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# Land, Memory, and the Struggle for Indigenous Rights

## Lee Maracle's "Goodbye, Snauq"

> When my father and I went back to his traditional hunting lands, his cabin was gone. There was just a huge burn mark on the ground. When my father saw it, he just stood there, so quiet, so upset. It was terrible to watch. I started investigating, and I learned that the conservation officers had blocked hunting roads to keep the traditional indigenous hunters away, and the lands were being logged. I felt intensely protective of the land and the water, so I went around nailing boards on trees, saying, "No Trespassing. Treaty 6 Territory!"
> —Sylvia McAdam (qtd. in Van Gelder)

**N**ehiyaw (Cree) activist Sylvia McAdam's resistance against the actions of the conservation officers, who, ironically, were working in tandem with the logging industry, calls attention to profound shifts in the struggle for Indigenous rights and sovereignty in Canada. McAdam is well known for her role as a co-founder of the Idle No More movement, which first came to public attention with the demand to repeal significant sections of Canadian federal omnibus legislations (Bills C-38 and C-45). Idle No More is just one dimension of a larger social transformation in which Indigenous people are seeking new pathways to assert their rights in the face of the state's continued drive to harmonize Indigenous rights, title, land, and governance with Crown sovereignty. The uneasy relationship between Indigenous rights and corporate rights in an age of global capitalist "development" continues to create deeper points of fracture in these debates. As McAdam demonstrates, Idle No More has underlined the importance of direct, collective action, and has shown its continued relevance and its challenges as a strategy in asserting land and governance rights. In conjunction with longstanding,

on-the-land practices of Indigenous rights, creative expressions of sovereignty, through dance, song, and other performative acts, have emerged as potent tools for shifting the discourse of rights away from a politics of recognition and towards one of enactment.

These multiple spaces of transition in the struggle for Indigenous rights have contributed to the growing sense that the well-established legal and political approaches of fighting for the "recognition" of Indigenous rights have stagnated and that "new" emergent tactics are necessary. For Dene scholar Glen Coulthard, the language of "recognition" has exhausted its usefulness. Drawing on Frantz Fanon's theories of decolonization, Coulthard argues that "the politics of recognition in its contemporary form," which usually includes a combination of "land claims agreements, economic development initiatives, and self-government processes," "promises to reproduce the very configurations of colonial power that Indigenous peoples' demands for recognition have historically sought to transcend" ("Subjects" 438-39). In rejecting a "liberal recognition-based approach to Indigenous self-determination" (*Red* 23), Coulthard instead calls for "*self*-recognition on the part of Indigenous societies" as a more sustainable pathway to liberation (48, emphasis original). Stó:lō writer Lee Maracle likewise affirms self-recognition; however, the self becomes a point of contention as she confronts forms of co-optation, the politics of gender and language, and the challenge of creating relations of affiliation across differences. In this paper, I argue that Maracle's "Goodbye, Snauq" articulates an alternative politics of recognition as an embodied practice of sovereignty that creates a sense of agency, belonging, and connection among Indigenous peoples on unceded territories. First published in 2004 soon after the federal court released its decision regarding the land dispute, *Mathias v. The Queen* (2001), "Goodbye, Snauq" is a story that proclaims Indigenous presence, history, and land title in Vancouver. It contributes to a paradigm of resurgence in imagining and practising Indigenous rights, while at the same time compelling settler and diasporic self-reflexivity. I thus read Maracle's story as offering alternative visions of sovereignty and Indigenous rights that exceed legal and reconciliatory routes. Furthermore, I argue that the story's purpose is to act as a catalyst for readers (Indigenous and non-Indigenous) to reckon with internalized settler ideologies and contend with the mixed, urban spaces of Vancouver and Snauq.

Although in many respects Maracle's "Goodbye, Snauq" is a eulogy mourning the loss of Snauq—the dredged, drained, and resculpted inlet

of water now aptly renamed False Creek—it also imagines vibrant models of embodied sovereignty. Articulating her connection to Snauq through visceral and sensory memories, the narrator conveys her mixed feelings of both belonging (in reminiscing) and alienation (post-land dispute). The story, which moves fluidly between textualized oral history, essay, fiction, and nonfiction, reclaims cultural memory through song and ceremony. Her vision of an embodied practice of sovereignty makes possible a more open-ended and critically informed conception of the politics of recognition in a time of transition and change.

A critically informed, self-reflexive politics of recognition compels me, as a non-Indigenous scholar, to think deeply about my own position in writing about Maracle's potent story on unceded Musqueam, Tsleil-Waututh,[1] and Squamish territories, as I live nearby Snauq (also known as sə̓na?qʷ, Sen'akw, Sennock, Sun'ahk, False Creek, and Kitsilano Indian Reserve 6) and I travel along the seawall on virtually a daily basis. Maracle's story asserts that Indigenous communities, lands, and stories are here, in the city, and not just on a reserve or other colonially designated parcel of land. As a Scottish-descended guest and inhabitant of this city, as well as a teacher, reader, and scholar of Indigenous literatures, I am mindful of my responsibility to acknowledge the horizons of my knowledge and to articulate my process of learning about the land on which I live. Maracle's text is intelligible to me through the prism of my experiences, shaped by the places I have lived, the body and skin I inhabit, and the pasts I have inherited. I thus write of this story through these limits and possibilities, and offer my thoughts through layered acts of cultural translation that are only ever partial and incomplete.

## The Politics of Recognizing Indigenous Rights: The Role of the Courts

In 1982, Section 35.1 of the Constitution Act was amended to read: "the existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed." Political scientist Peter Russell states: "I know of no other country that so powerfully and directly affirms the rights of Aboriginal peoples" (11). Yet, he points out, there is much confusion about what these rights are, how they are to be practised, and upon what basis these rights exist: prior occupancy, underlying Aboriginal title, the Royal Proclamation of 1763, treaties, land claims, the Constitution? Most Indigenous nations define their rights as inherent rights, not granted from an external source or legislation, and as collective rights, flowing from their continued use and occupation of lands and territories, and existing before

contact with Europeans or other groups. Indigenous rights are challenging to define because of the diversity of Indigenous cultures and systems of governance, as well as the fractured, contested nature of the discourses operating within colonial legal realities.[2] Within this complex context, what does it mean to "recognize" Indigenous rights? As Coulthard argues, the politics of recognition often function as a deeply uneven relationship between the colonial state and Indigenous peoples, in which agency is granted to federal or provincial governments, while Indigenous people are positioned passively in receiving this recognition ("Subjects" 438).

The court transcripts of the Supreme Court decisions concerning Indigenous rights and title—from *St. Catherine's Milling* in 1888, to the Nisga'a land claim, known as *Calder*, in 1973, to *Delgamuukw* in 1997, and to *Tsilhqot'in* in 2014—provide powerful repositories for understanding Indigenous nations' approach to sovereignty and rights. Yet there is no clear story of progress or loss here. Indigenous plaintiffs have won and they have lost at this game, which in the end is weighed heavily against them (Kulchyski 9-10). It is important to point out that at least until 1951, it was illegal for Indigenous people to raise funds for the purposes of land claims, to become lawyers, or to pursue legal avenues in fighting for their land and rights.[3] In spite of these prohibitions, community land claims negotiators have reclaimed the legal processes and spaces of the court and have achieved landmark agreements in the struggle for Indigenous rights. They have become experts in the Comprehensive Land Claims process and have taken their cases through complicated, adversarial, and colonial legal processes. These achievements should not be underestimated.[4] Likewise in *Mathias v. The Queen* (2001), a case concerning the conflicting claims of the Squamish, Musqueam, and Tsleil-Waututh First Nations regarding the expulsion, surrender, and loss of use of the False Creek Indian Reserve (which includes Snauq), Elders and other community representatives took to the stand and retold many oral histories that describe how their ancestors lived, built housing, and gathered food in Snauq and surrounding areas. Elders from each nation offered compelling testimony to illustrate that the Squamish, Musqueam, and Tsleil-Waututh peoples, although assigned reserves in the 1860s, have never ceded title to their much larger traditional territories, including the entire city of Vancouver. To what extent, however, can words that originate from tribally specific languages, cosmologies, and stories be reckoned with adequately in a settler-colonial court of law? Maracle, after having read six hundred pages of documents and court hearings from

*Mathias*, wrote "Goodbye, Snauq" as an alternative form of honouring the missing voices from this land dispute (Maracle, "How" n. pag.).[5] She also aimed to galvanize Indigenous and settler responses to the decision (n. pag.).

Recognizing land rights and title in a court of law, in a liberal democratic, settler-colonial nation like Canada, demands a dramatic simplification not only of the "shared and mixed use of the area" that the testifiers in *Mathias* suggested (para. 257), but also of the oral history presented to the court. In her *Reasons for Judgment,* which recognizes only the Squamish Nation as having title, Judge Simpson mentions more than once the difficulty in "rely[ing] on undated, and sometimes confused, evidence to show who was resident at the False Creek Site in 1869 and at the Reserve in 1877" (para. 39). Though the Supreme Court ruling of *Delgamuukw* instructs judges to put oral history "on equal footing with" historical documents (para. 87), the rules of evidence often prioritize written sources over the testimony offered by living descendants (*Mathias* para. 41-45). As a result, often in such court cases, Elders or tradition bearers are subjected to a process of scrutiny, in which their credibility as experts becomes the foremost question, rather than the evidence they present.[6] In other writings Maracle has sharply criticized settler-colonial language of evidence, law, and governmentality, which requires the removal of spirit from words, the excision of story from language, and the erasure of Indigenous nations from maps.[7]

To return to Coulthard's critique of the recognition of Indigenous rights, the historical precedents within the legal framework have created a number of challenging contradictions. For instance, until recently, the courts have recognized Indigenous land title at the precise moment of extinguishing it. Even though the *Tsilhqot'in* decision affirms the Tsilhqot'in Nation's title to land in groundbreaking ways,[8] *Tsilhqot'in* maintains the right of the Crown to suspend land title for economic reasons, including "the general economic development of the interior of British Columbia, through agriculture, mining, forestry, and hydroelectric power." This precise line, originally part of Judge Lamer's ruling in the *Delgamuukw* case (para. 202), appears again in *Tsilhqot'in* (para. 83).[9]

Carole Blackburn, in her article "Searching for Guarantees in the Midst of Uncertainty: Negotiating Aboriginal Rights and Title in British Columbia," argues that the provincial government's drive to create a sense of "certainty" with respect to Indigenous rights by drafting modern treaties primarily aims to facilitate large-scale economic development of natural resources in sectors such as forestry and mining. Blackburn contends that "[a]chieving

certainty in Aboriginal rights is a mechanism of security because it removes a condition that interferes with the processes of the economy" (587). In this analytical context, treaty negotiations act as "a form of governmentality that helps regulate a population, mediates between Aboriginal-rights claims and the demands of global capital, and produces effects of state sovereignty" (586). "Certainty," for the provincial and federal governments of Canada, confers a final solution to a climate of economic insecurity created by Indigenous legal claims to land, on the one hand, and Indigenous social movements, on the other, both of which disrupt land and resource development. As Coulthard and others argue, resource development projects on Indigenous lands are often facilitated by self-government agreements and other negotiated settlements that apparently "recognize" Indigenous rights. Thus, Indigenous peoples' struggles in the face of development projects are being carried out on shifting terrain in which the state no longer takes responsibility for development, while transnational corporations increasingly define the terms according to which Indigenous rights are practiced. What these and other examples demonstrate is that a deep divide exists between Indigenous peoples and Canadian governments about the nature of Indigenous rights and how best to "recognize and affirm" them.

In contrast to Coulthard's critique of state forms of recognition, Maracle turns her attention to the politics of language and story. She writes: "When the phrase 'land claims' is used, images of Indigenous people pop up"; however, "[t]he difference between white settler claims and Indigenous claims is really about whose story is told. Those who hold the power to decide the validity of story claim the land" (*Memory* 78). For Maracle, the politics of story—whose story is told and how that story is legitimated or de-legitimated through language—is paramount to any discussion of land, rights, and governance.

### The Turn to "Reconciliation"[10]

Although "reconciliation" is associated closely with the legacy of residential schools, it also is embedded deeply within discourses surrounding the struggles over Indigenous rights, land, and governance. In the 1997 *Delgamuukw* Supreme Court ruling, for example, Judge Lamer writes: "aboriginal rights . . . are aimed at the *reconciliation* of the prior occupation of North America by distinctive aboriginal societies with the assertion of Crown sovereignty over Canadian territory" (para. 81, emphasis mine). There exists convincing evidence that the federal government deployed a

policy of reconciliation as a means of rerouting negotiations with Indigenous nations away from issues of land and restitution, and towards the building of relationships between Indigenous and non-Indigenous peoples. The discourse of reconciliation, often shaped by a teleological pursuit of closure and of a unified nation, seeks certainty by placating social unrest while simultaneously reinforcing the image of the state as making every effort to address Indigenous concerns. For Indigenous communities who are witnessing the eclipsing of Indigenous rights by corporate rights, appeals to "reconciliation" come across as a tactic to distract attention away from ongoing violations of land and governance rights.

Discourses of Indigenous-state reconciliation rose to prominence in Canada as part of the official governmental response to the Oka crisis. In January 1991, a few months after the violent end of the standoff in Quebec, the embattled Mulroney government struck the Royal Commission on Aboriginal Peoples (RCAP) and asked the commissioners to "make recommendations promoting reconciliation between aboriginal peoples and Canadian society as a whole" (Canada, "The Commission's" 699). Following Oka and the RCAP's recommendations, a series of reconciliation initiatives were created.[11] Many of these programs either bracket questions of land or attempt to impose closure with regards to Indigenous land rights. Coulthard, who also discusses the Oka crisis as a point of origin for Canada's policy of reconciliation, notes that Oka came at a time of heightened land-based Indigenous insurgence: from "the vantage point of the colonial state, by the time the seventy-eight day siege at Kanesatake started, things were already out of control in Indian Country" (*Red* 118). For Maracle, Oka was a catalyst not only in reinvigorating talks on land and sovereignty, but also for Indigenous writers finding their voice. Despite the "threat of annihilation" that the standoff posed for the Mohawk people (Maracle, *Sundogs* 134), Oka awakened Indigenous communities "after a long period of numb existence, paralyzed survival" (141). The true danger posed by these instances of insurgence, argues Coulthard, was not in the potential for violence, but in the "breakdown of colonial subjection and thus . . . the possibility of developing alternative subjectivities and anticolonial practices" (115). Thus, for Coulthard, Canada's politics of reconciliation indeed diverts attention away from the underlying question of land while aiming to produce cooperative Indigenous subjects.

Similarly, Anishinaabe writer and activist Leanne Simpson identifies the impossible predicament in which Indigenous peoples are being pressed

simultaneously to embrace discourses of reconciliation and relinquish claims to land. In her talk "Restoring Nationhood: Addressing Land Dispossession in the Canadian Reconciliation Discourse," Simpson does not mince words when she states: "For three hundred years we have been engaged in reconciliation processes. We have no land to show for that. We have *no land to show for that*" ("Restoring" n. pag.). For Simpson, the state-sanctioned, official routes to asserting Indigenous land rights against encroachment and environmental devastation have proven ineffectual and too easily circumvented. She describes Indigenous communities attempting to register their dissent through Canadian legal strategies and environmental impact assessments, but states: "Our dissent is ignored. . . . Slowly but surely we get backed into a corner where the only thing left to do is to put our bodies on the land" (n. pag.). Although she acknowledges the important work that the TRC has done and its transformative effect on many, Simpson approaches this "new" era of reconciliation with suspicion. Will the apologies be followed by action, she asks? What is more important for Simpson is practicing traditional knowledges like medicine gathering and ceremony on the land as a way to assert Indigenous rights and sovereignty. However, she reports experiences of harassment and surveillance by police as well as by settlers when she attempts to do so. She asks, "How can we be living in a time of reconciliation when I am harassed every time I go out on the land?" (n. pag.). The high level of harassment and state surveillance that Indigenous people experience on the land thus exposes the state's official discourses of reconciliation as disingenuous.

In her reference to putting "bodies on the land," Simpson prioritizes embodied conceptions of sovereignty and a politics of enactment that have gained greater traction recently. Idle No More has rendered more visible direct, collective action in asserting land and governance rights irrespective of governmental forms of recognition. In "Land as Pedagogy," Simpson argues that resurgence of Indigenous nationhood and governance cannot be thought of as another disembodied, theoretical framework by which academics analyze texts or social movements. Rather, resurgence is intimately connected to a process of "coming to know" using "whole body intelligence" and "practiced in the context of freedom" ("Land" 7). In this framework, "land must once again *become* the pedagogy" (14, emphasis original). If land becomes the teaching, or knowledge-in-action, then the *practice* of Indigenous rights takes precedence over the *recognition* of those rights. In this way, like Coulthard, Simpson is critiquing state recognition as an approach to Indigenous self-determination in Canada; however, by

foregrounding key questions of who is recognizing whom and for what purposes, she is also asserting the ongoing relevance of alternative forms of recognition in generating a sense of agency and belonging for Indigenous people struggling to affirm their rights to land. Simpson's "whole body intelligence" creates embodied forms of sovereignty that resonate strongly with Maracle's approach to land rights.

### The Practice of Indigenous Rights

The idea of exercising Indigenous rights directly as a way of asserting Indigenous rights is not new. There is a long history of Indigenous intellectuals and activists who have continued to practice Indigenous rights in spite of laws and regulations that have attempted to ban these practices. George Manuel, in his formative work *The Fourth World* (1974), cites many instances in which Indigenous people have practiced their rights as a way of proclaiming those rights, including the defiance of the potlatch ban from 1884-1951 (74). In *Conversations with Khahtsahlano*, a compilation of oral histories from August Jack (Khahtsahlano) recorded by the City of Vancouver's archivist, Major J. S. Matthews, between 1932 and 1954, provides an example of how a naming potlatch took place during the ban as a way to assert land title and rights. Khahtsahlano told Matthews about the beginnings of the village at Snauq, describing how Chief George, also known as Chief Chip-kay-m, moved from the Squamish River early in the nineteenth century. In the middle of the reserve was a Long House where several families lived. August Jack gave himself a naming potlatch there circa 1895:

> I give away about one hundred blankets. I buy them Hudson's Bay store on Cordova Street; two dollars each; double blankets. Then besides that I pay for eighty pound sack of flour; thirty pounds tea, and I buy dishes and spoons, give them away; down at False Creek . . . in the big long house. The old man he act as my interpreter (spokesman). He make speech. He say this boy called by whitemans' name—August—now they going to give him his proper name, Indian name; same name his grandfather [Khahtsahlano], and he put his hand on my shoulder, and I stand still. . . . I don't remember how many peoples come, but lots. Come from Squamish, Musqueam, Nanaimo. (qtd. in Matthews 56; qtd. in Barman 10)

This passage illustrates how the potlatch functioned not only to assert Indigenous rights to land, but also to reclaim Khahtsahlano's name. Maracle, writing "Goodbye, Snauq" more than a century after this naming potlatch took place, similarly proposes embodied practices of sovereignty as a way of countering some of the official discourses around the recognition of

Indigenous rights, turning the reader's attention instead to the importance of (re)naming and belonging. The narrator of the story undertakes a process of self-reflection and community investigation in order to demonstrate the multiple and complex linkages that exist between Snauq and several Indigenous nations, while gathering stories of how these populations lived on and with this land. Thus, recognition in "Goodbye, Snauq" plays a key role, but not primarily as a tool to dictate or frame land claims. Rather, recognition is understood as one way to create a sense of agency, belonging, and connection for those seeking Indigenous rights on unceded territories.

### Lee Maracle, "Goodbye, Snauq"

In a comparable manner to Simpson's "Land as Pedagogy," the concept of *enacting* Indigenous rights and sovereignty through symbolic action plays an important role in "Goodbye, Snauq." The story provides a starting place for thinking through the implications of a paradigm of resurgence in reconceptualizing Indigenous rights, while at the same time opening up the possibility of crafting a more insurgent model of imagining the politics of recognition. The narrator says that it is a story about "'Snauq . . . a village we just forfeited any claim to, and I must say goodbye'" (Maracle, "Goodbye" 215). The unnamed, first-person narrator had received a letter from her own Squamish Nation's government informing her that "a deal had been brokered" (206). This deal took ninety years to determine and is deeply controversial for the narrator because of what has had to be given up in exchange. She comments: "this court case indicates we never will be . . . able to acquire the place other nations hold" (216). Here is an example of "winning" the recognition of Indigenous rights and title at the same moment of losing claim to it. None of the Indigenous nations that shared Snauq has ceded their land to the Crown; yet none can continue to occupy and use the land. The Canadian courts recognize only the Squamish Nation as having title; yet the Squamish nation must extinguish its claim for a monetary settlement.

The complexity of the land's history, once a shared space for different nations but transformed by settler colonial structures, is mirrored in the narrator's layered history and identity. The narrator describes herself as Sto:loh[12] but also shows that her ancestry is more complex than that designation suggests. She writes:

> I am Squamish descended from Squamish chieftains—no, that is only partly true. I am descended from chieftains and I have plenty of Squamish relatives, but I married a Sto:loh so really I am Sto:loh. Identity can be so confusing. For

> a long time the Tsleil Watuth [*sic*] spoke mainly Squamish—somehow they were considered part of the Squamish band, despite the fact that they never did amalgamate. . . . I am not sure who we really are collectively and I wonder why I did not choose to study this territory, its history, and the identity changes that this history has wrought on us all. (211)

Her question as to why she has not examined her own territory, history, and identity speaks to Coulthard's call for the need for self-recognition as a precondition for rebuilding Indigenous presence, history, and land title. For Coulthard, self-recognition provides an alternative, resurgent model for Indigenous peoples empowering themselves. Likewise, Khahtsahlano affirms at once his family's history, the history of the land, and his personal history through his shrewd reclaiming of the naming potlatch. For Maracle's narrator, self-recognition is complicated by incomplete translations, gender imbalances, and missing pieces from her individual and collective genealogy.

Maracle writes that before 1800, "downriver Halkomelem-speaking peoples" inhabited the land of the city of Vancouver as part of a larger, loosely affiliated group of five nations (203). Following a smallpox epidemic, the Squamish people, including Maracle's ancestor, Khahtsahlanogh (Khahtsahlano's father) from Lil'wat, occupied Snauq, which was known as the "supermarket of the nation" (203). In 1869, it became a reserve, and between 1913 and 1916, it was sold and Khahtsahlano was forced to move. This sale was later declared illegal in *Mathias*, and the land was awarded to the Squamish exclusively, because it was determined that they had "occupied" it continuously. Historically, the Squamish, Tsleil-Waututh, and Musqueam Nations had shared the land and together had gathered, cultivated, and fished the many foods it produced. In *Mathias*, the judge notes that the testimony from the expert witnesses suggests that the "mixture of Halkomelem and Squamish place names in Burrard Inlet and English Bay suggested shared and mixed use of the area, as opposed to exclusive occupation by one group or the other" (para. 257). With growing tensions between the three nations as a result of their competing claims, the Tsleil-Waututh and Musqueam Nations tried unsuccessfully to sue the Squamish Band Council. Ultimately, "[t]he Squamish Nation . . . won the Snauq lawsuit and surrendered any further claim for a fee . . . [of] $92 million" (Maracle, "Goodbye" 206). The narrator feels dispossessed by this outcome, saying that she wants to "remove [her]self from this decision" (206).

Although the story mourns the loss of Snauq, it also reimagines the nature of Indigenous rights and how they are to be enacted. The narrator is an MA graduate student in an Indigenous governance program on Vancouver

Island. Profoundly rattled by the deal brokered by her nation, she faints while leading a seminar as a TA in front of her undergraduate students. The class, a mix of Indigenous and settler students, resolves to take a ferry to Vancouver, visit Snauq, and perform a ceremony to say goodbye. Rather than sit under the fluorescent lights of the university to read, study, and discuss different forms of Indigenous governance, the class goes to the land to practice that governance—even if the land in question has been transformed unrecognizably by industry, the real estate market, transportation systems, and toxic waste. This is, crucially, both a moment of transformative praxis, of embodied traditional knowledge, and an attempt at reconciliation between settler and Indigenous students.

The story affirms the persistent interconnections among land, memory, and body, specifically in urban, environmentally degraded, and gentrified spaces. Like a dreamscape, the present-day landscape of False Creek is superimposed upon an earlier landscape, as if visually manifesting the idea that Indigenous land title underlies Crown title, and not the other way around. The narrator recalls the variety of Indigenous collectivities that passed through and took advantage of its abundance of sea asparagus, camas plants, berries, and medicines. Maracle also invokes the violent transformation of the original inhabitants, ironically labelled "squatters," who were forcibly removed from their homelands, and the history of resistance through figures such as Khahtsahlano and his wife Swanamia. In a recent interview, Khelsilem Rivers, a local Squamish community organizer who focuses on decolonization and language revitalization, recounts the story of the displacement from Snauq of his great-grandfather, when he was twenty-one years old, in 1913:

> We had a community that had been for generations living over in the Kitsilano area, over there close to the planetarium and present day Vanier Park. And [when] in 1911 there were eleven families living there, government authorities came in and they told those eleven families: "We're going to give you some cash. You have to get on this barge and we're going to ship you out and we're buying the land from you. And if you don't leave, we're going to forcibly move you, or kill you." (qtd. in Crompton and Wallstam n. pag.)

The sense of land title in Maracle's story is invoked less through dominant conceptions of landownership than through people's stories and practices on the land that enabled the communities to live. In addition to fishing, tilling, and hoeing Snauq, the people would gather the fur that the mountain goats left on the hillsides when the animals rubbed their bodies against long thorns (Maracle, "Goodbye" 211). The women then would spin goat and

dog fur together to weave the clothes. "'Everything begins with song,'" the narrator recalls her grandmother Ta'ah saying (218). "Songs rolled out as the women picked berries near what is now John Hendry Park. In between songs they told old stories, many risqué and hilarious" (212). The story ultimately asks the reader to reconsider how to define land title by highlighting the role of song, language, craft, and the interconnections between beings in expressing embodied forms of sovereignty.

Although Maracle is very clear that the land was stolen, degraded, set fire to, and polluted by settlers, she suggests that the mixed reality of False Creek, then and now, holds out hope for some sort of reclamation. Snauq, she suggests, has always been a collective, layered, and contested space. Invoking Canada's dishonour in transforming not only Indigenous peoples but other racial minorities into illegals, the narrator delights in the irony that a Chinese multibillionaire, who would have been labelled a "non-citizen immigrant resident" during the time of the Head Tax and the Exclusion Act, rose as the owner and developer of False Creek (218). The hope here is, I think, a radical one: to first expose the silence and denial that perpetuate Canada as a settler colonial state, before then reconceptualizing this "shared and mixed" space under different terms (*Mathias* para. 257). The narrator in "Goodbye, Snauq" points out that not only were the excluded Chinese people labelled "non-citizens"; settlers also declared Indigenous peoples "non-citizens unless we disenfranchised our right to be Squamish" (209). Maracle is well known for her materialist and anti-racist stories that build relations of solidarity between racialized immigrants and Indigenous peoples in collectively opposing a repressive state apparatus.[13] She is also known for her sharp critique of neoliberal states, like Canada, that facilitate the concentration of wealth (defined solely in monetary terms) in the hands of a few. In the Author's Note to "Goodbye, Snauq," Maracle asserts that "Canada must face its history through the eyes of those who have been excluded and disadvantaged as a result of it," highlighting the complexity of the issues embedded within discourses such as reconciliation, which have played a shaping role in the state's policy-making in recent years (204).

The story, shot through with ambivalence, contradiction, and double-talk, mirrors the spaces of transition that characterize the current struggle for Indigenous rights in Canada. The narrator's feelings are profoundly mixed when she says: "I am not through with Canada. I am not a partner in its construction, but neither am I its enemy" (218). The invitation to become a participant is, she says, "fraught with difficulties," but still, she "accords

[her]self a place" (219). Part of that place is as a teacher of students of diverse backgrounds who must, the narrator realizes, "face themselves" and their stories as part of a larger project of unlearning the false histories they have been fed (215). As such, the story imagines an insurgent politics of recognition in the context of the practice of Indigenous rights and in creating political affiliations across Indigenous and diasporic groups. Through the process of daring to imagine Snauq as it was and ceremonially saying goodbye to it, the students and their teacher simultaneously reclaim Snauq. Maracle has noted that this story, as a critique of the Squamish Nation's leadership, became a catalyst in "waking the Squamish nation up" ("How" n. pag.). She talks about what this story has accomplished politically in creating new platforms in practicing Indigenous rights and creating movements for social change. She states: "'Snauq' was one of those stories that affected a lot of people from all directions. . . . It sparked a lot of collaborations between people, Asian and Native, and White and Native . . . [to] talk about our responsibility to the water and how we can work with that story in the restoration of Snauq and other areas in the Vancouver region" ("How" n. pag.).

Though the story marks an ending, a goodbye, it also has incited a new beginning—a more active exercise of Indigenous rights and a more engaged democratic process within the Squamish Nation. Furthermore, Maracle hints at the ceremonial context and meaning of saying goodbye from the standpoint of local Indigenous traditions. One of the narrator's students, Hilda, who is described as Nuu-chah-nulth, asks: "Doesn't [saying goodbye] require some sort of ceremony?" (215). As a form of ceremony on the land, this goodbye provides an opportunity to remember Snauq in sharper definition. For the narrator, the students' presence at this goodbye "would somehow ease the forfeiture and make it right" (215).

Ultimately, the story demonstrates the many fracture lines within a politics of recognition: fractures created by and through the struggle for decolonizing Indigenous lands, peoples, and histories in Canada. A key point of fracture is the discourse around "reconciliation." To Canada's offer of a reconciliation based on closure and unity, Maracle makes a counter-offer of conflict and disjuncture, acknowledging the experience of colonialism as ongoing, and dissent as a righteous and productive space from which we might continue to forge a different social order. The idea that spaces of dissent can be generative and creative has informed Maracle's story deeply. In an interview for CBC's *8th Fire*, Maracle rejects the notion of reconciliation as settled discursive territory, while insisting on the importance of land to

any discussion of the relations between Indigenous people, settlers, and the state. Refusing the empty words and gestures of reconciliation as a substitute for action and change, Maracle insists that an insurgent form of recognition will shake the very foundations of the construction we now call Canada. Addressing her readers in an interview, Maracle expresses this hope and exigency: "If someone reads it ["Goodbye, Snauq"] I want them to ask: what does this mean to me and how do I work with it?" ("How" n. pag.). This is not a story to read passively; it demands a response and an acknowledgement of responsibility.

Maracle's question challenges readers to take seriously new, emergent paradigms in conceptualizing the struggle for Indigenous rights. In previous decades, much energy was put into official channels for the recognition of Indigenous rights—Coulthard lists, among other programs, land claims, self-government packages, economic development initiatives, and modern day treaties. While there have been both successes and losses in these battles, some have argued that these processes have become compromised by the increasing scope of corporate rights, as well as intolerably constrained by legal definitions and loopholes. Scholars and activists have turned to tactics that involve a more direct practice of Indigenous rights as part of a larger politics of resurgence. A politics of resurgence has a different conceptual starting point than a politics of recognition, prioritizing self-determined notions of Indigenous rights and, in the words of Coulthard, enabling Indigenous societies to "find in their own transformative praxis the source of their liberation" ("Subjects" 456). That said, a politics of recognition may retain usefulness in creating a sense of agency, belonging, and connection among Indigenous peoples engaged in the fraught struggle for Indigenous rights on unceded territories (such as those of Vancouver and British Columbia). A critically informed, self-reflexive politics of recognition might also challenge non-Indigenous settler populations (including myself, a resident of False Creek) to determine their own roles and responsibilities as allies in the struggle for Indigenous rights. Acknowledging the divergence of roles and responsibilities makes possible a more open-ended conception of Indigenous rights in a time of transition and change.

## NOTES

1 I use the spelling Tsleil-Waututh, following current spellings favoured by the Tsleil-Waututh First Nation. However, Maracle uses Tsleil-Watuth. It should be noted that, in most cases, transcribing Indigenous-language words using the Roman alphabet is an approximation.

2 The question of Indigenous rights in Canada—how to define them and upon what basis they exist—is taken up in multiple, even contradictory ways in scholarship. One point of fracture is whether to use Canadian legislation as a starting point, or alternatively, whether to begin with Indigenous nations' concepts of rights, land, title, use, and occupation. See Asch (ed.); Blackburn; Borrows; Coulthard; Kulchyski; Russell; A. Simpson; L. Simpson; Slattery.

3 In 1951, certain sections of the Indian Act were repealed that enabled Indigenous people to access the legal system in prescribed ways, though formidable institutional barriers persisted well into the late-twentieth century, and arguably continue today. In 2001, John Borrows asserted that real change will only occur once Indigenous people participate more fully in the running of the legal system, as lawyers, judges, and other legal experts in positions of influence (31).

4 A good example is Frank Calder, best known for his role as named plaintiff in the 1973 Supreme Court decision, *Calder v. The Queen*. In fighting for the recognition of the Nisga'a Nation's land title and governance, he transformed the discussion around Indigenous rights. To read his biography, see Harper.

5 In an unpublished interview Maracle states: "It took about six hundred pages of documents to get this story. . . . You have no idea how much research you have to do to get a short little story. You have to go to the whole banquet to just give it a flavour" ("How" n. pag.).

6 John Borrows maintains that while cross-examination is difficult for most people, for Elders, it can amount to discrediting their standing in their community. Borrows argues that as keepers of wisdom, Elders are ethically bound by a set of moral and spiritual laws that in some cases cannot be fully articulated in a foreign court of law. Aggressive questioning, which seeks to discover *how* an Elder knows something, may come into conflict with the laws to which the Elder is primarily responsible (32).

7 See Maracle, *Memory,* particularly "Who Gets to Draw the Maps: In and Out of Place in British Columbia" (65-84), and "Oratory: Coming to Theory" (161-67), the latter originally published in 1990.

8 In her *Reasons for Judgment,* Judge McLachlin states unambiguously: "I would . . . grant a declaration of Aboriginal title over the area at issue, as requested by the Tsilhqot'in" (para. 153).

9 The main difference between *Delgamuukw* and *Tsilhqot'in* on the question of infringement is that Judge McLachlin in the latter judgment emphasizes to a much greater extent the Crown's "procedural duty to consult with" land title holders and to "accommodate the right" if an infringement of Aboriginal title has been proposed (para. 125). It remains an open question how, and to what extent, this emphasis on "consultation" and "accommodation" changes Lamer's conditions, by which the infringement of Aboriginal rights is justified. Catherine Bell, at a public talk at Simon Fraser University (8 January 2015), examined closely how "consultation and accommodation" might play out practically speaking in cases where infringement is deemed to be justified.

10 Part of this section is based on my co-authored Introduction, with Gabrielle L'Hirondelle Hill (Métis), to *The Land We Are: Artists and Writers Unsettle the Politics of Reconciliation*. I thank my co-author for giving me permission to borrow from this text.

11 In 1998, Jane Stewart, then Minister of Indian Affairs and Northern Development, delivered the "Statement of Reconciliation"; in 2005, British Columbia created the Ministry of Aboriginal Relations and Reconciliation, which was mandated with the task of modern treaty making; in 2008, the Indian Residential Schools Truth and Reconciliation Commission (IRS TRC) was formed; and Prime Minister Stephen Harper delivered a formal apology in the House of Commons. See Henderson and Wakeham.

12 Maracle uses Sto:loh in this story; however, in *Memory* she uses the more common spelling of Stó:lō.

13 Critics have written extensively about the intersectional, Indigenous feminist, and anti-racist politics in Maracle's work, particularly *Sojourner's Truth and Other Stories* (1990), *Sundogs* (1992), *Ravensong* (1993), and *I Am Woman* (1996). See Wong; Lew; Fachinger.

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