part of it. For me the impediments are the distance and my inability to speak the language."

Rod has taught about our hereditary system, in the (native) classroom, to teach the difference between the elected and the hereditary system, and believes the hereditary system to be much stronger than the elected system, "Whereas in the hereditary system you are taught how to look after the people, the elected system is where you are taught how to look after yourself." Rod felt he had lost a lot of contact with his hereditary system due to distance from home and loss of contact, he recognizes "its importance (for city dwellers) is not as strong as it should be, and must be."

Rod lived off-territory while attending university in Vancouver, B.C. and never considered that he would ever go back home to teach.

I always thought that I would teach off-reserve, in the non-native communities. My reasoning is that I could teach non-natives what it's like to be a Wet'suwet'en native person, what it actually means to be a native person, what a native person is really like. Going on the premise that (the students and staff) don't know, I would straighten them out about what it is to be native, what the actual history of our potlatch is. I would give them first-hand knowledge. (I feel) I would be a good representative of the Wet'suwet'en Nation, the Wet'suwet'en people. I would be doing my part in the community, and I think that's an important, valid reason for teaching away from home.

Life off-territory really worked out well for Rod, particularly as he was able to continue his education. Rod expressed gratitude that his successive employment provided opportunities to be a positive influence and a good role model. Through his, "knowledge of Wet'suwet'en culture and our hereditary process, I've been able to pass it on in a positive and educational way. I've certainly changed many peoples' views, even the views of those who are native, but aren't Wet'suwet'en."

Rod thinks the federal government should acknowledge and honour the hereditary system as "a solid, dyed in the wool, proven process that works." The off-reserve Wet'suwet'en should be involved in treaty and other negotiations:

Because we're distant from it, we hold it more dear and can see in different ways, the damage or the good, and what can happen down the line as a result. We can offer different viewpoints. We can add new energy than those at home, who perhaps take it for granted or not pay attention to it

because they're so close to the facts...The process needs lots of different sides to the same question.

Rod, and other urban Wet'suwet'en members, always discuss their desires to be involved and be heard. "In today's technological world, there is no reason why the off-reserve Wet'suwet'en could not be included and involved in all decisions, communications, shared ideas, and Bah'lahts issues via Facetime, Skype, and conference calls. "If our off-reserve numbers were added to our on-reserve counterparts, our voice could not help but be stronger."

In addition to living distant from our territory, Peter discussed the forcible loss of our Wet'suwet'en language as an impediment to participation in the feast system. Peter can understand some of the language, but feels he may be a nuisance to his elders; often not without ridicule about accents and overall lack of knowledge of the language:

After a while, me and my cousins just said, *the hell with it. We're going to have to do it.* A lot of the elders are passing on and we're the next generation to take over that system. Being one of the youngest in the family, the hereditary chief system, usually the name is being passed onto the oldest son or daughter or the next oldest one. I'm at the bottom end of that line, but it has its advantages as well. I don't have a name so I can actually get up and say things and get away with it. (chuckles) I may be reprimanded for it later, but I don't have to pay a high price for making such comments. I believe sometimes, the hereditary chiefs forget their roles as far as ensuring that the culture is carried on.

Peter thinks this ridicule is worth it. He believes teaching the hereditary system and language within the schools "would be a great incentive for the Native kids to continue and learn their culture and not be ashamed, or ridiculed or beaten for it or have racism condoned for it."

Greg felt that a key advantage of living off-reserve is that we have thrived from the challenging experiences of "double jeopardy" racism from both whites and Indians, and he attributes this to the values and experiences of living the traditional system through the Yin Tah.

There are a lot of successful people in our family and it's all based on the hereditary system. A lot of the values come from the hereditary system... We have rights and

entitlement to our traditional territories...they [industry] have to deal with it... We know our history. We know where we come from, and we know where we want to go, and we're doing it. And that's the big advantage.

To Peter, the biggest advantage of growing up off-reserve was being able to be part of the whole system, attending feasts, hunting, fishing, growing up poaching: "a lot of the guys I went to school with had no idea how to gut a moose, how to clean salmon, how to process them. We had to work really hard just to survive. Nobody was ever there to give us a check or a place to live, or make our dental and doctor appointments for us."

Greg felt that government funding influencing attendance of elected chiefs in the hereditary system is to our detriment. He stated that the feast system is based on respect and sharing, getting food from the traditional territories, and giving it out in the feast hall: "It's the linkage to the land through hereditary chiefs, and they've been stewards of traditional territories with responsibility to the land and to the people. Getting funding to attend a feast is an irresponsible approach to the feast system."

Peter, Greg, and Rod agreed that government funding has a negative effect in the feast hall, and feels that funding could be better utilized to recover our lost history due to colonialism; funding could be used to pay students and elders to get together to record our history. Since former Prime Minister Harper has apologized for the harm of residential schools and cultural genocide, the federal government should fund cultural reparation and recognize our hereditary government.

At the time of this interview, the federal government apologized for the trauma, ill health, and cultural losses caused by the residential schools, and the province was embarking on a "new relationship" policy yet to be defined. This future policy must concern lands under provincial jurisdiction. That jurisdiction is complicated when the federal government focuses all attention regarding lands, toward bands, which account for a very small percentage of our hereditary lands, and does not accommodate the off-reserve voice. Government and industry ostensibly do not know how to reconcile these jurisdictions fairly, so currently, they deal with the Office of Wet'suwet'en Hereditary Chiefs, using Indian Act funding criteria limited to those who are on-reserve; Manuel (2017) characterizes this as First Nations managing their own poverty. It is our belief that government is TOTALLY aware of whom to speak with for optimal results; their own

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controllable Indians. Thus far, we have been closed out of any direct involvement, where distance and geography prohibit our attendance at meetings held in the territory during the week when we are least likely or able to attend due to distance, training, employment of education pursuits. Controllable Indians go along with deliberately holding meetings that penalize off-reserve Indians by distance alone, let alone the cost of loss of wages for taking time off to attend any mid-week meetings at the behest of local controllable governors. He who pays the piper names the tune. Whose bread you eat, his song you sing.

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All participants agree that we do not require the treaty process, as Delgamuukw-Gisdayway Supreme Court of Canada decision is already a legislation of its own. Greg voiced:

The process may be working for other people, but that's for them to say. The Office of the Wet'suwet'en Hereditary Chiefs (OWHC) are engaged in a process where we off-reserve members are 'kept out of the loop.' Lands and resources are being negotiated away, access to our traditional territories are diminishing through resource development, rights are taken away that are entrenched in the constitution and that are recognized in Delgamuukw-Gisdayway 1997. The rightful hereditary people who have rights and title to the land are not being consulted. Consulting with the wrong people is a fast track strategy to resource development, and a resource grab for the 'sell-outs.' We need to survive in the new economy and are by no means looking to stop progress, but it's got to be done in a respectful manner so our kids and grandkids..... We have to survive. We survived thousands of years. We're going to continue to survive. Well, we have to have a say in it.

As our Delgamuukw-Gisdayway court case already affirmed our title and rights, Peter feels that the federal government needs to adjust their approach to accommodate our reality, as declared by the Supreme Court of Canada (SCC). Trying to force a treaty process on us would only accommodate the interests of the federal government, and be in violation of their own SCC findings. The government's one size fits all treaty process is not congruent to Peter's experience in writing business plans for his art enterprise. Peter described that such plans require revamping, constant changes, updates through pertinent

input from others, as well as a little massaging here and there. Likewise, Peter sees the BC Treaty Process, not as carved in stone, but as fluid and ever-changing.

Greg reported the traditional house system to be much more effective than the current structure, the Office of the Wet'suwet'en Hereditary Chiefs (OWHC), who claim to represent all Wet'suwet'en. Greg met with an investor who wanted to finance some major developments on the Yin Tah. The investor wanted to hire Greg to work with the Wet'suwet'en and develop the Wet'suwet'en vision with this development. Greg and the investor "had the whole process agreed to and set up." Government due diligence required the investor to talk to the perceived authority, OWHC, who inexplicably told the investor that because Greg is Wet'suwet'en, he should not be working for the Wet'suwet'en, and further that Greg had to report to the OWHC Wet'suwet'en in terms of what is going to be developed:

Through that process, the manager at OWHC advanced a proposal to the decision makers and also approached the province to get money to hire me to take on the responsibilities of developing the vision and so on and so forth, *which basically shot down what I had already negotiated*, and now they've pretty much stalled the process because we're going through the whole bureaucratic process now. The investor has a very tight timeline. If they don't get their project going in the next few months, they very well may pull out of investing in the region. Meanwhile, the OW is going through their process of getting permission to access funds and the turnaround time on that is a good three months. That is a good example of the current flawed system.

Greg believes the house system to be much more efficient as it deals directly with specific clan territory, directly with industry, and would cut out the middleman, such as the government intervention through the Office of Wet'suwet'en Hereditary Chiefs. Our WRDS society has amassed a significant paper trail of unanswered requests for our involvement. Not only did we not receive answers from the OWHC, but letters from the province simply replied that we "must" consult with the OWHC. Government nor our own people are willing to consider adhering to our hereditary rights as supported by our landmark 1997 court decision, to include us off-reserve Wet'suwet'en. As signified by Greg's above quote, the OWHC has worked directly against us.

The colonial cops strike again.

Perceptions of Indian-ness

Perceptions of Indian-ness between the on and off-reserve populations only became a problem when the state began assigning legal definitions of whom they recognize as Indian. Throughout, the participants continued to allude to stereotypes and epithets issued from the mouths of on-reserve status Indians to refer to those of us on the “white act” whom have been forcibly relocated by law from living lawfully in our territories as we once did. These epithets have escalated since we advocated for our efforts to be included. We can only speculate supporting arguments of this state sponsored social construct for this need to charge, convict and condemn those who do not live on their reserves for all manner of “Indian-ness” infractions. Participants shared their experiences of being on the receiving end of all manner of judgement of what constitutes a “real” Indian.

In 1985 Greg became an Indian, 18 years after his birth. 1985 was also the year of the Bill C-31 amendment to the Indian Act, therefore, it was the Department of Indian Affairs who defined Greg. Greg's concept of Indian-ness is extremely different:

We come from the land and our feast system defines who we are. Our land, language, and culture defines who we are, and we live it. That's the difference. The vaaasst difffeeeeeraaaance of being Indian. **We don't come from the reserve, we come from the land. It doesn't get any simpler than that. (my bolding)**

Peter agreed: “language, culture, and traditions, the way we were brought up, defines who we are.” He stated that being Indian in society meant being a substandard human: “there are a lot of other different definitions, and that goes with the non-Native population here. I don't know, they seem to think they can define anything they want.”

Participants agree that the splintered and divisive condition of on- and off-reserve people derives from the system of colonial control, mainly designed for failure. It is our hope that this be overcome with a strong, well-educated younger generation. While studying in the MBA program, Greg learned how the government's intent to control is rampant and is still in existence today. He had been told by influential people that there were periods in their professional life that “their main goal was to ensure that Aboriginal

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people fail.” Government intervention, from the business perspective is informed by “Keynesian economics” where the governments have influence in the market:

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You can clearly see with the current system how Aboriginal people are heavily influenced by governments, because they have the transfer payments. If you look at the Wet'suwet'en map, you're looking at a very small piece of land that is reserved land, but you look at the traditional territory and the hereditary system, we have rights to vast tracts of land and resources... Many believe you have to apply to the government for a grant to get things done, when actual reality based on the hereditary system, you just went out and did it. We didn't have to go ask permission.

Greg recalled how his maternal grandfather, Paddy Isaac, Satsan, built a mill, supplied railroad ties to the CNR, and timber to the port of Prince Rupert. He just did it without relying on grants to survive. I was twelve when I was skidding logs to Satsan's mill with horses, hauling ties with my cousin Patrick to the landing with horse-drawn sleds, and peeling bark from these ties for transport to the railway. No permission needed.

Greg's MBA research focused on advancing the feast system in the business environment, particularly how to maximize our rights and entitlement to the lands and resources to support our future generations and how we may set the record straight.

Currently:

The Aboriginal population's role in the economy is all polarized around on-reserve. There's some good successful businesses out there, but the majority of them are on the reserve. You know, they've got the resources to back the development of those businesses. Off-reserve people on the other hand, *we don't have equity*. We're marginalized. We can't fully access programs, guidelines, because we don't have the infrastructure that the reserve jurisdictions can take advantage of.

Greg found it difficult to deal with a business world that believes Indian-ness to be Aboriginal people from reserves, only. He observed interesting business strategies from strictly political moves, to bringing in a comptroller from a corporation which had a vested interest in our territory, to the Office of Wet'suwet'en Hereditary Chiefs, all of which afforded control over Aboriginal rights and title. One must be constantly cognizant of organizational structures of corporate interests and their linkages with government. For

instance, the trade minister, was once a CEO for Canfor. This region has the largest Annual Allowable Cut in the province and is a driving factor in the softwood lumber agreement.

Interestingly, the current executive director of the OWHC had a strong association with Canfor's executive director, and, during the period of negotiations, the lead 'treaty' negotiator was also closely tied to Canfor. One of the underpinning problems with softwood lumber and NAFTA issues is the model the province used to access Ancestral lands. The province introduced a 20 percent claw back program, taking timber volume that was initially allocated to forest licensees from multinational firms and gave the allocation to Indian Act bands, like the Burns Lake Band, Moricetown Band and Wet'suwet'en First Nation and their subsidiaries (Kyo-wood; Kya Wood; and Yinka'dene Development Corporation respectively); and Skin-Tyee, Nii'Tahi'buhn, Cheslatta bands who are members of the Burn Lake Native Development Corporation. This resulted in Forest and Range Agreements (FRA) that were founded on revenue sharing, timber volume, both combined for forestry consultation and revenue sharing agreements. After consultation with Indian Act Bands, this program was later divided into the First Nation Woodlot Agreement and Forestry Consultation and Revenue Sharing Agreement to replace FRAs, which fundamentally changed revenue payments from a band member per capita basis to an activity-based development model, i.e. the higher the volume of activity on the land, the greater the amount of funds received. This action spurred the desire for Indian Act bands to expand their band lands to lands outside of their reserve boundaries. See (<https://www2.gov.bc.ca/gov/content/environment/natural-resource-stewardship/consulting-with-first-nations/first-nations-negotiations/forest-consultation-and-revenue-sharing-agreements>). From a NAFTA perspective, the US simply viewed this act as a subsidy. Once again, short-term financial gain ruled over territorial respect and our Supreme Court of Canada findings.

The Wenenyiic Resource Development Society's perception and vision for economic development is to leverage our cultural activities on the land to support eco-tourism businesses, which includes promotion of archaeology, history, culture, and traditional knowledge through a branded program we call "professors of the land," the primary focus being the necessity to enlighten and educate government, industry, and prospective

international markets. Of course, this business model is in direct competition with forestry, and the archaeology resources that would inevitably slow access to timber because of the requirement to consult. Federal and provincial desires to participate in global economics concerning our land and resources, perpetuated the alienation of the feast system and the off-reserve population, which had been marginalized for the purpose of global economics.

The methods used by federal and provincial economic policy is clearly viewed in the international purview as unacceptable and has cut its ties by assessing a 20% tariff on Canadian Softwood Lumber. The only beneficiaries are the corporate world, while this Indigenous group continues to struggle for survival. Presently, there is very little forest left. What remains are the culturally sensitive areas that rests in testament of court decisions. The province and the Indian Act bands largely ignore these culturally sensitive areas for future development, which is now accessible through provincial forestry consultation programs and transfer payments to Bands for “traditional” knowledge (which is also in evidence form of the 1997 court case) in exchange for timber.

Federal government funding favors participation of “First Nations”, on-reserve members, which often has a negative impact on our hereditary systems. Vicki feels that processes like the BC treaty process, need to mandate off-reserve inclusion. Being off-reserve does not make one any less Wet’suwet’en. Vicki believes, as does each participant, for reasons beyond control, was born into the off-reserve situation because both parents were non-status Indians; this should not mean disqualification from participation in the system. Off-reserve inclusion in all issues related to our Yin Tah needs to be constitutionalized.

Vicki felt that because she is off-reserve a lot of people in the north may consider her an outsider and be reluctant to discuss certain things with her; she realizes how the divisive nature of the Indian Act plays a role in this reticence to interface with her, though she is also from the Wet’suwet’en Nation. Distance from her clan’s territory hindered Vicki’s learning the hereditary system, as any previous exposure was attendance at feasts for funerals, and at other community gatherings. During those gatherings Vicki found that, “Everybody was so busy preparing for these things at the time, they didn’t have time to explain [protocols] to me only a couple of hours before a potlatch or ceremony. I just

had to observe and listen, and try to figure things out.” Vicki stated that she would then return to the city, to school, and always had to put her culture “on the back burner. So, I haven’t been able to learn it very well at all, but I am a work in progress.”

Until the time of this interview, Vicki was unaware of whom to speak to in her own Laksilyu clan about who the speakers are and the many dynamics to the traditional system. Vicki found it frustrating, disappointing, and at times, overwhelming, when visiting with cousins who grew up closer to the hereditary system in the territory, and experienced difficulty relating to their discussions, because they understand traditional ways more than she does. Of late, her Uncle Peter George, the artist/historian in the family, has been discussing colors and shapes and the history and stories that accompany his art. She understands that she must speak more with her relatives to gain further understanding.

Though most of her experiences can be seen as disadvantages, Vicki feels her university education and skills and knowledge of the off-reserve environment may help in future discourse with her nation. She fondly related how the diverse nation-wide representation of Indigenous students at university were able to discuss and compare their respective nations’ traditional values and protocols to better understand each other. She felt that if she was on-territory she may not have had the exposure to off-territory societal ways and the varied educational opportunities.

Vicki wished that the off-reserve reality and its many nuances be discussed more by *our elected leaders*, whether on reserve or off-reserve, at the national or provincial level. Off-reserve issues must be covered more in academia and at conferences, where students knowledgeable of the off-reserve reality be encouraged to speak.

Vicki believes the splintered divide between on and off-reserve Indians is because of the divide and conquer mechanics of the Indian Act. She stated that some of the on-reserve people took on government labels and “so even if you’re off-reserve and they knew that you were an Aboriginal person, they wouldn’t recognize you, because the government doesn’t recognize you.” Vicki feels that our hereditary chiefs need to accommodate our future inclusion in language, culture and governance:

Our people in the north could give us the information on
the governance system, assist us in learning, helping us

learn the knowledge that they have, by bringing that to the urban centres, or wherever their people are living.

Experiences with Governance

Gloria suggests the Office of the Hereditary Chiefs do not look after people off-reserve and does not know if they intend to:

Going back to my earlier remarks, I think they're just incapable of seeing beyond the boundaries of the Indian reserve. I find it a farce that the province is negotiating a treaty with the federal system of an Indian Act entity, which is based on a false assumption of a federal agency looking after possibly thirty-five, forty percent of the Aboriginal population across Canada...they can't even look after that small percentage. The Indian Act system is the best economy in Canada. Anything related to Indian Act system, such as health services, public works, is probably the number one economy in Canada. We have so many bureaucrats employed provincially and federally in our territory alone, looking after the Indian Act administration. If we eliminated the Indian Act there would be an unemployment explosion.

So, if the bands are unable to legally provide for people living off-reserve, it stands reasoning that a non-profit society funded by INAC, the OWHC, is under the same funding restrictions, so governance solutions must mitigate this major bureaucratic roadblock.

To remain a hereditary chief and be beneficial to the whole community, Gloria understands she must optimally return to live in Telkwa or Smithers. The problem is that she feels she is unable to get a job with any of the Wet'suwet'en, as based on previous experiences, she fears they deem her over qualified, "or like my mother and father used to say, I'm too high tone." Gloria experienced a jealousy issue when she returned in the late seventies to look after her mother:

I could not get a job there. I had to maintain federal and provincial contacts so that I could exist. I was in Telkwa-Smithers for over a year before I was able to get a job with the Friendship Center. From my experience, even today, I don't think I can get a job there. To be involved, I have to have a good job in Prince George, and have the freedom to go back and forth to Smithers and Moricetown. A day trip return and back and that knocks out three of my work days

in Prince George. That's the only way I can be involved in the Wet'suwet'en hereditary system.

Though honorariums may cover two of three days and does not cover her costs, she still loses three day's work: "How many employers allow you to take off for three days without cause. Many employers allow you to take two days off to attend a funeral of an immediate family member, but they don't give you three days to attend an Indigenous function."

Having been involved as an off-reserve, non-status, non-registered, non-treaty Indian, who only became a "paper Indian in 1985", Gloria feels things have not improved under the Indian Act: "Occasionally they pay for a little bit of filling on my teeth, and that's probably about it...I continue to pay the rest." For the scholarships and bursaries, "we have to indicate whether we are registered Indians or treaty, and in some instances, we have to belong to Indian band, or you'd have to live on reserve, or you won't get the benefit." Gloria avers that one has to belong to one of the bands in the Carrier-Sekani Tribal Council to qualify for employment programs in Prince George, so, her husband Don cannot get any of the benefits because he is from Ontario.

As Gloria has worked with an Indian band, and with the treaty process, in several capacities, she noticed that some of the older chiefs, particularly those with lesser education, and the survivors of residential schools, are intimidated by the younger aggressive ones, and "some of the older ones think they know all the traditions, when in fact they don't." When dealing with land use and resource planning, Gloria found it frustrating to try to get their direct involvement regarding their traditional territories because they were so ill informed. As a hereditary chief:

how can I then make an informed decision and give informed consent on a mining activity of which I am not even learned, or advised and I don't know the terms. These chiefs are inundated with a flurry of technical information, and they have to make a decision without backgrounders because some of the staff don't have the background. Many of these treaty offices and band offices, in particular, don't have the resources, the staff, or qualified people. Some of our nations have become so introverted that they only wish to employ their own people and don't want to listen to an outsider. They consider people like you and me as outsiders, even though we have relatives....

Gloria stated that she often lived below the poverty line when working as a secretary² in the city, but felt she was not poor enough to be on welfare, or to be in the soup line, or to receive Christmas hampers. "And it wasn't until I had three letters behind my name, I got two more zeros on my salary. People like you and I have to continue to work, plus try to do our hereditary duties. Our costs are enormous, more so that the ordinary citizen, because we... have a conscience to look after our extended family." When Gloria grew up it was the on-reserve who were poorer, but she feels that today on-reserve people have their houses, benefits, and infrastructure, and that the on-reserve are better off, sadly, than a lot of our off-reserve relatives. "I see a lot of that in downtown streets in Prince George. I see a lot of their relatives in jail, and I see a lot of their relatives in prostitution, and in the Friendship Center food lineups, and in the hampers in the churches."

Governance Solutions

Gloria believes the only way we can be involved in any economic initiatives is by creating our own corporations and non-profit societies, but is concerned that everyone is represented regardless of on or off-reserve status, registered or unregistered as Indian: "Many of our family members are not registered. And so that, also, will be representing them... We don't intend it to be exclusionary because we know how it feels to be excluded." Gloria advised that a non-profit society or a corporation would need a neutral name in order to represent both the patrilineal and matrilineal houses of the family, because an organization does not have the authority to use a hereditary name. Gloria continued:

That's probably the only way we're going to be involved is by having separate entities off the Indian reserves. At treaty table the people are registering as an Indian band, they're not representing individual nations. But the province is involved, and you can be sure treaty is with federal bands. Setting up a non-profit society or a corporation, we'd be dealing with either federal or provincial legislation to make sure that we are covering everyone. You could become a federal corporation. I think the issue is so large right now, we're in a global market, we may even have to set up international corporations in order to be totally functional, because the federal government is not going to represent us either... They opposed the [UN] Declaration of Indigenous people, so in that sense I have no faith in the federal

government. And the provincial government is always looking after the majority population.

Andrew feels that us off reserve clan members can be included in everything to do with our self-sufficiency and health by bringing Delgamuukw-Gisdayway 1997 findings back to its intended path, recognizing the traditional system and the oral history of our people, “thereby strengthening us as a people and putting us back on track. There is no off-reserve in our feast hall.” To return to self-sufficiency the hereditary chiefs must work together as houses and do our own business on our own territories on our terms through the transparent process of our feast hall.

Andrew knows that there is a major stigma about Bill C-31, non-status, and a plethora of other derogatory names, versus on-reserve or status Indians. The Office of the Wet’suwet’en Hereditary Chiefs (OWHC) operate under Department of Indian Affairs (DIA) band system criteria, which historically and currently does not allow for inclusion of off-reserve members, allowing funds they supply the OWHC for operations to be spent for on-reserve status Indians only, or for those off-reserve hereditary chiefs who accept DIA terms. Andrew states further that there is a dependency created through the Indian Act that continues to oppress our people living on reserves. He states that in the big scheme of things, funds offered to the bands, versus resources taken off territories, are miniscule in comparison.

For this reason, Andrew thinks us off-reserve Wet’suwet’en members maintain and strengthen our ties to land through the hereditary chief system, “because that’s where everything (land, resources, culture) is.” Everything driving the economy of British Columbia is resource based. Our 22,000-square kilometer Wet’suwet’en territory dwarfs the reserve system of less than two percent of our total territory. One cannot survive on these small Indian reserve areas that are typically resource poor, and are primarily non-productive in life sustaining ways.

Andrew continued, “An advantage to living off-reserve was in learning how to paddle our own canoe (and) that made us so-called Bill C31s stronger persons and people.” Andrew believes us Bill C-31s, in an unaggressive manner know what to expect and understand how to interact with the laws. Believing that you cannot deal with somebody you do not understand, Andrew’s father urged Andrew Jr., rather than continually fighting

the Ministry of Forests, to go to work on the inside and see what “makes them tick.” In² so doing, he and Aunt Gloria George helped create cross cultural training by integrating our traditional ways to advantage, within the Western system.

Trying to do business strictly in the Western system is incongruent with our traditional system of business being conducted on a house to house basis. An organization such as the Office of the Wet'suwet'en has a purpose that belongs in the feast hall, but was put in place to negotiate a treaty, not to interfere with house business;

House business is as sacred to us as it was in the past before contact where boundaries were so well respected that if another clan member went into another person's clan territory, there was a death sentence, so valued were the resources and the respect they had for each other.

Andrew hopes we return to that system, with the obvious omission of the death sentence, so that we have the opportunity to do our own house business on our own terms:

We were taught to respect the boundaries around us, and work together. There was a feast hall that was witnessed by other clans. We worked together in that feast hall with our father clan. To me, what that feast hall did was create a balance, a good balance between the interaction of nature, and us as human beings. If you took care of the land, the land took care of you. That's what I was brought up on. Moving away down to Vancouver and watching this from a distance, I'm very disappointed at how business is being run through the band system.

Andrew sees the band system to be just another arm of the government imposed on our people in the 1800s as an administrative tool to keep track of us as people. There are laws and restrictions on reserves making it almost impossible to do business. In the current treaty process, the government is trying to negotiate with bands, strictly for monetary reasons. Skit'een added that when Delgamuukw-Gisdayway [court case] was started, it was based on the resources and our traditions. He now feels that it has totally moved away from the transparency of our traditional governance, that many bands are settling solely for monetary sums, with business done behind closed doors. Watching from afar, Andrew is disappointed and appalled at how industry and government desecrating our

trees and forests, and mineral resources, has a detrimental impact on our waters, and ultimately our dependence on the life cycle of salmon. There is no transparency, no agreement with the legal stewards of these territories.

Andrew stated that our parents, grandparents, and ancestors spent the majority of our time, approximately eight months of the year, in the territories when there were no reserves. “We migrated to fishing villages for three and four months in Moricetown and Hagwilget in the early summer to harvest and preserve salmon, and to do our feast business, and then back to the territories.” Andrew added that Moricetown, whose true name is Khyahwiget, is an old village put into place for fishing purposes, and “where feasts ran around the clock. Every clan, every house had an opportunity to do their business when they were together. Caretakers remained in the territories, while the majority of houses went to Khyahwiget, or Hagwilget, adjacent to Hazelton, BC.”

Role of the Father Clan

Throughout our lives, the Father Clan upheld its role as caring for us as a nurturing father would care for family, just as we upheld the responsibility of being a guide for our spouses' and children's families. Greg describes his understanding of the role of the father clan as supporting and taking care of the matriarch, the mother and the children and the extended family by direction of a huge protocol. For example, in the event of a death, the father clan would take care of the affected family emotionally, and ensure funeral duties are conducted respectfully, allowing the family the time to grieve. Following the event, the bereaved clan would acknowledge the father clan by reimbursing expenses, and compensating hired workers, often with 100 % interest. And the Father clan would continue that caretaking role to groom, to provide teachings, to take care of the mother clan.

Peter supported Greg's description, and adds that the father clan were the disciplinarians and they were the ones that taught the traditional boundaries, and provided training for clan duties. If Peter had been trained from an early age to be a carver, he would be carving full time right now: It would have been the father clan's responsibility to do that. They make sure that proper protocol is followed. They were “also there to back you. If you did something, or if you were doing something good, they were there to

back you and keep you going, keep you motivated. It's a good system... We always had² good backing from my Dad's brothers and sisters so it's an awesome way to grow up."

Reconciliation

The following points supported the letter referenced in Chapter 5, and are included in our proposed Memorandum of Understanding to map out the plan to resolve the issue described in this study:

1. Many house groups across the Wet'suwet'en nation are witnessing a new generation of behaviour that undermines Wet'suwet'en Law—The lineage is being shifted to align with Indian Act policies, and short term gain offered through government incentives such as honoraria and payment, rewarding these law breakers for cultural information (that is usually garnered from Delgamuukw court documents) used for land-use planning, traditional use studies, etc.
2. The inaction to resolve Wet'suwet'en concerns is reflected in The Truth and Reconciliations passage that "Canada denied the right to participate fully in Canadian political, economic, and social life to those Aboriginal people who refused to abandon their Aboriginal identity."
3. The impacts of decisions have resulted in severely damaging Wet'suwet'en laws, Yintah, by ignoring an ancient cultural practice, and the livelihood of current and future generations through fluctuations in resource use that is not sustainable to the needs of its members. The Haida Nation ruling notes that. "To limit reconciliation to the post-proof sphere risks treating reconciliation as a distant legalistic goal, devoid of the "meaningful content" mandated by the "solemn commitment" made by the Crown in recognizing and affirming Aboriginal rights and title: *Sparrow, supra*, at p. 1108. It also risks unfortunate consequences. When the distant goal of proof is finally reached, the Aboriginal peoples may find their land and resources changed and denuded." This is not reconciliation. Nor is it honourable.
4. Having been engaged in legal disputes with the Gitksan and Wet'suwet'en for almost a quarter century, the governments are well aware of the sui generis of

these house groups, but failed to offer the duty or uphold the honour to offer² the protection it requires under section 35 of the Canadian Constitution;

5. WRDS seeks to advance reconciliation through working with Canada and British Columbia to protect Wet'suwet'en Law, ancestral lands (Yinta), and improve the individual and collective well-being of house members through cultural revitalization, language, education, economic development; and, upholding the honour of the crown as per TRC recommendations;
6. The Delgamuukw ruling also lays out the threshold that require reconciliation "distinctive aboriginal societies exist within, and are a part of, a broader social, political and economic community". We are a distinct society. "The development of agriculture, forestry, mining, and hydroelectric power, the general economic development of the interior of British Columbia, protection of the environment or endangered species, the building of infrastructure and the settlement of foreign populations to support those aims, are the kinds of objectives that are consistent with reconciliation";
7. *Sparrow*, at p. 1105, s. 35(1) "provides a solid constitutional base upon which subsequent negotiations can take place". Those negotiations should also include other aboriginal nations which have a stake in the territory claimed. Moreover, the Crown is under a moral, if not a legal, duty to enter into and conduct those negotiations in good faith. Ultimately, it is through negotiated settlements, with good faith and give and take on all sides, reinforced by the judgments of this Court, that we will achieve what I stated in *Van der Peet, supra*, at para. 31, to be a basic purpose of s. 35(1) "the reconciliation of the pre-existence of aboriginal societies with the sovereignty of the Crown". Let us face it, we are all here to stay.²⁹
8. British Columbia aims to reconcile settler interests with Wet'suwet'en through the United Nations Declaration on the Rights of Indigenous People;
9. Canada seeks to reconcile interests through the Department of Indigenous Affairs;

10. The Delgamuukw ruling affirms this interest with “The legal rights of the Indian people will have to be accommodated within our total society by political compromises and accommodations based in the first instance on negotiation and agreement and ultimately in accordance with the sovereign will of the community as a whole. The legal rights of the Gitksan and Wet’suwet’en peoples, to which this law suit is confined, and which allow no room for any approach other than the application of the law itself, and the legal rights of all aboriginal peoples throughout British Columbia, form only one factor in the ultimate determination of what kind of community we are going to have in British Columbia and throughout Canada in the years ahead.”

Racism

The off-reserve situation has not changed much, since my experience finding myself under a non-Indian dogpile in Grade one after the most recent Cowboy and Indian movie came to Telkwa in 1951, to the overt racism toward interviewees Greg and Corinne when our Delgamuukw-Gisdayway Court case proceeded in the 1980s, and of late, Brian’s concussion this year from a racist attack. Nor has it changed with the children living in urban centers near any other land or resource dispute in some unceded territory in BC. The non-Indian children only act out the bigoted ethos in their environment. The tired old untruth of “damn Indians get everything for nothing-why don’t they get a job” refrain is still on the surface of Canada’s heretofore outright historic misrepresentations and lies.

The Canada built on the United Nation-outlawed Doctrine of Discovery, terra nullius, dogmas are still foundational to Canada’s legal arguments and bullying attacks against our lands and resources. Canada, along with the US, Australia, and New Zealand were the last four countries to sign the United Nations Declaration on Rights of Indigenous Peoples (UNDRIP). Canada purportedly adhered to UNDRIP in 2010, but newly elected Prime Minister Trudeau finally signed on in 2016; it turns out to have been a mere media event as there is still no change. At the first Assembly of First Nations (AFN) assembly PM Trudeau attended, Manuel (2017) describes the pact that PM Justin Trudeau signed with the AFN Chief Perry Bellegarde, whose entry dance was not the “controlled rhythmic walking to the drumbeat of a leader, but the bouncy young person’s dance” during the ceremonial entry into the AFN assembly aside Justin Trudeau. The PM

announced he would carry out discussion on a nation to nation basis, “clearly referring
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to discussions with Perry and the AFN.” Manuel reminds that the “AFN is not a
'nation'. It is a lobby group that is funded almost 100% by the government. Perry was
dancing with joy for his boss—the man who pays his salary.” (p.52) This very much
describes the phenomenon our study group encounters with the Office of Wet'suwet'en
Hereditary Chiefs, who are also “only a lobby group” that does not hold a seat in our
feast hall and should not be masquerading as a legitimate group speaking on behalf of the
true title holders, the clan chiefs.

The assault on our land and rights continue unabated with Cite C Dam, Trans Mountain
Pipeline, our clan territories fraudulently sold out to LNG in 2013 by the Wet'suwet'en
First Nation, and other unbridled thefts of resources, continues; business as usual. Art
Manuel's (2015) accurate description of Canada's “white supremacist” BNA Act makes
all this possible. The signing of UNDRIP and the pact with the AFN seems to have made
no difference to our on the ground experiences; unabated assault on our lands and
resources, and the exclusive support and recognition of Canada's “colonial cops” under a
purported and false “Nation to Nation” basis continues.

One of the negative effects of growing up off reserve was dealing with the daily overt
racism. Racism negatively marks an individual, and a nation in our case. Children today
still experience an environment where racism is so often the solution to some non-Indian
cause. Growing up with racism, us off-reserve Indigenous people see racism almost daily,
including caricatured team logos like the Chicago Black Hawks, the Atlanta Braves'
Tomahawk chop, the 2016 World Series winner Cleveland Indians, Washington Redskins,
Edmonton Eskimos, and so on. These may seem innocuous to the average non-Indian.
The disrespectful casual denigration toward our race, and general lack of correct and
truthful history of us Indigenous peoples thus far makes it much easier for White North
Americans to vent this easily-accepted-denigration-of-the-Indian image, the “non-
taxpaying burden on society”, when next a conflict happens over land and resources. That
is when our children hear about it in school and on play grounds. They become near-
defenseless urban child soldiers. Denigrating stereotypes are very close to the surface.
Very little has changed since the nineteen fifties.

The Highway of Tears phenomenon in my country is still a real threat and has seen many of our study's relatives perish from this ubiquitous casual bigotry. This modern day recalcitrant tolerance of Indians, dubious government/church apologies, and solemn promises for truth and reconciliation, so easily morphs into volatile situations like Gustafson Lake, Sun Peaks, and recently in Standing Rock, North Dakota (2016) where water cannons and pesticides were sprayed on water protectors, etc.; law enforcement agencies were deployed to defend and perpetuate this racist violence. Indigenous people are criminalized simply for being in their own territories. Non-Indian jobs, such as with the current Site C dam in Northern BC, always take precedence over Indigenous lives and environment; especially when dealing with those lazy, drunk, and whining Indians, or bush niggers and other racist epithets that ricochet so freely during these stressful times. Only a white supremacist society would allow this to legally continue, as it also did in South Africa.

Experiences in Racism

During the Delgamuukw-Gisdayway Court Case, racism escalated as many local Caucasian people incorrectly feared that the case meant they would lose their land. A white van of white guys, discovered to be from Houston, BC, started to frequent Smithers, hunting Indians, beating up Indians. I was not there at the time, but I knew my youngest brother was not one to start a fight, but Paul, Peter's twin, had never been one to back down from a fight for survival. Paul was murdered and found under a truck in a parking lot, in Smithers, in 1981. No one talked because of fear of retaliation. Paul had been seen as just another Indian to "take care of." If there was an investigation, there certainly was no justice; murdered, days before his 21st birthday.

Throughout this paper, participants shared many incidents of racism which I will iterate here. Rita, during the recent hotly contested LNG pipeline controversy, prior to it being scrapped, was publicly vilified by hereditary chiefs who were in favor of pipelines construction through our clan territory. As mentioned earlier, Rita spoke of internalized racism when she was ushered off her reserve at gunpoint upon loss of Indian status from marriage to my uncle Tsaybaysa, WWII decorated veteran Andrew George Senior. Rita spoke of her return to the reservation upon reinstatement as Indian in 1985 as:

Nothing but discrimination. It was so unbearable that I became suicidal. But today, I'm very proud of myself, because living off-reserve taught me how to be independent (and) self-determined. I was determined about who I wanted to be. This same determination helped my kids understand our situation. They went through frustrations at times, just as I did, but I taught them how to be determined in whatever we do.

A band member loudly campaigned throughout the community urging members not to "even lend them an axe," when Rita returned to build her house upon reinstatement to her home reserve. Internalized racism from Canada's colonial cops.

Brian, described the racism experienced throughout school days and while he played junior hockey, when prospective billets would not accept *an Indian* into their homes. While writing this paper, Brian was in recovery with a concussion, caused from a random racist attack outside his workplace in Vancouver, BC.

Peter's experience during racist encounters in school from both teachers and white students continued through his work experience. The racist comments continued during Peter's art class when the class teacher announced, "*Would all the little brown kids please stand up in class and leave. You're going for your Native art and culture class with Mr. George.*" And in fits of dubious acceptance from whites, Peter notes:

As far as being accepted, we were never fully accepted. We actually...we got to the point where we were tolerated by the non-Natives and we were called one of the "good Indians" because we were in school and we didn't live off welfare and didn't get anything free on reserves.

One of the good Indians indeed. I too, often received this naïve, if not racist compliment.

In addition to Greg's recounting of being knocked unconscious by racist Joe Harding in elementary school, the racial tension in post-secondary school during the Oka crisis, to the current experience of our own OWHC bringing in a non-Indian comptroller recruited from government, over other highly qualified off-reserve people, affirms racism from all sides. The OWHC insisted on an executive director who only had a grade ten education, over our study group which mostly consisted of Wet'suwet'en peoples with Bachelor and Masters Degrees, continues this overt racism. During Greg's MBA program, he met

cohorts that revealed that their sole purpose was “to ensure Indians failed.” Government³ sponsored racism!

Gloria, lived racism daily in almost every aspect as a result of the Indian Act; having to sneak onto reserves of relatives in Hagwilget and Moricetown to visit relatives, forbidden to wear moccasins in class, and being aware at a very young age that she was deficient in citizenship through constant displays of bigotry. Gloria experienced the height of racism from her own people when her chief name Smogilthgem was stolen simply because she did not live in the territory and had difficulty attending meetings during the week when she had to work.

My experiences match Gloria's, as I was fifteen when the right to vote was “given” to Indians in Canada in 1960, so it was almost natural to be treated with automatic bigotry when we were not even considered “civilized” enough to be citizens. Gloria and I experienced internalized racism from our own people when being referred to as “white act” Indians and therefore deserving of accusations of being “high tone”, too “stuck up” to be real Indians. This social fabrication was in part attributable to Gloria's characterization of the reserve boundaries she and her parents could not enter legally before 1951, as the “**Colonialistic Berlin Wall**,” and its enabling racist legislation as the “**Indigenous Red Curtain**,” and aptly so, today.

Racism from our own reached its apex during Bill C31, when those non-status Indians were being considered for reinstatement to band and Indian registries across Canada. I sat in open national meetings of Status Indians, the Assembly of First Nations, when they spoke with hatred to those of us “assimilated Indians” who would return to “dilute” their culture, and overcrowd their reserves. Pierre Trudeau's blatant disrespect and interruption of our elder's opening prayer ceremony during the First Ministers Conference on the constitution when we were finally allowed to meet about our “future relationship with Canada,” exemplified their extreme reticence to even be in the same room with us savages. Premier Bennet's turning of his back to Bill Wilson and I, the president and Vice President of the United Native Nations representing the Metis, off-reserve and non-status Indians of BC during our 1977 twenty-minute meeting with his Social Credit caucus demonstrated clearly why BC has never deemed it necessary to sign treaties with the savages of BC.

Andrew, Rod, Peter, Vicki and Corinne describe ubiquitous incidents of racism throughout their grade school and post-secondary experiences; from the teacher's bigoted response to Corinne's letter to the editor on racism, to Vicki's having to endure a racial rant from a Caucasian student in class, to Rod and Peter's experience with bigoted nuns, priests and teachers in the church run schools they had to attend. The racism entrenched in the BNA Act plays itself out daily.

Racism from Cradle to Grave

Throughout this project it has been stated that Indigenous Peoples in Canada experience *racism from cradle to grave*. From her birth to her funeral in September 2013, my mother, Mabel George, received such treatment. The demonstration of *white privilege* and cultural disrespect from former government leaders Prime Minister P. E. Trudeau's repetitive interruptions during ceremony and BC Premier Bill Bennett's turning his back to speakers during a meeting, to some, may not be a surprise or shock. I was shocked and shaken by clergy the night before the burial of my mother in 2013. The prayer service held the night before Mother's burial was followed by a tea, a time to console each other and say a final farewell to our mother as she lay in an open casket near the front of the church hall. As Elders prayed at the close of the evening the priest spoke over the prayers to announce that we had to leave the hall in ten minutes. The priest continued interrupting after our prayers with statements regarding: *You people, I know you people. You go on and on at these things. I held three services today and I'm tired and want to lock up. You have to go. You have your own places to do this. Why don't you? Then you can chant and wail until all hours.... I don't know why you are here.*

Silence.

The last few teacups were washed and put away as everyone, many of whom were members of this congregation, slowly and still in shock, headed for the exit. After silence, came rage, as I, the eldest, challenged the priest on his discrimination and rude behaviour. An aunt pulled me aside and told me, "But Ronny, we're used to it." Those words hurt even more. No one should have to "get used to" discrimination. After a life of fear and abuse in Residential School, abuse from government legislation, and forcible removal from community, my mother could not even be buried in peace. Throughout the funeral we waited for an apology, which never came.

YOU'VE GOT TO PADDLE YOUR OWN CANOE

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Racism from cradle to grave.

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Chapter 5

The Journey Continues: Summary, Conclusions, and Recommendations

Each participant proved as true Tsaybaysa's, my paternal grandmother's, words, "You've got to paddle your own canoe", and to be self-sufficient. Throughout the journey of audio and written documentation of our Kungah, our stories, I have become even more cognizant of the need to also "pull together", not only with fellow Wet'suwet'en, but with all Indigenous peoples, especially with other hereditary chiefs being marginalized. Through working together as off-reserve Wet'suwet'en, several of the participants, and myself, have already begun to re-establish and strengthen our aim to create a gathering place, on territory, where we can meet, work together, and have cultural and recreational gatherings in perpetuity. Our clan realized commonalities of experience, both positive and negative, as well as potential strategies to continue our hereditary governance system with increased efficiency and unity while we continue, through legislation, to live off-reserve. Through increased contact and discussion, we discovered methods to ensure consultation and inclusion in our hereditary system while living off-reserve. Members of the two clans have worked toward increased communication with the Wet'suwet'en on-reserve population, as well as with both provincial and federal government authorities.

Hearing and writing about our collective experiences and challenges of living off-reserve has been an emotional journey. Re-experiencing and reliving the fear, loneliness, hopelessness, and brutalities of our collective pasts, awakened memories, tears, and anger. The traumas of childhood, as off-reserve children of Residential schooled parents, personally affirmed the on-going intergenerational effects of Residential school survivors. The experiences of racism, on a near daily basis, shattered much of our own education from childhood to university. It also strengthened our bonds with each other. Our siblings and cousins always had each other's back as we protected each other and became stronger. As part of the extended Toodinay family our parents, grandparents, aunts, and uncles, despite their own difficulties, there was always someone there to teach and to guide. As adults, we each became stronger advocates for ourselves and others through living our culture, and through employment in traditional Wet'suwet'en arts and culinary arts, social work, health, counselling, education, law, and government positions.

Chapter Four related the personal stories that each participant experienced through growing up and living off-reserve, and how this experience affected all aspects of their life. These collective experiences were found to focus on three key areas: education, governance (hereditary, provincial, federal), and racism. Racism was ever-present throughout each area, yet still required a separate section of review.

Education - Summary

Although not originally part of the specified interview questions, it became clearly established that Education was key in many facets of challenges to this study group in accessing and participating in hereditary governance as confirmed in our 1997 Delgamuukw-Gisdayway Supreme Court decision. The education system experienced was totally Eurocentric, and presented government required curriculum through the solitary lens of colonialism. Although the curriculum was considered “standard” at the time, the system that we, the participants, have been laboring under is this false narrative of the discovery, occupation, and birth of a country many deem to be the champion of human rights and freedoms world-wide. And settlers characterize this illegal occupation in terms of “The New World” and Columbus, and subsequent “conquerors” of this New World, are revered and honored by statues. It is interesting that John A. MacDonald statues are now a topic of controversy since the Truth and Reconciliation Commission reported the clandestine role Canada’s first Prime Minister played in the planned genocide that dispossessed the subjects of their mandate of... everything.

The education system now has a blueprint, beginning with the 97 recommendations to “reconcile”, the term my late friend Art Manuel pointed out is spoken with teary eyes and shaky voices, but end with our current Prime Minister entrenching the status quo with his persistence in dealing with his own “legal” Indians. He purports this will now be on a nation to nation basis, but his actions indicate the only nations he intends to deal with are the colonial constructs they have named in law, as First Nations... strictly the First Nation Reserves in Canada...as it has always been. To us, reconciliation on these terms is a non-starter. Case law clearly states that we in particular, the descendants of Gisdayway and Tsaybaysa, have rights that politicians can no longer ignore.

Public education for most Indigenous peoples began with the residential schools’ aim of assimilation and cultural genocide, so that there “would not be one Indian left in the

body politic of Canada” and “there would be no more Indian problem.” Like my parents³ and Aunt Rita, children had to be removed from the “heathen” influence of their families by the state and force-fed the grand narrative we all grew up digesting, whether we wanted to or not. The depiction taught was of us as a savage race which required discovery, civilization, and above all, Christianity in order to save us. That Indigenous peoples, which included us Wet’suwet’en, had lived a spiritually based life for thousands of years before we were “discovered,” was not acknowledged, nor even considered. The white way, was the right way. Period.

As this false narrative was the foundation of education, the non-Indigenous students quickly learned how to treat Indians. We all grew up dealing with the racial fallout of being depicted as primitive, lazy, drunken, filthy, blood-thirsty savages, and were treated as such by society at large. Growing up with this toxic history devastated the Indigenous of Canada and is reflected in the negative stereotypes, racial profiling, and every negative statistic from rates of incarceration, unemployment, children in care, alcoholism, addiction, and shorter life spans. Our Wet’suwet’en Nation is in the process of recovery from addictions, or the ill health from such a cruel environment that put little value on our lives, as painfully depicted by our Kungahs. For instance, the *Highway of Tears*, the central area of investigation for countless missing and murdered Indigenous women, runs through our territory. Billboards and warning signs along the highway which illustrate the lives of our women represent the negative import society has placed in them. Not worthy. They asked for it. Being taught these negative images through institutionalised racism, experienced from Kindergarten to grade 12, virtually rendered us students as front-line child warriors in the war of colonialism.

In reality, we still find the general public almost oblivious to us Indigenous peoples whose land on which they live and whom their ancestors have reduced to a shadow of our past. In my undergrad and grad classes, we Indigenous students were constantly confronting this ignorance with cohorts and instructors. After over 150 years of misinformation, we acknowledge that correcting history will take several generations to reconcile.

As related by participants, key areas in education which affected the growing up off-reserve experience, also affected on-reserve and Non-Indigenous students. Being a

minority group amidst this white Eurocentric majority intensified and escalated challenges in our education. We were not only isolated because we were “native”, we were isolated by the on-reserve students as they did not see us as real Indians, like themselves. Participants experienced the effect of racism in the classroom, playground, and community in the past and, sadly, their children still do today. The multigenerational effects of over a hundred years of segregating children from their families and putting them into Residential Schools negatively affected all participants, their children, and their grandchildren. Despite all adversity and on-going challenges, we have become stronger, been educated in our culture and tradition, and learned how to confidently walk in both worlds. We have been strong advocates for ourselves, our people, and our environment.

Today, even though Indigenous history is mandated in BC curricula, there is still precious little accurate information and documentation of the Indigenous nations and their history in Canada. Instructors may be keen to accurately depict our history and culture, since we have only been allowed in the hallowed halls of academe since 1960; Indigenous academics are only now beginning to add to the truth of our history for use by the education system and society in general.

Education-Conclusions and Recommendations

Our study concluded that the education system misrepresented the true history of this country using the education system as a propagandist tool of colonialism. We were caricatured as a bumbling, incompetent, heathen network of savages that needed civilizing, and that a special department of government was needed so bureaucrats could manage our assimilation in an orderly way to suit continued occupation of our lands. Our participants were singular in their resolve to ameliorate this problem with the following recommendations. Many of our solutions have been echoed by the 97 Truth and Reconciliation Commission recommendations.

First and fore most we advise the implementation of accurate Indigenous history from Kindergarten to grade 12, as well as throughout post-secondary education through all disciplines, as we encounter colonizers of every discipline in our territories from engineers, to economics, and graduates of political science, many of whom advance to contact us Indigenous peoples as bureaucrats and politicians whenever a new proposal for exploitation targets our unceded territories.

Specifically, teacher and educator training, again through all disciplines, must reflect³ incorporating the truth of our nations so we all may make informed decisions. In this way, we may be assured that factual education of judges, police, administrators, government employees and educators regarding international human rights norms, especially regarding racial discrimination and the meaning of self-determination, will lend to Canada's newly committed goal of truth and reconciliation.

Racism– Summary

For the shameful exclusion from history, we harvest daily racist and other apartheid treatment from society and government while paying taxes to the colonial regime that fails to adhere to United Nation declarations to honour and protect Indigenous rights. It fails to uphold the basic international human right of “all peoples have the right to self-determination.” While this accusation of genocide may seem extreme to some, it is reality for us. As participants acknowledged, racism proved to be one of the essential tools of colonialism and without understanding the workings and effects of racism, one cannot fully understand Canadian colonialism and its effects on Indigenous peoples.

Racism required that Indigenous peoples be portrayed as lesser beings in order for colonists in good Christian conscience, to seize lands and resources. Outlawing the Bah'lahts, until 1951 kept Indigenous knowledge keepers from upholding and teaching cultural practices to the young, and disallowing university attendance until 1960, was a genocidal way to keep knowledge from filtering into mainstream education. If a person cannot attend university then he or she cannot become an acknowledged professional in education, history, politics, and law. Racism in its many forms and actions by the state which are “Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part”, (2.c. of the Genocide convention) are the root of all our experiences. By ensuring that Elders feel “less” in every way to white Canadians, and substantiating that our condition is our fault, we tend to underestimate ourselves, our community, and our land. Racism breeds white supremacist laws that are enforced by white superior-ist forces; virtually all authoritative roles of society, right down to the settler child in the school yard repeating the latest hate message via their adults, to our defenseless children. Our experience as children was that of defenceless front-line child warriors in the war of colonialism.

My brother Peter has experienced the racism of the Northern BC medical system each³ and every time he required medical attention, since his heart and other serious health problems began in 2005. The instant social profile of the “Indian street person” manifests immediately upon Peter’s entrance to a medical facility, and results in no attention, inadequate attention, or inappropriate attention. Only after more conclusive examination from “city” health professionals in Vancouver have his issues finally been accurately diagnosed and addressed. Gloria referred to education professionals in the North as “those who could not make it in the more posh jobs in the city” ended up teaching in rural areas; sadly this racism still appears to apply to medical professionals in the north. A wholesale re-education process in the medical, judicial, educational, and other disciplines encountered by our Indigenous peoples is paramount in order to begin reaching the reconciliatory goals prescribed by the latest Truth and Reconciliation findings.

Like a disease, racism can only be combatted when it is exposed. Only by exposing and acknowledging the reality of racism, can we all begin to make healthy choices for ourselves, our community, and country. Until racism is fully acknowledged it will continue to have power and perpetuate individual and collective values as “less than.” It plays the dual role of the continual justification of the theft of our lands, and as a stick to beat us down so we are unable to rise up and seize them back.

Racism and Education

As seen in the Education section, racism was so prevalent, that it also required a separate section here. Participants agreed that racism in academe manifested in three ways:

Deliberate omission -There was a deliberate omission of Indigenous history beyond the racially profiled stereotype all in aid of stealing our lands and resources, because the stereotype painted us as too child-like to logically be expected to manage our lives without guidance of a superior force to aid in our civilization. No history covered any other Indigenous populations in Canada, beyond racially profiled war-like nations, such as the “wily Iroquois. We were not considered human enough to matter. Christians assumed the God given right to occupy any and all “empty lands”, *terra nullius*, to Christianize the heathens or subjugate them completely under the illegal doctrine of discovery colonial dogma; “for our own good.” We were subjugated completely and

utterly. Such a noble example of the magnanimity of Christianity fabrication regarding Colonialist history. 3

Fabrication of Colonialist History - The focus on Canada's history as seen only through the colonialist lens of government sanctioned indoctrination and "white privilege." Education that was false, the grand narrative that we were savage, primitive, and little more than children in need of a white paternalistic department to oversee our lives from cradle to grave through racist laws continue to play themselves out in our off-reserve lives. This educational narrative has been further supported by the entertainment industry's portrayal of the denigrating John Wayne-ish cowboy and Indian movies so prevalent in the nineteen fifties and sixties, and which are still aired on The American Movie Channel. How could these savages deign to be portrayed as human and deserving of anything but the John Wayne version of the blood thirsty murderers?

Governmental policy: Blame the victim –The falsifying of Indigenous history and omission of truth, such as how enfranchisement created on and off reserve Indians, is but another in a long line of recorded violations of human rights. Lack of education regarding the truth behind how enfranchisement created "on and off reserve Indians"; this phenomenon has been wrongfully blamed on us, as though we actually chose to become enfranchised; as opposed to our forcible removal from community by racist law, a diasporic reality.

Racism – Conclusions and Recommendations

As racism in education played such a major role in the challenges of growing up off-reserve, participants believe education can also be used to work toward and support individual and collective acknowledgement of self-worth and value. Words and terminology do matter. For example, North American history did not begin with Christopher Columbus and the other explorers. The terms *New World*, and that this land was *discovered*, should be contextualized to mean *new* only to settlers and clearly stated that this land has been occupied for at least 70,000 years. As settlements grew, they encroached on Native land. Eventually, many of the treaty lands were said to be *absorbed*, which is an understated way to say lands were stolen or swindled. It is past time to correct the fabrication of Colonialist history by rewriting history to represent the truth. While suitable school texts and resources by Indigenous writers are gradually

becoming more available, there is still a rather limited variety of age appropriate materials for the recently implemented BC Kindergarten to grade 12 curricula.

In addition to *correcting history* and educating about positive attitudes towards Indigenous peoples in schools, there is obvious need for implementation of education in the business and corporate world, and at all levels of government. Wet'suwet'en hereditary governance has its foundation on truth and transparency. Western history and culture has much it could learn. A goal of all participants is to be able to use Wet'suwet'en and Western methodology to add to history for use in future history to correct our long endured anonymity, while paying taxes to our oppression.

For racism to become a distant memory there is need to advocate for constitutional change and to cease using Indian Act criteria as guidelines for dealings / interactions with governmental and economic decisions, as the Indian Act only represents 30% of the Indigenous population in Canada.

The words of the recent *Truth and Reconciliation policy* (2016) help explain how the devastating effects of residential school and colonialism still affects today's Indigenous population and contributes to their social maladies which in turn, still feed racist attitudes that blames the victim for their genocidal emotional debilitation. The words of *Truth and Reconciliation* have been written. It is now time for action and implementation. Several participants, Gloria, Rita, Corinne, Peter, Greg, Rod, and myself, regularly give school, college, and university presentations on Indigenous culture, arts, and governance. Vicki continues to contribute to our history, the latest being as an interviewee regarding my role in the Constitution Express, in the National Film Board film *The Road Forward*. Small steps, but very important steps. Several participants commented on how Western education does not teach emotional competency and is probably the reason that Canada and Canadians are so apathetic about institutional racism. There is more work to be done in this area.

Our residential school role in the intergenerational trauma, affected Peter, Rod and I, and by extension, my daughter Vicki. Our mother was tutored almost from her cradle to exact Catholicism in every aspect of lives; Our days were filled with the dread of going to hell. Her life ended with the shameful disrespect of the priest when interrupting our elders' closing prayer, which included a Catholic hymn in Wet'suwet'en, at her wake.

This completed her life as dictated by racism from her cradle to her grave. One does not⁴ heal too easily from these insidious effects of racism. Racism from cradle to grave.

2013. Rest in Peace, Mom.

Governance – Summary

Specific to this study, there is an almost total lack of information on the off-reserve demographic. The effects are twofold. The ignorance not only extends to society at large, but also to most “First Nation” communities in Canada; in fact, our study illustrates how the governing representatives of reserve communities have aided and abetted in our alienation and dispossession of lands and rights to participate in the First Nation/government agenda. The actions of the few, affect the many. It is particularly offensive that these few are often our own relatives who have apparently assigned considerable weight to DIA prescribed descriptions of who is a “real, legal” Indian. As previously stated, even the Royal Commission on Aboriginal Peoples report contains only a short section alluding to our existence and our alienation from lands, culture, communities and families through enfranchisement. We do however, also suffer the many forms of discrimination and bigotry described in the rest of this report about “Indians”, whichever way they mean this term. We were supposed to disappear in the body politic of Canada; we have not, and we have become stronger.

Our two clans, Casyex and Kaiyexwaniits, well trained on our Yintahs, are accredited with doctorate, graduate, undergraduate, technical, red-seal professions and work as federal and provincial civil servants, and in education, religion, health, counselling, administration, and other expert skills, and continue to support the Wet’suwet’en culture in language, social, and economic development aspects. The Wet’suwet’en ancestral lands, Yin Tah, has never been ceded and its members continue to practice their inherent rights that is consistent with Wet’suwet’en law and Common Law.

Gloria George, Smogilthgem, of our father clan, from the Sun House, was well trained too in this traditional way, and is also a holder of a law degree and has a firm grasp on government processes to easily navigate relationships with the rest of Canada. Gloria was the first female President of the Native Council of Canada, representing the off-reserve population politically nationwide, in the fight against the **Colonialistic Berlin Wall**, and the **Indigenous Red Curtain**. I followed in her tracks a decade later, just as she followed

in her father Gisdayway's tracks, and he, his father Felix George in political advocacy, often out of our own pockets in the execution of hereditary chief responsibilities. 4

We are confident we have the knowledge and skills to resume governance of our two houses, but only if our recommendations to remove artificial divisions within our nation are followed. We must begin with including us true title holders in all future business pertaining to our territories. Our clan has been well groomed in our hereditary system with boots-on-the-ground training throughout the territories of Thomas George, Gisdayway, and his wife Mary George, Tsaybaysa, as well as Leonard and Gloria's Smogiltgem territories. Peter can recite our lineage back to Chief Zacharie Kat, who was born in 1811. Chief Zacharie Kat, chief name unknown, is the grandfather of Goodhat, Felix George. Goodhat is a healer's name for the frog clan. Peter stated that "hereditary lineage had to marry others of the same level within the hereditary system." Sadly, many names went with their Elders, or were lost in residential school assimilation. We have been trained to steward these territories as previous stewards of these lands have for millennia. Canada, however, still refuses to acknowledge our existence, as is entrenched in the Indian Act and concomitant racist policies still in practice. Prime Minister Justin Trudeau appears to have followed the blueprint of his father, Pierre Trudeau's *White Paper* assimilation policy by announcing a nation to nation relationship with the Assembly of First Nations, a non-profit society, and definitely not a nation. Shortly after signing UNDRIP, he has entrenched the status quo by ensuring the AFN, representing but one third of the Indigenous population, is the only group with which his government will consult; Canada's legal Indians. He has re-entrenched apartheid in Canada.

Manuel (2017) describes the pact that PM Justin Trudeau signed with the Assembly of First Nations Chief Perry Bellegarde, whose entry dance alongside PM Justin Trudeau was not the "controlled rhythmic walking to the drumbeat of a leader, but the bouncy young person's dance" during the ceremonial entry into the AFN assembly where the PM announced he would carry out discussion on a nation to nation basis, "clearly referring to discussions with Perry and the AFN." Manuel reminds us that the "AFN is not a 'nation'. It is a lobby group that is funded almost 100% by the government. Perry was dancing with joy for his boss—the man who pays his salary." (p.52) This very much describes the phenomenon our study group encounters with the Office of Wet'suwet'en Hereditary

Chiefs, who are also “only a lobby group” that does not hold a seat in our feast hall and⁴ should not be masquerading as a legitimate group speaking on behalf of the true title holders, the clan chiefs.

Governance – Conclusions and Recommendations

As a direct result of this study, the participant group has concluded that the *Wenenyiic Resource Development Society*, a society of Wet'suwet'en hereditary chiefs, from which the participants of this study belong, and which began in 2008, has reached the stage where our concerns have been recorded academically, in keeping with Indigenous research methodology and participatory action research standards. Now we collectively conclude with a very clearly articulated and carefully thought out solution in moving forward in the spirit of the new commitment to the Truth and Reconciliation recommendations. Smogilthgem, Gloria, and Andrew, Skit'een echo all our reasoning why off-reserve clan members can be included in everything to do with our self-sufficiency and healthy Wet'suwet'en governance. It is simply by bringing Delgamuukw-Gisdayway 1997 findings back to its intended path, recognizing the traditional system and the oral history of our people, thereby strengthening us as a people and put us back on track. There is no off-reserve in our feast hall. To return to self-sufficiency the hereditary chiefs must work together as houses and do our own business on our own territories on our terms through the transparent process of our feast hall.

However, there is a major stigma about Bill C-31, non-status, and a plethora of other derogatory names, versus on-reserve or status Indians. The Office of the Wet'suwet'en Hereditary Chiefs (OWHC) operate under Department of Indian Affairs (DIA) band system criteria, which historically and currently does not allow for inclusion of off-reserve members, allowing funds they supply the OWHC for operations to be spent for on-reserve status Indians only, or for those off-reserve hereditary chiefs who accept DIA terms. There is a dependency created through the Indian Act that continues to oppress our people living on reserves. In the big scheme of things, funds offered to the bands, versus resources taken off territories, are miniscule in comparison.

The reason it would be very beneficial for us off-reserve Wet'suwet'en members to strengthen our ties to land through the hereditary chief system is, “because that's where everything is”. Everything driving the economy of British Columbia is resource based.

Our 22,000-square kilometer Wet'suwet'en territory dwarfs the reserve system of less than two percent of our total territory. One cannot survive on these small Indian reserve areas that are typically resource poor, and are primarily non-productive in life sustaining ways.

Key to resolving any misunderstandings as to our right to be included in governance of our clan territories, we need to reiterate this duly recorded Bah'lahts witnessed story, Gisdayway's Kungah. It needs acknowledgement that Gisdayway adopted our mothers Mabel and Rita George from the Spooohks House to Gisdayway's Kaiyexwaniits House so his son's wives can benefit for the sake of his grandchildren. We were trained by his sons who knew both the territories of Thomas and Mary, about which we were trained as we "walked both territories" as poachers on our own land due to enfranchisement. This history is recorded in our Bah'lahts and needs to be iterated as such. This paper illustrates the many faces of racist legislation still practiced in our daily Indigenous lives.

Letter sent to federal ministers of Justice, Crown Relations and Northern Affairs, Indigenous services, MLA Donaldson

Together, we drafted the following information regarding our solution in addressing our off-reserve, Fifth World-Illegal Indian status, and submitted it to the following provincial and federal departments. The letter is presented in its original formatting for authenticity:

October 13, 2017

- Hon. Jody Wilson-Reybold, Minister of Justice, and Attorney General of Canada
- Hon. Doug Donaldson, MLA, Stikine
- Hon. Carolyn Bennett, Minister of Crown-Indigenous Relations and Northern Affairs
- Hon. Jane Philpott, Department of Indigenous Services

Dear Peoples,

Purpose:

With the full support of recent federal government policy changes, the *Wenenyiic Resource Development Society* aims to employ the established right to advance self-determination and self-governance based on these federal and provincial policy changes, and the landmark Delgamuukw-Gisdayway Supreme Court of Canada decision.

We are Wet'suwet'en hereditary chiefs and direct blood descendants of Gisdayway (Thomas George). Each of us was trained on our Yin tah, our traditional territories, in the culture, language, social economic and governance structures, environmental stewardship, territorial boundaries, and protocols of our ancestors. Consistent with Wet'suwet'en law, we, and our families, have used these traditional territories, in continuity, around Casyex and Kaiyexwaniits clan territories to sustain and maintain our hereditary system.

As off-reserve status Wet'suwet'en, we have been deprived of the Supreme Court of Canada [1997] 3SCR 1010 affirmed ownership and jurisdiction of our traditional territories, due to use of the Department of Indian Affairs land rights criteria and BC's Interim consultation policy, rather than territorial jurisdiction as affirmed by the 1997 Supreme Court decision. At the time, governments and Indigenous Peoples alike did not proactively plan for a legal ruling with potential for long overdue generational benefits. The BC government proposed an unnecessary treaty negotiation process, loans to negotiate a treaty, and some capacity funds for land use planning and consultation. As our territory was unceded, and already affirmed through the courts, a treaty was not requested nor required, but the Office of Wet'suwet'en Hereditary Chiefs, acquiesced to the treaty process simply to acquire funds to operate.

The problem:

Since the legal ruling of 1997, the BC governments have engaged only the Indian Act bands whose reserves are within the ancestral lands of the Wet'suwet'en or the Office of the Wet'suwet'en in Smithers. There are at least six Indian act band administrations, and their subsidiary organizations who have reserve lands within the Wet'suwet'en ancestral lands. Collectively, these reserve lands make up only 3,801.4 hectares of reserve land—the Wet'suwet'en asserted ancestral lands as recognized by the Supreme Court of Canada is approximately 20,000 square km. Currently, band-run organizations are consulted, even though they do not have cultural connection or direct lineage as true rights beneficiaries, as affirmed by the Supreme Court of Canada.

The sole purpose of creating the Office of the Wet'suwet'en, a non-profit society, was to expedite and administer witnesses for the Delgamuukw / Gisdayway court case. At the close of the court case the purpose of the Office of the Wet'suwet'en became a place in which to field any governance concerns to the appropriate house groups—the Wet'suwet'en traditional governance--but this was in no way authorization to grant the Office of Wet'suwet'en or Indian Act bands to speak on behalf of any House Group. Therefore, this office does not represent the descendants of Gisdayway and the territories in question. Both federal and provincial governments insist on and have wrongly consulted the Office of the Wet'suwet'en regarding land not under their authority, and compensated and accommodated them accordingly. To this day, the federal and provincial governments have not adequately consulted with us, the true descendants as articulated in our Supreme Court case.

As true descendants, we have made countless efforts to address our Indigenous Rights with both the federal agencies, local Bands and organizations sponsored through the Indian Act, and through direct engagement with the BC government. Having spent an enormous amount of time, energy, and personal finances, our concerns to protect our Rights from industrial developments were ignored. Although we have been patient in awaiting a response in the past, it is devastating to sit and watch our ancestral lands, culture, and economy erode as a direct result of government decisions.

The impact:

In order to work as a cohesive unit and to take the steps necessary to reclaim our land and resources, we have formally stated that the Office of Wet'suwet'en and bands are not to be consulted on our behalf in 2004, formed the Casyex Trust in 2006, Wenenyiic Resource Development Society in 2008. The decisions made by the former governments of Stephen Harper and Christy Clark used and developed Wet'suwet'en resources without our consultation, and roughshod development, which severely impacted our Indigenous rights and obliterated the culture.

Many Indian act leaders and community members were misled on the prospect of oil and gas revenue, impact benefit agreements, revenue sharing, and incentives by the BC ministries to sign these agreements, which were held in secrecy and remain confidential to our exclusion, in order to support former PM Harper's 'hand up' initiative. This resulted in heavy socio-economic and cultural costs, which is tantamount to cultural appropriation; Wet'suwet'en laws are being violated, and further derogation of lands and resources have and continue to result in decisions to proceed with development without proper consultation with our proper title holders, Gilughgun and Atna.

The remedy:

It is our aim to embrace the ten *Principles Respecting the Government of Canada's Relationship with Indigenous Peoples* proposed by the current federal government, the two new Department of Crown-Indigenous Relations and Northern Affairs and Department of Indigenous Services along with the new mandate advanced by the newly formed provincial governments-The British Columbia Ministry of Forests and the British Columbia Ministry of Aboriginal Relations and Reconciliation to protect our constitutionally protected rights. We are concerned that if we do not express our established Rights, we will continue to be ignored.

Thankfully, positive change is beginning to occur through implementing the Truth and Reconciliation Commission calls to action, the United Nations Declaration on the Right of Indigenous Peoples, and the International Labour Organization Convention 169 regarding Indigenous rights.

Regarding the Ministry of Forests mandate on land use planning, we have participated in consultation in the past and have worked with government agencies to address rights related interests. For the most part, the information was captured, but it limited rights to site-specific areas. All other non-Indigenous interests were built within and around these rights areas to the extent that cultural practices could no longer be practiced. The cumulative effects of development ranging from individual fee simple, and tenures for agriculture, forest, mineral, and recreational tenure, and of rights of way, all compounded to the extent that the

land was rendered useless for cultural practices, and the Ministry did nothing to⁴ protect our rights.

The Weneyiic Resource Development Society had previously created a sound economic plan that addressed sustainable development, capacity building, diversification, and reinvestment into language and culture, but the plan was ignored and vetoed to multinational interests, such as Canfor, Huckleberry Mines, the Hudson Bay Ski Resort, and many other non-Indigenous enterprises. The BC 'interim' consultation policy remains outdated and does not factor industry standards and minimum case law requirements, as yet. Although we highly value the language and culture associated with our ancestral lands, we also recognize the economic value, and the deterioration of natural resource assets or sale of these assets to other interests without compensation for our loss.

The federal economic strategy, "A hand up, not a handout" was a construct made with input from all band jurisdictions across Canada, approximately 30 % of the Indigenous population. Us off-reserve Wet'suwet'en peoples, as part of the remaining 70% of the Indigenous population, were neither invited for input nor received any benefits. The Yin Tah, our territory, was unlawfully exploited by the few bands that are established within a small percent of our ancestral lands.

In the post 2000 NDP government era, policies enabled a comprehensive sustainable economic plan that ensured the possibility for sustainable development, economic diversification, reinvestment into language, culture, and traditional governance. Unfortunately, the BC NDP government lost the election to the BC Liberal government in 2001, establishing the present-day problems founded on a faulty consultation policy, and ignoring the Wet'suwet'en economic plan. The forest sector had experienced significant changes, which included the transfer of forest tenure from Houston Forest Products (whom established a solid relationship with our house group) to Canfor, without consultation—a clear violation of the Haida Case. At the same time, the Federal government changed to the Harper style policies which resulted in an economic strategy that supported multi-national interests and streamline a complete supply-chain from Indian act Bands, municipal, provincial and federal agencies to support the development of

pipelines. This ended with the election of Trudeau, and John Horgan, ending sixteen years of devastating policies that merely eliminated existing rights protected under the Canadian Constitution and continue to threaten our way of life.

Recommendations:

- that Indian Act bands within Wet'suwet'en ancestral lands serve as the model to lead Canada into a new generation of Indigenous relations founded on the United Nations, the full implementation of the TRC findings, and a means to implement the recently announced 10 principles
- that the Indian Act bands no longer be consulted on ancestral territories, as the lands on which the bands reside is federal land
- that the bands support hereditary governance as their chiefs are the ones trained on the Yin tah
- that revenue from ancestral lands be invested into language, culture, governance, and Indigenous economic development, not through welfare transfer payments
- that any Impact Benefit Agreements or revenue sharing to be held in trust with only Wet'suwet'en peoples' access and applications adjudicated by a Wet'suwet'en grant review committee and a 3rd party evaluator
- that the Wenenyiic Resource Development Society receive sole funding for all future consultations regarding the hereditary territories of Gisdaway, as affirmed by the Supreme Court of Canada
- that the BC government renew consultation policy to exclude Indian Act structures that exist in ancestral lands pursuant to the ten principles announced by the Federal Government.
- that land-use planning does not isolate Indigenous Rights practices
- that executives and staff within the Skeena Region and district offices across all ministries be reviewed for offenses of faulty consultation decisions
- that conflict of interest rules apply to statutory decision makers who have a connection to industry stakeholders
- that civil servants be reviewed for any kick-backs received for favourable decisions that granted authorizations

- that applications and land dispositions and tenures not granted be reviewed to determine if there was any relationship to any murdered and missing Indigenous Peoples
 - that appropriate protection measures of the Yin tah be considered, including the United Nations Educational, Scientific, and Cultural Organization (UNESCO) protected areas that embrace our house group's contribution to the betterment of Indigenous People worldwide through the Gisdayway / Delgamuukw court ruling, and which would serve as the foundation for socio-economic, cultural, and language development
 - that the Wenenyiic Resource Development Society receive acknowledgment from provincial and federal governments regarding the incorrect authorization given the Office of the Wet'suwet'en and funds to reconcile damages done
- It is acknowledged that social change takes time. However, with the governmental renewed commitment to relationships with Indigenous Peoples, based on the recognition of rights, respect, co-operation, and partnership, true reconciliation can be achieved and Indigenous Peoples regain self-governance and self-determination

We are available to meet to further discuss these points, to work to implement recommendations, and further seek to reconcile interests.

The original copy of this letter was signed by Tsaskiy and Skit'een, on behalf of the hereditary chiefs of our two house territories, Casyex and Kaiyexwaniits, as representatives of our Wenenyiic Resource Development Society.

Our proposed Memorandum of Understanding will articulate the methodology that we will follow and which defines clearly the re-education process and peace-making solutions needed to comply with Wet'suwet'en law. We suggest use of the genealogy recorded in our court evidence, for guidance. We propose a working group with appropriate government parties to expedite conflict resolution according to Wet'suwet'en law.

In response to our question regarding whether constitutional change may be required, our findings agree there should be, and our findings are totally congruent with Art Manuel's (2017) blueprint to decolonization, which we include in its entirety.

Six-Step Program to Decolonization

Art Manuel (2017) succinctly identifies a six-step program to decolonization in Canada, a process that can bring a liberation for Canada and for Indigenous Peoples. Once implemented, these steps could transform Canada into one of the most politically and environmentally progressive countries in the world.

1. The first step is a simple one and has been advocated by both RCAP and the TRC. Formally denounce the racist doctrine of discovery and terra nullius as justification for settler presence on our lands, as well as any other doctrines, laws, or policies that would allow you to address us on any other basis than nation to nation.
2. As part of the nation to nation negotiation, you use, logically, recognize our right to self-determination, which is the essential decolonizing remedy to move Indigenous peoples from dependency to freedom.
3. Acknowledgement of our right to self-determination must be according to international human rights standards and include ecological and equitable development principles, Indigenous knowledge systems, laws, relationships to land, world views, technologies, innovations, and practices and, of course, recognition and affirmation of our Indigenous title and rights to the lands that the Creator has given each nation and which we have inhabited since time immemorial.
4. At this point we can finally sit down together for the long, grown-up talk about who we are and what we need, and who you are and what you need, and we can then begin to sort out the complicated questions about access to our lands and sharing the benefits. These talks can, indeed, lead to reconciliation, but only after our rights as title holders and decision makers on the land and our economic and cultural needs are met. We in turn will ensure that your very real human right to be here after four hundred years is respected and your economic and cultural needs are also met.
5. Anything that we agree to in access and benefits must also include clear jurisdictional lines of authority based on the standard of free, prior and informed consent of Indigenous peoples and decision making that incorporates environmental reviews and oversight in accordance with Indigenous laws.

6. In concrete Canadian terms, Section 35 of the Canadian Constitution must be made to comply with Article 1 of the ICCPR/ICESCR and Article 3 of UNDRIP and all of the colonial laws must be struck from Canadian books, thereby implementing Indigenous right to freely determine our own political status and freely pursue our economic, social and cultural development.

Before embarking on this new relationship with Canada, however, Indigenous peoples need to have an internationally monitored “pre-nup” in place and call for the establishment of an oversight mechanism for Indigenous peoples at the United Nations.

The appropriate United Nations body should formulate recommendations and proposals for the development of measures and activities to

1. Prevent self-determination violations by all states, including Canada, against Indigenous peoples
 2. Insist any violations of the right to self-determination are immediately corrected by the states, including Canada
 3. Coordinate cooperation with other UN bodies to ensure international oversight of self-determination for Indigenous peoples and immediately report any violations to the General Assembly
- Simultaneously, Indigenous peoples must also be given permanent observer status within the UN system to enable our voices to be directly heard within the General Assembly.

There is hope. With the on-territory training in environmental stewardship, culture, history, and skills in living off the land that we received from Gisdayway and Tsaybaysa, our grandparents, as well as our parents, aunts and uncles, combined with our academic expertise and career experiences, the participants and myself have the collective expertise to implement our plan of repatriating to our rightful place on our territories. Ideas for this plan began 20 years ago, now, in 2017, implementation has begun. Through collaborating our ideas through this academic project, we have come to work together even closer. On Toodinay, our Grandmother had reminded us repeatedly, “You’ve got to paddle your own canoe” which we have augmented with our training and survival skills off our Yin Tah. Our canoe is now larger and stronger as we paddle together as one. We, the illegal Indians, the non-whites of Canada, the off-reserve Indigenous peoples living in this Fifth World, oppressed by the Indigenous Red Curtain, deem, all the above as a true reporting

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of our tax-payer without representation status in Canada. We do this on behalf of our grandparents Gisdayway and Tsaybasa, and our two WWII Veterans Frederic and Andrew George, who passed without experiencing the freedoms they fought for.

“Insayatsaya hout saya,

Where we are going, we must keep going. We must never give up.

You've Got to Paddle Your Own Canoe.

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Appendix A
Letter of confirmation and permission

from Gloria George, hereditary chief of Tsaskiy's (Ron George's) father clan

To whom it may concern:

Re: Ron George Masters Research Work at the University of Victoria

This letter is to confirm that I, Gloria George, hereditary chief from Ron George's father clan, Laksamishu (Killer whale and Grouse clan), have discharged my father clan duty under Wet'suwet'en law and have received the permission to speak on behalf of Mabel George, Andre George, Brian George, Rita George, hereditary chief from Ron George's clan, to convey that we fully understand and have agreed to participate in this research project.

In addition, we agree that we will all be privy to others we deem appropriate to being interviewed by Ron for this project. We agree that Ron George will be the researcher of the project titled You've got to paddle your own canoe. We agree that he will follow Wet'suwet'en law in conveying our collective stories of our challenges and potentials of participating in our hereditary governance rights while living off-reserve or off territory in the trues manner. We agree that we will guide him as to the content and purpose of this research project to ensure that they are in keeping with our Wet'suwet'en law that will uphold the integrity of our thousands year old system.

Signed

Gloria George Norris

Appendix B

Participant Consent Form

*You've got to paddle your own canoe:
The effects of federal legislation on participation in, and exercising of,
traditional governance while living off-reserve.*

You are invited to participate in a study titled: *You've got to paddle your own canoe: The effects of federal legislation on participating in, and exercising of, traditional governance while living off-reserve* being conducted by Ron George. Ron George is a Master of Arts student at the University of Victoria in the Faculty of Education, in the Leadership Studies programme, and you may contact him at tsaskiy@****.** or 250-****-**** if you have any questions. The Supervisor is Dr. Darlene Clover and she can be reached at clover@uvic.ca or 250-721-7816 if you have any further questions or concerns.

The overall question that of this study is "What are the challenges and potentials confronting my off-reserve Wet'suwet'en extended family's participation in our hereditary system of governance?"

Study will explore the challenges and potentials in reproducing the hereditary system of the Gitimt'en (Bear) clan, descendants of Thomas George, as well as descendants of matriarch Mary George of the Laksamishu (Killer Whale and Grouse clan). While we descendants have been participants in the Bah'lahts (hereditary governance system), our isolation from reserve communities where the majority of the Bah'lahts events are held, has presented particular difficulties not encountered by Wet'suwet'en residing on reserves. It is these which this study will explore. The purpose of the study is to assess, analyse, and interpret the problems of participation and inclusion in traditional Wet'suwet'en governance while living off-reserve in order to articulate some possible solutions which may include legislative and/or constitutional change, while edifying on-reserve clan members who do not always understand these particular problems. This study will provide historical information to our succeeding generations about how living off-reserve has adversely affected reproduction of our culture, language, and traditions, which we are trying maintain and continue with many difficulties due to being forcibly relocated from our territories by colonialistic policy and legislations.

You have been chosen to participate in this study because you are either a direct descendant of Thomas and Mary George, or are related by marriage or custom adoption, and have been affected by living off-reserve or off-territory. Participation in this study is totally voluntary. If you agree to participate in this study, you will be asked to participate in an individual audio-taped interview which will be approximately one to one and one half hours long and, if you desire, focus group interview (if the house/clan groups decide on this manner) which would be a maximum of three hours unless otherwise decided by the group. This too will be video and/or audio-taped as per our collective decision as research participants, to ensure accuracy. Once the taped interviews have been transcribed, you will be asked to check it/them over for accuracy. You will also be asked if you would like your comments to be part of future publications.

There will be no inconvenience to you apart from your time in the interview and/or focus group. I am the researcher and I will interview you at the location and time of your choice, which may be done in person or by a telephone at your convenience. There are no known or anticipated risks associated with your involvement in this study. With you, I will explore the challenges and potentials of reproducing your Wet'suwet'en hereditary governance rights while living off-reserve or off-territory, and possible solutions. As you know, our hereditary law dictates that all members of this house/clan/research group agree to the content and outcome of any deliberations in which we engage and will be used in the manner in which we collectively decide. I will take photographs of our group for use in the project as we decide appropriate. The images or photos and what I learn from you will be shared with educators, adult educators, and community groups, including Aboriginal groups across Canada and further afield as we decide collectively in our usual manner by email, telephone and/or in person. I intend that my approach to this research will provide you with a forum to discuss your challenges and potentials of living off-reserve as it relates to your Wet'suwet'en hereditary governance rights and to help others, including governments and other Aboriginal groups, understand the effect of colonialism still in force today.

Again, your participation in this research must be completely voluntary. If you do decide to participate, you may withdraw at any time without negative consequences or explanation. If you do withdraw from the study, your data will be destroyed unless you

say otherwise. In order to assure me that you continue to give your consent to participate in this research, I will ask you

Each time we meet if our agreement still stands or if you wish to alter anything or withdraw from the research entirely.

In terms of protecting your anonymity, I will ask you if I may include your name and location in the final write-up of the findings or if you would like to have a "cod name" assigned to you. Your confidentiality of the data will be protected by me by locking the tapes and written transcriptions in a filing cabinet. I am the only person who will see this raw data. The audio tapes will be erased once the transcriptions have been done and the written interviews will be destroyed five years after the publication of the data, unless otherwise decided by the clan and parent clan to who we belong.

For those who take part in the focus group interviews, should we collectively decide to conduct them, your input will not be confidential in terms of others in the group. Participants will be asked to agree to confidentiality of what others say in and to the group. Participants may tell others of their own experiences and comments made to the group. This will be the policy unless the focus group members specifically state for the record that any and all ideas can be shared. The recorded tapes of the focus group will not be publicly broadcast in any form and will only be used for research purposes. Should I, the researcher wish to use your name in any form of publication (reports, articles, chapters, websites, etc.) I will advise you and obtain your permission before doing so.

Summary findings of this study will be reported directly to you in a one-two page written form and, when possible, orally. We will also be using and disseminating the data in the following ways: a) articles and chapters for books and other scholarly materials; b) scholarly and popular conference presentations; c) meetings with Aboriginal and government groups cross Canada and in other countries; d) possibly for a book; e) popular journals and magazines including newspapers. Any royalties from the sale of books will go to the researcher/writer and to be dispensed according to house/clan decision.

In addition to being able to contact the researcher at the source provided above, you may verify the ethical approval of this study, or raise any concerns you may have, by contacting the Human Research Ethics Office (250-472-4545). Your signature below

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indicates your willingness to participate in this study and to verify your words and intents as correct once documented.

I have read the information above and I agree to participate in the Project.

Print name

Signature

Date
researcher)

Witness (may be the

Appendix C Invisible Knapsack

This sampling from the "Invisible Knapsack" is included in order to inform and clarify some of the invisible, and generally unacknowledged, aspects of white privilege.

White Privilege: Unpacking the Invisible Knapsack, by Peggy McIntosh

Colonialist society appears to portray racism as a comparative to themselves, a scenario of "them" and "us," which undoubtedly puts non-whites at a disadvantage. However, these same colonialists appear to have learned not to see this quality in themselves. White privilege has been referred to as an invisible package of unearned assets can be which can be depended upon in daily life, but not obvious to the colonialist.

- I can if I wish arrange to be in the company of people of my race most of the time.
- If I should need to move, I can be pretty sure renting or purchasing housing in an area which I can afford and in which I would want to live.
- I can be pretty sure that my neighbors in such a location will be neutral or pleasant to me.
- I can go shopping alone most of the time, pretty well assured that I will not be followed or harassed.
- I can turn on the television or open to the front page of the paper and see people of my race widely represented.
- When I am told about our national heritage or about "civilization," I am shown that people of my color made it what it is.
- I can be sure that my children will be given curricular materials that testify to the existence of their race.
- If I want to, I can be pretty sure of finding a publisher for this piece on white privilege.
- I can go into a music shop and count on finding the music of my race represented, into a supermarket and find the staple foods which fit with my cultural traditions, into a hairdresser's shop and find someone who can cut my hair.

- Whether I use checks, credit cards, or cash, I can count on my skin color not to work against the appearance of financial reliability.
- I can arrange to protect my children most of the time from people who might not like them.
- I can swear, or dress in second hand clothes, or not answer letters, without having people attribute these choices to the bad morals, the poverty, or the illiteracy of my race.
- I can speak in public to a powerful male group without putting my race on trial.
- I can do well in a challenging situation without being called a credit to my race.
- I am never asked to speak for all the people of my racial group.
- I can remain oblivious of the language and customs of persons of color who constitute the world's majority without feeling in my culture any penalty for such oblivion.
- I can criticize our government and talk about how much I fear its policies and behavior without being seen as a cultural outsider.
- I can be pretty sure that if I ask to talk to "the person in charge," I will be facing a person of my race.
- If a traffic cop pulls me over or if the IRS audits my tax return, I can be sure I haven't been singled out because of my race. I can easily buy posters, postcards, picture books, greeting cards, dolls, toys, and children's magazines featuring people of my race.
- I can go home from most meetings of organizations I belong to feeling somewhat tied in, rather than isolated, out-of-place, out-numbered, unheard, held at a distance, or feared.
- I can take a job with an affirmative action employer without having coworkers on the job suspect that I got it because of race.
- I can choose public accommodation without fearing that people of my race cannot get in or will be mistreated in the places I have chosen.
- I can be sure that if I need legal or medical help, my race will not work against me.

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- If my day, week, or year is going badly, I need not ask of each negative episode⁶ or situation whether it has racial overtones.
- I can choose blemish cover or bandages in flesh color and have them more or less match my skin.

Appendix D

Timeline of UNDRIP

2007 United Nations General Assembly declaration is a document expressing political commitment on matters of global significance, but is not legally binding, unlike a treaty or a covenant. Declarations are not signed or ratified by states.

November 2010, Canada issued a Statement of Support endorsing the principles of the UNDRIP

November 2015, the Prime Minister of Canada asked the Minister of Indigenous and Northern Affairs and other ministers, in the mandate letters to implement the declaration.

May 2016, the Minister of Indigenous and Northern Affairs announced Canada is now a full supporter, without qualification, of the declaration.

November 2017 Canada has committed to a renewed, nation-to-nation relationship with Indigenous peoples based on recognition of rights, respect, co-operation and partnership, and rooted in the principles of the UNDRIP.

However, the nation-to-nation relationship ONLY applies to First Nations / On-reserve, Bands and NOT to the off-reserve population.

United Nations Declaration on the Rights of Indigenous Peoples

Article 1

Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human

Article 2

Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.

Article 3

Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 4

Indigenous peoples, in their internal and local affairs, as well as ways and means for financing their autonomous functions.

Article 5

Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.

Article 6

Every indigenous individual has the right to a nationality.

Article 7

1. Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.

2. Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

Article 8

1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.

2. States shall provide effective mechanisms for prevention of, and redress for:

(a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities;

(b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;

(c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;

(d) Any form of forced assimilation or integration;

(e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

Article 9

Indigenous peoples and individuals have the right to belong to an indigenous community or nation, in accordance with the traditions and customs of the community or nation concerned. No discrimination of any kind may arise from the exercise of such a right.

Article 10

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

Article 11

1. Indigenous peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artefacts, designs, ceremonies, technologies and visual and performing arts and literature.

2. States shall provide redress through effective mechanisms, which may include restitution, developed in conjunction with indigenous peoples, with respect to their cultural, intellectual, religious and spiritual property taken without their free, prior and informed consent or in violation of their laws, traditions and customs.

Article 12

1. Indigenous peoples have the right to manifest, practise, develop and teach their spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to their religious and cultural sites; the right to the use and control of their ceremonial objects; and the right to the repatriation of their human remains.

2. States shall seek to enable the access and/or repatriation of ceremonial objects and human remains in their possession through fair, transparent and effective mechanisms developed in conjunction with indigenous peoples concerned.

Article 13

1. Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

2. States shall take effective measures to ensure that this right is protected and also to ensure that indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.

Article 14

1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.

2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.

3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

Article 15

1. Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.

2. States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society.

Article 16

1. Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination.

2. States shall take effective measures to ensure that State-owned media duly reflect indigenous cultural diversity. States, without prejudice to ensuring full freedom of expression, should encourage privately owned media to adequately respect indigenous cultural diversity.

Article 17

1. Indigenous individuals and peoples have the right to enjoy fully all rights established under applicable international and domestic labour law.

2. States shall in consultation and cooperation with indigenous peoples take specific measures to protect indigenous children from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development, taking into account their special vulnerability and the importance of education for their empowerment.

3. Indigenous individuals have the right not to be subjected to any discriminatory conditions of labour and, inter alia, employment or salary.

Article 18

Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

Article 19

States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

Article 20

1. Indigenous peoples have the right to maintain and develop their political, economic and social systems or institutions, to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.

2. Indigenous peoples deprived of their means of subsistence and development are entitled to just and fair redress.

Article 21

1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.

2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

Article 22

1. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.

2. States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

Article 23

Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.

Article 24

1. Indigenous peoples have the right to their traditional medicines and to maintain their health practices, including the conservation of their vital medicinal plants, animals and minerals. Indigenous individuals also have the right to access, without any discrimination, to all social and health services.

2. Indigenous individuals have an equal right to the enjoyment of the highest attainable standard of physical and mental health. States shall take the necessary steps with a view to achieving progressively the full realization of this right.

Article 25

Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

Article 26

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.

2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

Article 27

States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

Article 28

1. Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent.

2. Unless otherwise freely agreed upon by the peoples concerned, compensation shall take the form of lands, territories and resources equal in quality, size and legal status or of monetary compensation or other appropriate redress.

Article 29

1. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.

2. States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.

3. States shall also take effective measures to ensure, as needed, that programmes for monitoring, maintaining and restoring the health of indigenous peoples, as developed and implemented by the peoples affected by such materials, are duly implemented.

Article 30

1. Military activities shall not take place in the lands or territories of indigenous peoples, unless justified by a relevant public interest or otherwise freely agreed with or requested by the indigenous peoples concerned.

2. States shall undertake effective consultations with the indigenous peoples concerned, through appropriate procedures and in particular through their representative institutions, prior to using their lands or territories for military activities.

Article 31

1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the

manifestations of their sciences, technologies and cultures, including human and genetic⁷ resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.

2. In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.

Article 32

1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.

2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.

3. States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.

Article 33

1. Indigenous peoples have the right to determine their own identity or membership in accordance with their customs and traditions. This does not impair the right of indigenous individuals to obtain citizenship of the States in which they live.

2. Indigenous peoples have the right to determine the structures and to select the membership of their institutions in accordance with their own procedures.

Article 34

Indigenous peoples have the right to promote, develop and maintain their institutional structures and their distinctive customs, spirituality, traditions, procedures, practices and, in the cases where they exist, juridical systems or customs, in accordance with international human rights standards.

Article 35

Indigenous peoples have the right to determine the responsibilities of individuals to their communities.

Article 36

1. Indigenous peoples, in particular those divided by international borders, have the right to maintain and develop contacts, relations and cooperation, including activities for spiritual, cultural, political, economic and social purposes, with their own members as well as other peoples across borders.

2. States, in consultation and cooperation with indigenous peoples, shall take effective measures to facilitate the exercise and ensure the implementation of this right.

Article 37

1. Indigenous peoples have the right to the recognition, observance and enforcement of treaties, agreements and other constructive arrangements concluded with States or their successors and to have States honour and respect such treaties, agreements and other constructive arrangements.

2. Nothing in this Declaration may be interpreted as diminishing or eliminating the rights of indigenous peoples contained in treaties, agreements and other constructive arrangements.

Article 38

States, in consultation and cooperation with indigenous peoples, shall take the appropriate measures, including legislative measures, to achieve the ends of this Declaration.

Article 39

Indigenous peoples have the right to have access to financial and technical assistance from States and through international cooperation, for the enjoyment of the rights contained in this Declaration.

Article 40

Indigenous peoples have the right to access to and prompt decision through just and fair procedures for the resolution of conflicts and disputes with States or other parties, as well as to effective remedies for all infringements of their individual and collective rights.

Such a decision shall give due consideration to the customs, traditions, rules and legal systems of the indigenous peoples concerned and international human rights.

Article 41

The organs and specialized agencies of the United Nations system and other intergovernmental organizations shall contribute to the full realization of the provisions of this Declaration through the mobilization, inter alia, of financial cooperation and technical assistance. Ways and means of ensuring participation of indigenous peoples on issues affecting them shall be established.

Article 42

The United Nations, its bodies, including the Permanent Forum on Indigenous Issues, and specialized agencies, including at the country level, and States shall promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration.

Article 43

The rights recognized herein constitute the minimum standards for the survival, dignity and well-being of the indigenous peoples of the world.

Article 44

All the rights and freedoms recognized herein are equally guaranteed to male and female indigenous individuals.

Article 45

Nothing in this Declaration may be construed as diminishing or extinguishing the rights indigenous peoples have now or may acquire in the future.

Article 46

1. Nothing in this Declaration may be interpreted as implying for any State, people, group or person any right to engage in any activity or to perform any act contrary to the Charter of the United Nations or construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States.

2. In the exercise of the rights enunciated in the present Declaration, human rights and fundamental freedoms of all shall be respected. The exercise of the rights set forth in this Declaration shall be subject only to such limitations as are determined by law and in accordance with international human rights obligations. Any such limitations shall be non-discriminatory and strictly necessary solely for the purpose of securing due recognition and respect for the rights and freedoms of others and for meeting the just and most compelling requirements of a democratic society.

3. The provisions set forth in this Declaration shall be interpreted in accordance with the principles of justice, democracy, respect for human rights, equality, non-discrimination, good governance and good faith.

Appendix E

International Labour Organization

The findings in this study have proven that *colonialism and apartheid are alive and well in Canada*. (Bolaria and Li 1988).

As of November 2017, 28 years after being written, Canada had yet to add its signature to the International Labour Organization 169.

International Labour Organization

The International Labour Organization has been engaged with Indigenous and tribal peoples' issues since the 1920s. It is responsible for the Indigenous and Tribal Peoples Convention, 1989, No.169, the only international treaty open for ratification that deals exclusively with the rights of these peoples. The ILO's Decent Work Agenda, with gender equality and non-discrimination, as a cross-cutting concern, serves as a framework for indigenous and tribal peoples' empowerment. Access to decent work enables indigenous women and men to harness their potential as change agents in poverty reduction, sustainable development and climate change action.

Key Activities of the ILO

1. Capacity building on indigenous issues and their rights to indigenous organization, NGOs staff, government officials and other interested on various subjects relevant to indigenous issues and rights.
2. Assistance on indigenous community registration as legal entity for collective land ownership. This is to contribute to safeguard traditional land and community management in conformity with national legislations and international standards.

Article 5

Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State.

Article 6

Every indigenous individual has the right to a nationality.

Article 7

1. Indigenous individuals have the rights to life, physical and mental integrity, liberty and security of person.
2. Indigenous peoples have the collective right to live in freedom, peace and security as distinct peoples and shall not be subjected to any act of genocide or any other act of violence, including forcibly removing children of the group to another group.

Article 8

1. Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.
2. States shall provide effective mechanisms for prevention of, and redress for:
 - (a) Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities;
 - (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources;
 - (c) Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;
 - (d) Any form of forced assimilation or integration;
 - (e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

Appendix F

Historic events pertinent to the participants in this study

- 1200 The practice of colonialism begins upon the Irish and Scottish Clans as the English aristocracy begins to divide and fence the “common lands” in England, Scotland and Ireland.
- 1492 Christopher Columbus is discovered by the Indigenous peoples in what is now called North America
- 1498 Start of the white invasion of “discovery” in what is now called the Maritimes and Newfoundland and Labrador
- 1613 Beothuck people in Nova Scotia cover themselves in red ochre, thereby becoming known as “red Indians.” From 1613 onwards the French and English fishers hunt the Beothuck to extinction. The fishers competitively kept track of each murder by carving notches on their guns for each death.
- 1670 Charles II of England grants a charter to the “Hudson’s Bay Company” with complete jurisdiction over the vast lands surrounding Hudson Bay.
- 1700 Bini-a, Wet’suwet’en seer and spiritual leader, tells of the coming of the white man, missionaries, trains, Jesus, air travel, and the telephone.
- 1776 Captain James Cook receives instructions, in the name of King George III, to “with the consent of the natives to take possession of all convenient situations in such countries as you may discover, that have not already been discovered or visited by any other European power”. p. 5
Much of present day British Columbia remains taken without consent or treaty.
- 1778 Natives discover Captain James Cook at Nootka Sound, now part of British Columbia.
- 1805 The North West Company’s Simon Fraser founds “New Caledonia” at McLeod Lake. This is the first permanent trading outpost in the southern interior of British Columbia.
- 1820 A huge rockslide in Hagwilget Canyon (Gitksan territory) prompts the move of the Wet’suwet’en village from Kya Wiget (Moricetown) to the present Tse Kya. The Gitksan permitted the move of their southern neighbours to Hagwilget, “place of the gentle people”.
- Hudson’s Bay Company of England set up an outpost at Babine Lake, penetrating that previously Gitksan, Wet’suwet’en and Nisga’a controlled economy of the Northwest Interior.

- 1823 William Brown, a trader, becomes the first white settler in Gitksan Territory.
- 1832 Lord Durham describes the rules of colonialism in the colony of Canada: “It seems...to have been considered the policy of the British Government to govern its colonies by means of division, and to break them down as much as possible into petty isolated communities, incapable of combination, and possessing no sufficient strength for individual resistance to the Empire. Indication of such designs are to be found in many of the acts of the British Government with respect to its North American Colonies ...”
- 1862 Smallpox was introduced to Victoria, British Columbia and rampaged up the coast. Gitksan and Wet’suwet’en Nations lost 30 percent of their population. Houses amalgamated in order to survive. Both Protestant and Roman Catholic missionaries seek to usurp the power of the Spiritual leaders, declaring proof of their superiority by seeming not being affected by smallpox. A vaccine stock pile remained untouched in Victoria.
- 1864 Until British Columbia joined into Confederation, 1871, Indian policy came through Commissioner Joseph Trutch: “The Indians have really no right to the lands they claim, nor are they of any actual value or utility to them, and I cannot see why they should...retain these lands to the prejudice of the general interest of the colony.”
- 1866 First telegraph line pushed through the interior of British Columbia, as far as Wet’suwet’en and Gitksan territory, bringing some of the first whites to the area. Present day Buckley Valley receives its name from project engineer, Colonel Charles Bulkley. The Wet’suwet’en and Gitksan use the tons of leftover wire to fortify the bridge at Hagwilget canyon.
- 1867 British North America Act is passed for the legal creation of Canada as a nation.
- 1868 The Indian Act, “for the gradual civilization of Indian Peoples”, becomes a key legislative tool and has three major functions intended to assimilate Indian Peoples:
- (1) Creation of vastly reduced “Reserve” lands which do not reflect the traditional tribal territories of the Indian Nations.
 - (2) Creation of puppet “Band Councils” which replace and undermine the authority of traditional tribal governments.
 - (3) Defines who is an “Indian” under the Indian Act.
- 1871 British Columbia joins the Dominion of Canada. Chief Commissioner of Lands and Works, Joseph Trutch, uses “Article 13” and political trickery, and manages to retain the status quo, as Native people suffer racism, neglect and political disenfranchisement.

- 1872 Miners burn twelve Gitksan houses and six poles. Gitsegukla Chiefs blockade the Skeena River to all trading and supply boats. Lieutenant Governor Joseph Trutch meets with Chiefs and receive compensation for the burning.
- 1876 Colonialist fishers use first gill net fishing boats at the mouth of the Skeena River. By the end of the century the canneries have developed, and Native fishing rights and trade are abolished.
- 1883 U.S. Supreme Court rules that Native Americans are “aliens.”
- 1884 Gitksan Chiefs of Gitwangak tell the Provincial Government that the influx of miners within their territory was without Gitksan consent, is wrong, and has to be stopped.
Federal Government passes a law prohibiting feasts, making the traditional Gitksan and Wet’suwet’en system, and other feasting nations in British Columbia, illegal. Feasting continues secretly. Gitksan Chief Gyetim Galdo’o openly feasts in Hazelton and is arrested by RCMP.
- 1893 Residential Schools are established. Superintendent of Indian Affairs makes it clear that it is the intention of the federal government to destroy Indian language, culture, traditions, and way of life. “...in boarding or industrial schools the pupils are removed for a long period from the leading of this uncivilized life and receive constant care and attention. It is therefore in the interests of the Indians that these institutions should be kept in an efficient state as it is in their success that the solution of the Indian problem lies.”

Government blasts rocks out of the Skeena River to improve steamer traffic. At Gitsegukla, the fishing sites and smokehouses of five families are destroyed.
- 1898 Johnny Muldoe, Gitksan, discovers 35 2000-year-old carved stone clubs cached together. Superintendent of Indian Affairs A. W. Vowell, takes them and sells them to collector G.T. Lemmons. Artifacts end up in the Museum of American Indians in New York.
- 1900 Genocide has reduced the Indigenous population north of the Rio Grande, estimated at 12-15 million in 1492, to 300,000 in 1900.

Father Morice (origin of name Moricetown) and Bishop Dentenwill burn Wet’suwet’en feast regalia in Hagwilget (Tse Kya) in a Catholic effort to suppress traditional beliefs.
- 1901 Volunteers from BC who served in the Boer War are given 160 acres of “unoccupied, unclaimed, and unreserved land,” many Wet’suwet’en families are forced from their home. Clusters of Wet’suwet’en hunters, trappers, and

fishermen, having completed the season's fishing at Moricetown or Hagwilget, return home to find their home and ancestral lands seized. The bitterness of this invasion of their homes is followed by severe hardship and a record-breaking cold winter.

- 1908 Three Wet'suwet'en men are convicted and fined for threatening at gunpoint white settlers who have taken over Moricetown reserve land. Gitksan delegation meets with Prime Minister Wilfred Laurier, in Ottawa. They speak eloquently about white incursions into their territories. Nothing changed.
- 1910 Kitwancool and Kitwanga Chiefs pin notices of their land claims along trails in Hazelton district and invoke the Royal Proclamation of 1763 to challenge the white presence.
- 1912 The McKenna-McBride Commission is established to address the question of Indian reserves. During the Commission hearings, the Gitksan and Wet'suwet'en Chiefs insist on talking about their territories and reject the idea of reserves.
- 1915 First pan-tribal organization in BC, The Allied Tribes of BC, is created to address "the land question."
- 1921 After white owners of South African scrip get a court order to remove Wet'suwet'en, Jean Baptiste, from his land, he sends his family away and threatens to kill anyone who tries to remove him. Dr. Horace Wrinch of Hazelton declares, "he is a desperate man," The Department of Indian Affairs acquiesces and creates Jean Baptiste reserve No. 28, at Tyee Lake.
- 1927 Canadian federal government amends the Indian Act, making it an offence, punishable by imprisonment, to raise money to press for land claims in Canada.
- During the 1920s and 1930s illegal feasts continue with the aid of look-outs. Caribou disappear because of rail lines and fencing; moose take their place. Work on telegraph poles and railroad ties is available for the Gitksan and Wet'suwet'en. However, the skills of fishing, berry picking, and hunting continue, making depression days easier for the people.
- In Hazelton, a horn is sounded at 9:00 p.m. to signal Gitksan to leave town and return to the "reserve."
- 1947 For the first time, Indigenous peoples are given the right to vote in the provincial elections. They still have no federal vote.
- 1951 Potlatch Law is repealed, having been outlawed for 67 years. It is now legal to raise funds on behalf of indigenous land claims.

- 1957 The Federal Fisheries Department blows up the huge rock in Hagwiget Canyon which was used by the Wet'suwet'en of Tse kya and the Gitksan of Gitanmaax. The rock having fallen into Hagwiget Canyon in 1820, had been used for fishing for 140 years. Wet'suwet'en women throw rocks off the bridge to discourage the work; they are restrained by local collaborators. After the rock's demise, the people become fish-poor, and experience the split-up of many families.
- 1960 For the first time, Indigenous peoples in Canada are given a vote in Canadian federal elections.
- 1969 Jean Chretien and Prime Minister Pierre Trudeau present the White Paper policy which repeals the Indian Act, and amends the Constitution to eliminate all references to Indian people. Because of organized Indian resistance, Trudeau is forced to shelve the White Paper and consult with Indian peoples about their rights.
- 1973 A letter from Jean Chretien to Pierre Trudeau spells out Canada's new land claim policy:
- to promote negotiations and avoid the courts as a way of resolving title since courts could rule in favour of the Indian people
 - to avoid confirmation of title
 - to shift jurisdiction of Indians to the provinces
 - to negotiate only with those groups willing to accept extinguishment of their title
 - to give priority to those areas of high development potential
 - to set rigid time limits on negotiations and threaten legislated settlements
 - to avoid Indian political organizations
- 1981 Federal government issues a restatement of its 1973 "White Paper" policy in a booklet entitled, "In all Fairness."
- 1984 Gitksan and Wet'suwet'en Chiefs file a statement of Claim against the Provincial government seeking a declaration that they have a right to ownership of, and jurisdiction over, their House Territories.
- 1986 Hugh Brody's *On Indian Land*, a film about the Gitksan Wet'suwet'en is shown on British Broadcasting Corporation television in the United Kingdom. The film was banned by the Canadian Broadcasting Corporation due to its being "too one-sided."
- 1987 The case of *Delgamuukw Gisdaway vs. Her Majesty the Queen* begins in a crowded Smithers court room. The Gitksan and Wet'suwet'en people, as plaintiffs, put the colonial government on trial. Gilughun, Rita George was one of the Wet'suwet'en interpreters throughout the court case.

After massive budget cuts by the federal government, the staff of the Gitksan Wet'suwet'en Tribal Council go on Unemployment Insurance Compensation.

The Tribal Council changes its name and begins a process of diverting power back to the Chiefs. It is now called "The Office of the Hereditary Chiefs."

1988 Gitksan and Wet'suwet'en Chiefs blockade a logging bridge under construction at Sam Greene Creek. The bridge was to have spanned the Babine River into untouched territory. The Chiefs win a counter-injunction in British Columbia Supreme Court, stopping the bridge until the main action is decided. Tsaskiy, Ron George, was one of the blockaders. He did this in his capacity as President of the United Native Nations, in support of hereditary governance.

1989 Gitksan and Wet'suwet'en people blockade the Suskwa Valley; the contractors cooperate and remove equipment.

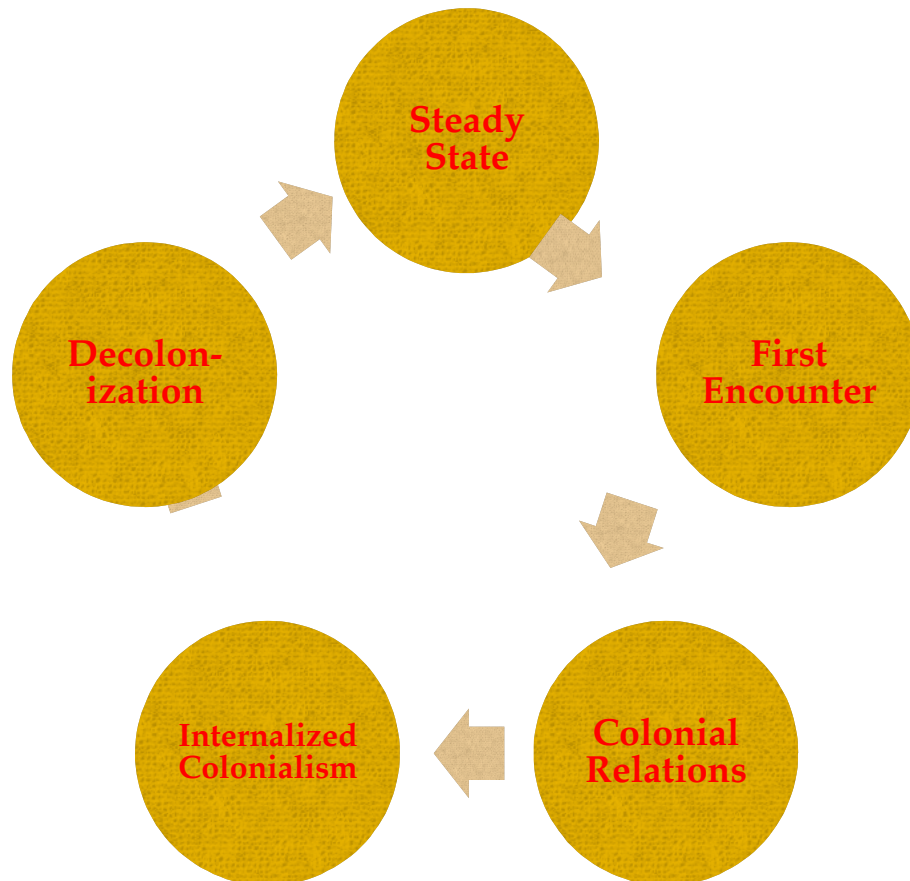
1990 The trial of *Delgamuukw vs. Her Majesty the Queen* ends. Verdict to be announced in 1991.

At the front door of the Federal Fisheries Office, Wet'suwet'en Adam Gagnon illegally sells fish to non-native, Richard Overstall.

1991 *Delgamuukw vs. The Queen* is decided in favour of the government by Chief Justice Allan McEachern, who describes Indigenous life as "nasty, brutish, and short," and (erroneously) announces that Indigenous title was extinguished in 1858. Academic and media commentary expresses shock at the reasons for judgement.

Gitksan and Wet'suwet'en Chiefs launch an appeal of the decision. The estimated cost to pursue the case is \$5 million, to be raised by government, church, and individual grants and donations.

Appendix G Five Stages of Colonial Encounter



Originally prepared by: Professor Winona Stevenson (Wheeler), adapted and expanded by Rodolfo Pino NATST 110.6 (11), Summer 1997. https://piazza.com/class_profile/get_resource/hka84p6teuz6k6/ho7h0mkh9cjqp

Manifestations of Internalized Colonialism

- economic marginalization (high unemployment)
- environmental exploitation and destruction
- dramatic socio-cultural disequilibrium (chaos):
 - violent crimes, high suicide rates, penal incarceration,
 - social assistance dependency,
 - chemical dependence, low *education* levels
- family dysfunction and estrangement:
 - family violence, wife battery, child abuse,
 - child abandonment, children in social service care,
 - sexual assault and incest
- dehumanization and alienation:

YOU'VE GOT TO PADDLE YOUR OWN CANOE

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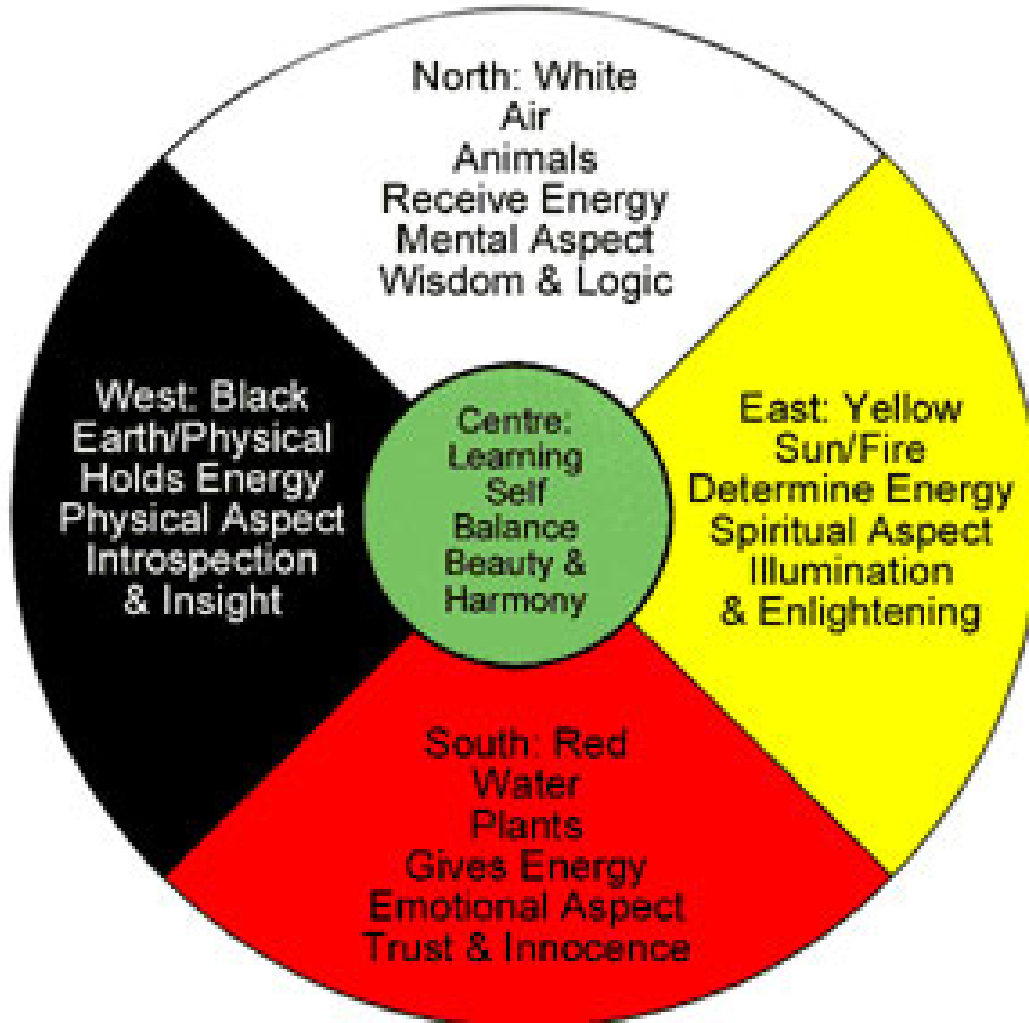
- cultural schizophrenia, low self-esteem and confidence, self-hate, feelings of inferiority, apathy and lethargy, feelings of hopelessness, increase in health problems, increase in psychological and mental disorders

- targeted social services industry
- institutionalization (dependency), false generosity of paternalism

Generational cycles of the above. (5 generations)

Appendix H Medicine Wheel

This notation is to provide the reader with a brief introduction of the basic fundamentals of the Medicine Wheel, as referenced in this study.



The significance and purpose of the Medicine Wheel is to give a specific place to the most familiar world. In the process of how life evolves, how the natural world grows and works together, how all things are connected, and how all things move toward their red and yellow. Colour represents the different regions. Medicine wheels are influenced by the examples of the circles of creation in our environment." (Dumont, 1989)

Dumont, J. (1989). Culture, behaviour, & identity of the Native person. In NATI-2105: Culture, behaviour, & identity of the Native person. Sudbury: Laurentian University Press.

spiritual realities. The circle shape represents the interconnectivity of all aspects of one's being, including the connection with the natural world. Although the physical aspects of

YOU'VE GOT TO PADDLE YOUR OWN CANOE

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the Medicine Wheel may be similar, the attributes and significance are not the same in each culture. Medicine wheels are frequently believed to be the circle of awareness of the individual self; the circle of knowledge that provides the power we each have over our own lives. The inner circle, or centre, is usually green and gives the attributes of learning, self, balance and beauty. Certain culturally significant animals, being part of the natural world, are also often included. The quadrants may represent the Four Directions (North, East, South, West), Life Stages (Birth, Growth, maturity, Death), Balance of Life (Spiritual, Emotional, Physical, Intellect-Mind), Process of Healing

8

(Vision/Awareness “See it”, Time/Understanding “Relate to it”, Reason/Knowledge “Figure it out”, Intellect/Mind/Wisdom “do it”).

The Medicine Wheel is a sacred circle representing the Universe and the balance of all creation.

It is used to contain, project and raise energy to transform, balance and heal.

The Medicine Wheel is symbolic of the Circle of Life and provides guidance for the betterment of self, healing, and life.



Appendix I

Specific references from Delgamuukw/Gisdayway v. British Columbia [1997]

p.5 Land held by virtue of aboriginal title may not be alienated because the land has an inherent and unique value in itself, which is enjoyed by the community with aboriginal title to it. The community cannot put the land to uses which would destroy that value. Finally, the importance of the continuity of the relationship between an aboriginal community and its land, and the non-economic or inherent value of that land, should not be taken to detract from the possibility of surrender to the Crown in exchange for valuable consideration. On the contrary, the idea of surrender reinforces the conclusion that aboriginal title is limited. If aboriginal peoples wish to use their lands in a way that aboriginal title does not permit, then they must surrender those lands and convert them into non-title lands to do so.

p.10 The general economic development of the interior of British Columbia, through agriculture, mining, forestry and hydroelectric power, as well as the related building of infrastructure and settlement of foreign populations, are valid legislative objectives that, in principle, satisfy the first part of the justification analysis. Under the second part, these legislative objectives are subject to accommodation of the aboriginal peoples' interests. This accommodation must always be in accordance with the honour and good faith of the Crown. One aspect of accommodation of "aboriginal title" entails notifying and consulting aboriginal peoples with respect to the development of the affected territory. Another aspect is fair compensation.

p. 33:58 In light of these errors, Lambert J.A. substituted his own findings of fact for those of the trial judge. In his view, the evidence established that in 1846, the Gitksan and Wet'suwet'en peoples occupied, possessed, used and enjoyed their traditional ancestral lands in accordance with their own practices, customs and traditions which were an integral part of their distinctive culture. Those ancestral lands extend throughout the claimed territory, well beyond the area indicated in Map 5. In areas where there were no

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conflicting claims to user rights, the appellants' rights should be characterized as aboriginal title. In areas of shared occupancy and use, the appellants' title would be shared-exclusive aboriginal title. In areas where the Gitksan and Wet'suwet'en peoples did not occupy, possess or use the land as an integral part of their culture, they would not have title, but may have aboriginal sustenance rights. These rights were not extinguished through any blanket extinguishment in the colonial period. Precise legislation related to a specific area may have extinguished some rights. However, no such legislation was before the court. The geographic scope of the rights was a matter to be negotiated between the parties, and failing negotiation, needed to be determined by a new trial.

p. 33:59 Lambert J.A. also concluded that in 1846, the appellants' ancestors had rights of self-government and self-regulation, which rested on the practices, customs and traditions of those people which formed an integral part of their distinctive cultures. It is true that the rights may have been diminished by the assertion of British sovereignty, but those rights that continue are protected by s. 35 of the Constitution Act, 1982.

p. 33:60 Turning to aboriginal sustenance rights, Lambert J.A. stated that they are entirely encompassed within aboriginal title in those areas where Gitksan and Wet'suwet'en aboriginal title exists. They also may exist in areas outside of title lands. In areas where such rights were shared by a number of peoples, the appellants' rights may be limited to specific sustenance activities as opposed to exclusive or shared-exclusive use and occupation.

p. 36:70 The traditions of the Gitksan and Wet'suwet'en peoples existed long before 1846 and continued thereafter. They included the right to names and titles, the use of masks and symbols in rituals, the use of ceremonial robes, and the right to occupy and control places of economic importance. The traditions also included the institution of the clans and the Houses in which membership descended through the mother and the feast system. They regulated marriage and relations with neighbouring societies. The right to practise these traditions was not lost, although the Indian Act and provincial laws have affected the appellants' right to self-regulation. Only negotiations will define with greater

specificity the areas and terms under which the appellants and the federal and provincial governments will exercise jurisdiction in respect of the appellants, their institutions, and laws.

p. 48:107 The trial judge, after refusing to admit, or giving no independent weight to these oral histories, reached the conclusion that the appellants had not demonstrated the requisite degree of occupation for “ownership”. Had the trial judge assessed the oral histories correctly, his conclusions on these issues of fact might have been very different.

p. 76:185 The first is that many aboriginal nations with territorial claims that overlap with those of the appellants did not intervene in this appeal, and do not appear to have done so at trial. This is unfortunate, because determinations of aboriginal title for the Gitksan and Wet’suwet’en will undoubtedly affect their claims as well. This is particularly so because aboriginal title encompasses an exclusive right to the use and occupation of land, i.e., to the exclusion of both non-aboriginals and members of other aboriginal nations.

p. 76:186 186 Finally, this litigation has been both long and expensive, not only in economic but in human terms as well. By ordering a new trial, I do not necessarily encourage the parties to proceed to litigation and to settle their dispute through the courts. As was said in Sparrow, at p. 1105, s. 35(1) “provides a solid constitutional base upon which subsequent negotiations can take place”. Those negotiations should also include other aboriginal nations which have a stake in the territory claimed. Moreover, the Crown is under a moral, if not a legal, duty to enter into and conduct those negotiations in good faith. Ultimately, it is through negotiated settlements, with good faith and give and take on all sides, reinforced by the judgments of this Court, that we will achieve what I stated in Van der Peet, supra, at para. 31, to be a basic purpose of s. 35(1) -- “the reconciliation of the pre-existence of aboriginal societies with the sovereignty of the Crown”. Let us face it, we are all here to stay.

p. 78:192 I note, as well, that in defining the nature of “aboriginal title”, one should generally not be concerned with statutory provisions and regulations dealing with reserve lands. In *Guerin*, supra, this Court held that the interest of an Indian band in a reserve is derived from, and is of the same nature as, the interest of an aboriginal society in its traditional tribal lands. Accordingly, the Court treated the aboriginal interest in reserve lands as one of occupation and possession while recognizing that the underlying title to those lands was in the Crown. It was not decided in *Guerin*, supra, and it by no means follows, that specific statutory provisions governing reserve lands should automatically apply to traditional tribal lands. For this reason, I am unable to assume that specific “reserve” provisions of the Indian Act, R.S.C., 1985, c. I-5, and the Indian Oil and Gas Act, R.S.C., 1985, c. I-7, apply to huge tracts of land which are subject to an aboriginal right of occupancy.