

Trudeau's Demand: "The Barricades Must Come Down"

What "a sacred obligation" means to Justin Trudeau

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Canada's prime minister Justin Trudeau has called the imbroglio between the Wet'suwet'en nation and Canada a matter to be decided by the rule of law. [1] However, the Wet'suwet'en have refused to back down and have defied the British Columbia Supreme Court injunction allowing pipeline work to continue.

The Royal Canadian Mounted Police (RCMP) were sent in to enforce the injunction. After that Trudeau seemed to have ducked the issue of the Wet'suwet'en's opposition to pipelines through their territory until [growing solidarity actions](#) shut down ports, railways, bridges, and highways.

On 21 February, Trudeau appeared before the media and claimed,

We have gone through exhausting every possibility for dialogue, for engagement, for finding peaceful solutions to deescalate this every step of the way, and we remain open to that but we are waiting for Indigenous leadership to show that it also understands; the onus is on them. We will be there to discuss, but the barricades must come down. [italics added]

Do Trudeau's actions match his words? Does the presence of a [heavily armed RCMP](#) strike force on Wet'suwet'en territory speak to a peaceful solution *every step of the way*? Does the [RCMP strategizing to shoot](#) Indigenous activists speak to a peaceful solution *every step of the way*? Does the setting up of RCMP barricades to control road access in and out of Wet'suwet'en territory speak to a peaceful solution *every step of the way*? Do the [arrests of Wet'suwet'en matriarchs](#) speak to a peaceful solution *every step of the way*?

Trudeau's questionable phraseology that "we [2] are waiting for Indigenous leadership to show that it also understands" comes across as condescending. The Trudeau government's waiting for a show of understanding, appears to call into question the intellectual capacity of the Indigenous leaders.

Trudeau has a demand: the Indigenous leadership must see to the removal of the barricades. Does such a demand show respect for a nation-to-nation dialogue? The Wet'suwet'en hereditary chiefs likewise have a demand: the RCMP must leave Wet'suwet'en territory before discussions will be entered into. The two sides are at loggerheads.

Ask yourself, who among us would willingly agree to meet a foe with a gun ready to shoot

them? Why should the Wet'suwet'en accept meeting anyone while armed RCMP are on their territory?

Does the have the RCMP even have the requisite stature, reputation, and respect to engage with First Nations? The RCMP [has admitted to racism](#) against Indigenous peoples, but state that they want to fix the relationship. This admission came after a lurid 2013 report that alleged widespread RCMP abuse of Indigenous women and girls. Perhaps symptomatic of the racism toward Indigenous peoples is highway 16, dubbed the Highway of Tears, a 725-kilometer highway in northern British Columbia where many cases of missing or murdered Indigenous women remain unsolved. [3] Amnesty International [holds governments accountable](#) for the epidemic of Indigenous women's deaths. *Rewire News* was highly critical [stating](#), "The real epidemic is the criminal way in which the crisis of missing and murdered Indigenous women has been historically overlooked." It pointed a finger at White journalists.

One could continue to provide myriad examples of RCMP malfeasance; however, given that this is undeniably the case, can the RCMP's declaration of intent to rid the RCMP of racism be trusted?

The RCMP is known, from their own utterances, to engage in disinformation and smear campaigns: "Smear campaigns are our specialty."

The words in the above video were spoken during Operation Wallaby, a tightly controlled media disinformation campaign against the Ts'peten Defenders, launched by the RCMP and political officials. [4] It is important to understand that disinformation is not simply a deliberate lie; it is far more sinister, having been declared a [crime against humanity and peace](#) at the 2004 Halifax International Symposium on Media and Disinformation.

The settler-colonial court framework that the RCMP operate within has also been alleged to be criminally biased.

On 8 August 1995, dr. Bruce Clark — a lawyer for the Ts'peten Defenders, wrote to RCMP staff sergeant Martin Sarich:

The domestic courts from the Supreme Court of Canada on down are just refusing to address the law because it finds them personally guilty of complicity in treason, fraud and genocide. Those courts have assumed a jurisdiction that clearly and plainly they do not lawfully enjoy, and have exercised the usurped jurisdiction to implement domestic laws which are in fact not laws but crimes. [5]

Nonetheless, Clark called on the RCMP "for protection against a legal establishment that in willful blindness has set its face against the rule of law." [5]

One major media noting the long terrible history of the RCMP vis-à-vis First Nations [asked](#), "The RCMP was created to control Indigenous people. Can that relationship be reset?"

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A question I have not heard posed by any media in Canada: [Upon what basis does Trudeau claim jurisdiction over Wet'suwet'en territory?](#) How did colonial-settlers — relative

newcomers — gain title, legal and political control over a territory where the Wet'suwet'en have lived for millennia? How is it that colonial-settler law takes precedence over Wet'suwet'en law? One can no longer refer to the Doctrine of Discovery; it has been thoroughly discredited.[6]

Is there an iota of morality backing Trudeau's professed conviction that the settler-colonialist government has jurisdiction in unceded territory? It seems axiomatic that a first step to resolving this dispute is to settle who has jurisdiction. The Wet'suwet'en believe that this has already been settled in the settler's own Supreme Court case of [Delgamuukw v British Columbia 1997](#). [7]

Does Trudeau understand *Delgamuukw*? Granted, confusion is easy given the notorious pedantry rife within the legal realm.

Nonetheless, Trudeau says he has been pursuing a plan to bring about reconciliation.

I think we have engaged on a new road map over the last five years, one that is a difficult journey of reconciliation, one where we engage as partners with Indigenous communities, leadership, and peoples to move forward on resolving historic land claims, on closing gaps in investments between provincial education systems per students and in Indigenous students, investing in infrastructure, housing, health services, and doing so in ways that puts Indigenous leaders at the center of that path forward. Reconciliation is a journey, and there are going to be difficult moments on that journey because it represents a significant shift in the way Canada works. But our capacity to work together requires us to engage, to yes, recognize the historic wrongs but to be present, fix them, and move forward.

Trudeau's statement that "we have engaged on... investing in infrastructure, housing, health services" for Indigenous communities addresses a notion that should be thoroughly discredited. Turtle Island has been inhabited by Original Peoples for millennia. It was only after the arrival of Europeans who came seeking gold and other riches, seeking land, seeking conquest, and having transmitted many infectious diseases against which the Original Peoples had little immunity that political control over the land was wrested from the Original Peoples. It calls into question: where did the capital that Trudeau said was being invested into First Nations come from? Was it not the money derived from the land and resources usurped from First Nations? Is it then correct for a thief to say that money returned to the victims of theft is an investment in the victims?

It is difficult to comprehend on a logical or moral basis how colonialists through acts of genocide, such as deliberate dissemination of biological agents, [8] starvation, [9] cultural genocide, [10] police and military force, [11] and legal chicanery [12] — not only have eluded punishment, but have profited from the genocide and have retained dominance over land that has been inhabited by several other First Nations since time immemorial. [13]

Does not the racism; dispossession of land; longstanding, drinking water advisories for First Nations; [14] disproportionately higher rates of incarceration; [15] and [poverty](#) among other crimes heaped on Original Peoples by the Canadian state not call for atonement by the settler-colonial society?

On 8 December 2015, Trudeau told First Nation leaders,

[I]t is time for a renewed, nation-to-nation relationship with First Nations peoples, one that understands that the constitutionally guaranteed rights of First Nations in Canada are not an inconvenience but rather a sacred obligation. [italics added]

As Chief Woos of the Wet'suwet'en Grizzly Bear House [pointed out](#): "There is a difference between inconvenience and injustice."

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Many questions lay before Trudeau. Does Trudeau believe that historic wrongs can be fixed by invading police forces? Does he think that reconciliation can be accomplished by having the RCMP invade Wet'suwet'en territory? Do the rights of a company to lay a pipeline trump the human rights of Indigenous peoples?

The imbroglio may continue to simmer as breaking news informs that the BC Environmental Assessment Office has [rejected](#) Coastal Gaslink's technical data report "due to the omission of significant economic, environmental, social and health impacts."

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Notes

1. For more background on Canada's professed adherence to the rule of law and the Wet'suwet'en's struggle to maintain title and jurisdiction to their territory, see "[Canada's Respect for the Rule of Law and Its Sacred Obligation to First Nations](#)."
2. We being the government that is acting to secure access to Wet'suwet'en territory for a pipeline company.
3. "No one knows who the first Indigenous girl or woman to vanish along the highway between Prince George and Prince Rupert was, or when it happened. Nor does anyone know how many have gone missing or been murdered since.... The RCMP has put the number of missing or murdered Indigenous women in Canada at about 1,200, with about a thousand of those being victims of homicide. The actual number is likely higher..." In Jessica McDiarmid, *Highway of Tears: A True Story of Racism, Indifference and the Pursuit of Justice for Missing and Murdered Indigenous Women and Girls*, (Doubleday Canada, 2019): 3.
4. See [full video](#) of *Above the Law* (Part 2) for how Canada prosecutes the ongoing genocide against and dispossession of First Nations.
5. Quoted in *The Autobiography of Dacajeweah [Splitting the Sky]* John Boncore Hill: [From Attica to Gustafsen Lake — Unmasking the Secrets of the Psycho-sexual Energy and the Struggle for Original People's Title](#) with She Keeps the Door (Sandra Bruderer) (John Pasquale Boncore, 2001). [Review](#).
6. "You cannot discover lands already inhabited," is a maxim that permeates an excellent book by Mark Charles and Soong-Chan Rah, *Unsettling Truths: The Ongoing Dehumanizing Legacy of the Doctrine of Discovery* (InterVarsity Press, 2019). See [review](#).
7. This writer does not agree that colonial-settler law should take precedence over Indigenous

law.

8. Tom Swanky, *The Great Darkening: The True Story of Canada's "War" of Extermination on the Pacific plus The Tsilhqot'in and other First Nations Resistance* (Burnaby, BC: Dragon Heart Enterprises, 2012). [Review](#).
9. James Daschuk, *Clearing the Plains: Disease, Politics of Starvation, and the Loss of Aboriginal Life* (University of Regina Press, 2013).
10. Tamara Starblanket, *Suffer the Little Children: Genocide, Indigenous Nations and the Canadian State* (Clarity Press, 2018). [Review](#)
11. See Splitting the Sky with She Keeps the Door, *The Autobiography of Dacajeweah, Splitting the Sky, John Boncore Hill: From Attica to Gustafsen Lake* (John Pasquale Boncore, 2001).
12. See Bruce Clark, *Ongoing Genocide caused by Judicial Suppression of the "Existing" Aboriginal Rights* (2018). [Review](#); Bruce Clark, *Justice in Paradise* (McGill-Queen's University Press, 1999).
13. See Arthur J. Ray, *I Have Lived Here Since the World Began: An Illustrated History of Canada's Native People*, Toronto: Key Porter Books, 2005.
14. See Kim Petersen, "[The High Cost of Lousy Water](#)," *The Dominion*, 22 November 2006. "[Oil Versus Water: Toxic Water Poses Threat to Alberta's Indigenous Communities](#)," *The Dominion*, October 15, 2007. "[Boiling Point!](#)" *The Dominion*, 30 July 2008. It must be noted that during Trudeau's government the number of drinking water advisories for First Nations has been whittled [down to 61 and an end date](#) for boil water advisories has been set for March 2021.
15. See Kim Petersen, "Land and Jail," *The Dominion*, [Part I](#), [Part II](#), and [Part III](#).

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