Eli Enns: "We Are All Treaty People"

Season 2, Episode 4

***Small Planet Heroes* Podcast**

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***This transcript has been lightly abridged for optimum coherence and flow.**

Kai: Hello. I'm Kai Chan. I'm a professor and Canada Research Chair at the University of British Columbia in the Institute for Resources, Environment and Sustainability, and I'm a founder of CoSphere. And today, Maia O'Donnell and I are going to be interviewing Eli Enns. Maia?

Maia: Hi, I'm Maia. I am a recent graduate of UBC. I just graduated with a Bachelor's in Integrated Sciences, and I'm also a lead producer here at *Small Planet Heroes.*

Kai: We're so excited to have this conversation also with Eli Enns. Eli and I have known each other for more than a decade. Eli is a Nuu-chah-nulth political scientist of the Tla-o-qui-aht First Nation and an internationally recognized expert in Indigenous-led conservation and bio-cultural heritage.

Maia: In 2007 Eli co-founded the Ha'uukmin Tribal Park and Clayoquot Sound UNESCO Biosphere Reserve on Vancouver Island, a groundbreaking initiative that integrated Indigenous governance with modern conservation efforts. This park has now been expanded to the Tla-o-qui-aht Tribal Park.

Kai: And in addition to having those really crucial local roles, Eli's also had *very* important roles on the national stage. So about a decade after that, he co-chaired the Indigenous Circle of Experts for the pathway to Canada's Target 1, which culminated in this influential report with a beautiful title of "We Rise Together." It emphasizes the importance, the really crucial importance, not just for Canada's Target 1, but in a more general moral sense, of Indigenous protected and conservation areas.

Maia: Beyond these roles, Eli serves as the co-founder and president of the IISAAK Olam Foundation, an organization committed to supporting Indigenous leadership in conserving biological and cultural diversity.

Kai: And in this season, where our focus is on the role of science in transformative change, Eli, although sitting outside of academic institutions, also plays really important roles in research projects. So he's a co-leader of the Conservation Through Reconciliation Partnership, which is a project funded by the Social Sciences and Humanities Research Council of Canada, which is a coalition aimed at advancing Indigenous-led conservation initiatives across Canada. What I love about Eli's perspective is that he brings this really *rich* academic and *real* political history kind of perspective into the management of Canada's lands and waters with a *very* strong, principled lens about what that should look like.

[*Medley of Small Planet Heroes theme song*]

If there's a pit in your stomach from the way that we live
You want it to change, something's going to give
We've got stories that'll give us a glimpse
Of better ways to reconnect everything

We're small planet heroes
Small planet heroes.

Kai: Welcome, Eli.

Eli: Thank you. Glad to be here.

Kai: In one of the podcasts that I've heard you speak on before, the *Emerging Environments* one, you told a beautiful story about the Treaty of Fort Niagara and the way that the nations that were involved in writing that treaty warned the settlers at the time that their patterns of consumption were *doomed* to bring about failure–if not this generation, then generations down the road. You used that story as a way of explaining the importance to many Indigenous nations, which had offered similar kinds of warnings at various points in history to settlers across the continent, the importance of maintaining that traditional knowledge, but also cultivating the love and compassion to bring that help when, you know, inevitably, their great-great grandchildren (or whatever) came knocking and asking for help. It feels like we're in that moment, right? It's not the whole of Canada that's coming and asking for help, but a good number of Canadians and the federal government in particular, with the idea of IPCA (Indigenous Protected and Conserved Areas), helping to meet their targets. It feels like we're in that moment now.

It struck me that one, that was an *amazing* kind of response right? To that moment of seeing settlers that were so obviously operating in a way that was contrary to the traditional knowledge that had been gleaned from the land and the waters over all those years. To think we'll be here to help when it comes crashing down, rather than to be filled with, like, Schadenfreude, right? This, like, glee at the loss–at the doom that, you know, was so predictable. You bring this rich cross-cultural perspective. You've been living across cultures your whole life! You're part Dutch Mennonite, Tla-o-qui-aht First Nation. You grew up in Manitoba, and then you came out here to the West Coast.

Elis: Yeah, I was born in Victoria, British Columbia in 1980, so my 45th birthday is coming up here pretty quick.

Kai: Nice!

Eli: But I grew up back and forth between the two places and and, yeah, on my mom's side of my family were Dutch Mennonite immigrants, and like so many other peoples, we were persecuted by the Catholic Church and and kind of shoved around Europe, and then ended up down in Mexico and then up to Canada. My grandfather, Peter Enns, it was his birthday yesterday, immigrated in 1930.

Kai: And did that–did the combination of those two family perspectives enrich your understanding of the need for that cross-cultural literacy?

Eli: Yeah, I think it probably had a big hand in it, for sure. And at the end of the day, we're all like, you know, we're all *kuus* in the Nuu-chah-nulth language. This is our humanity concept, and what it means is, it means real, live human beings. And there's–there's a lot of teachings that go along with that term. And you know, on my mom's side of my family, we're very community-minded. Dutch Mennonite people: close to the Earth and community-minded. That's the point. My father grew up in the village of Opitsaht on Vancouver–off the west coast of Vancouver Island and Meares Island.

And back in those times, there was no running water, there's no electricity, and people followed a lot of the teachings that had been carried over through the millennia. And one of the big–where that really confluences is that community well-being comes first before individual well-being. Like, you know, I think one of the ailments in modern society is this hyper-individualization…

Kai: I agree.

Eli: And we–we become very discombobulated, disconnected. From a disconnected world view comes dysfunctionality and disease and so.

Kai: Absolutely.

Eli: So, yeah, I think, you know, half my family's blonde haired, blue-eyed people, and half [the] people look like me. But at the core, we all have that shared value of community well-being and respect for nature, whether it comes from a Christian worldview, which the sees all things in creation as equal, or a Nuu-chah-nulth worldview in *hishuk-ish tsawalk*: everything is one and everything is interconnected.

Maia: I have a question about growing up in these two different communities: just like thinking bioregionally, they're very different regions of Canada. How did that impact your relationship with [the] environment? You do a lot of your conservation work here as well. How did that impact your view of bioregionality?

Eli: Canada is a big country, but it has a quaint name, the name "village." It's in the Haudenosaunee language, *Kanata*, meaning village. And in Manitoba, interestingly, there is that sort of, I think, underlying ethic that is shared, you know. I learned from, for example, elders from Sioux Valley Dakota Nation when I was a young boy, maybe nine years old or something. And the teachings that I learned from the elders there are very similar to the teachings I learned from my own elders on the west coast of Vancouver Island. And so you know, what do we have in common? We have our shared respect and sense of responsibility. Rights are important, one hundred percent, but responsibilities are something that's inalienable and that we have to our responsibility to our grandchildren and our great grandchildren.

So bioregionally, you know, if you look at a map of Canada from 1871: go–go to the Canada Archives, google it, and what you'll see there is kind of peculiar. What you see is, you see the postage-stamp province [Manitoba]–a little square around the Forks where the Assiniboine and Red Rivers come together. The other thing you'll notice is that British Columbia is delineated as it is today, and what engulfs modern-day Alberta, Saskatchewan and most of Manitoba now in 1871 was the federal North-West Territories. And so yeah, Louis Riel had something figured out in terms of self-determination in the face of British expansionism (and American expansionism too, by the way), and we actually, on the west coast of Vancouver Island from 1792 to 1811, we were in open conflict with the newly-founded United States of America. And so we were–that was the lead-up to the War of 1812 by the way–and so we were actively holding on to our own sovereignty and self-determination on multiple fronts.

Kai: I actually wanted to bring up that point: the fact that Canadian First Nations, and it's not just in the West, as you described it there, but also as you described elsewhere, in collaboration with King George, that Indigenous nations on the east side of the country also played a crucial role in that same battle, protecting us–protecting Canada as it came to be–from the invading Americans with

their idea of Manifest Destiny. That seems so pertinent today, to recognize that this country really does owe its sovereignty to that coming together of, you know, those English origins and also many Indigenous nations across the country. It seems really pertinent, in light of ideas about the US, you know, throwing around annexing Canada, Canada becoming a 51st state, you know. And maybe *this* is one of those moments where we can band together, not just across provinces, in the name of Canada, as it is a great nation, but also hand in hand through genuine reconciliation.

Eli: One hundred percent. The War of 1812 was a collaborative effort in staving off American expansionism. But Canada, the Dominion of Canada became culturally distinct, not only from the United States, but also from the United Kingdom. And that was through hundreds of years of cross-cultural literacy and how, how the military and economic alliances came to foster a new fabric. I think of John Ralston Saul's book *A Fair Country* when he talks about a Métis nation. Now, this might not sit well with everybody, but I'll tell you what: I've seen it with my own eyes, that there's something unique in the cultural fabric of Canada that was fostered over those many hundreds of years. And it wasn't always pretty.

You may recall, in January of 2020, before the pandemic really took off, the Mohawks of the Bay of Quinte and Thayendanegea, who was–by the way, Thayendanegea is the namesake of Joseph Brant–he was a key diplomat in those early geopolitical times in the formation of Canada, North America. And they read out the letter to the Queen. Of course, now we have King Charles, but at the time, it was his mother, and they read out a letter to her, and they reminded her of the Silver Covenant Chain Agreement and the One Dish, One Spoon Treaties, you know, the Haudenosaunee–brilliant geopolitics. And the Silver Covenant is very simple: from time to time, if you neglect a relationship, it's like a piece of silver. It can become tarnished. But have no worries, this is expected. But when that happens, we can come together and we can polish our relationship and make it bright and new. And so this is the call-out to the Founding Nations of Kanata to ensure that we stay true to those original international agreements: call them Peace and Friendship Treaties.

And so we, yeah, we are reminded nowadays with regards to Donald Trump's, you know, shenanigans, but it's not… To me, it's not out of left field. I mean, this has been from the very beginning, when they broke the kind of–the spell of the monarchy having a close relationship with God. There was a mythology that God saved the Queen, God saved the King, that there was an intimate and *inextricably linked* relationship between Crown and Church. Now, when the United States of America successfully separated from the United Kingdom in the Revolutionary War of 1776, they kind of broke that–that spell and they said, “Well, God no longer favors the crown. God bless America.” And so it's been coming all this time. Up until now, they've been satisfied in inequitable trade relationships and how Canada has kind of been the backyard for natural resource development for American industry. But now, Donald Trump, I mean, fumbling through the decline of the American Empire, is now reaching out for some sort of victory geopolitically because they couldn't get it in Vietnam, they didn't get it in Afghanistan. They're not getting it in Korea either. They're not getting it in what do you call–

Kai: Taiwan?

Eli: Ukraine. You know, I think it's the flailing of a declining empire. And you don't have to look any further than BRICS to understand that the world has changed, and you can't build something on ill foundations. You know, if you're gonna build a house, you have to have foundations in place. United States of America was founded upon genocide, slavery, and the only modern nation state

that had used nuclear weapons against civilian populations, not only in Hiroshima, but in Nagasaki.

Kai: Yeah.

Eli: Who else does that? Nobody's dropping bombs on civilian populations. Anyways.

Kai: I love that Silver Covenant and the idea of the need to burnish those relations, right? It's just–it's been a fundamental part of how my lab is focused on relational thinking, relationality, relational values, you know. Because that's where–that's where the wisdom is. Those are the strong foundations. It's in relationships.

Maia: Now that we're talking a little bit about America, how do national borders that then become ideological borders also impact, you know, the Coast Salish Indigenous people in this region? Just because, though those boundaries wouldn't have been drawn at the 49th parallel, they would have extended, you know, up and down the border. How has this been impacting communities, ideologically speaking, now?

Eli: Yeah, I think when, when the international state system is referred to as the Westphalian state system, right? So you, you got to go back to the Treaty of Westphalia in 1648. This was the conclusion of the 30 Years War, which was a war among kingdoms, Germanian kingdoms, and they were vying for control of souls. It was a religious war. And so, the outcome of that and the Treaty of Westphalia was to say, "Within my kingdom walls, I have final say over the religious beliefs of my people. I won't try to influence your people within your kingdom walls, if you don't try to influence the people within my kingdom walls." Now, that evolved over time, and the new kingdom walls are lines on maps and, yeah sure, the 49th parallel was critical.

And what's underneath that is evolution in technology. Because if you put yourself back to that time, there were no text messages or emails or cell phones. There wasn't even telegraphs, really. Global trade happened at the pace of wind. Everything was driven by wind. Now we think it's revolutionary. Well, back in those days, you had to go by sail ship, and there was no Panama Canal either. So if you wanted to get from the Atlantic Ocean on the East Coast of North America to the West Coast, you had to go all the way down under the horn. People were looking for the Northwest Passage. It's all iced up and people, people died up there. But a lot of ships were lost around the horn in South America as well.

And so with the advent of steam locomotive technology, and then the progression of the manufacturing of steel rail, it allowed for people to do transcontinental trade, moving goods and personnel, civilian and military populations across vast distances–effectively, cost effectively and predictably–which was not possible during the time of sailing around the world. So, so the 49th parallel necessitated… What came before that was the construction of the railway from Northeastern Ontario through the prairie provinces out to the West Coast. And that was one of the caveats to the British Columbia Terms of Union with Canada is that they wanted the federal government to construct a railway at their expense through the Rocky Mountains, which, you know, now we can drive down the highway, and it's pretty easy to do. Back then, you had to go through overland expedition, very arduous. You needed to have knowledge of the land to get through there. And so, yeah, I mean the good, the bad, and the ugly kind of a deal whereas many nations resisted the expense of the railway, the railway was necessary for staving off American expansionism. And, you know, the Russians were pushing southeast from what today is called Alaska, and so there's all this kind of geopolitical turmoil, and we're still living with it today. It's still

unfolding today.

Kai: You're an expert in conservation, but we'd like to think about that conservation in a broader context of these institutions that we live in, and the opportunity for *remaking* those institutions through transformative systems change. You brought up earlier in this conversation, and I heard you speak about it in another podcast, about the need for this shift from thinking about rights in conservation–but you know, we can think about that more broadly–to thinking about responsibilities. Now, I'm trained partly in philosophy, and in philosophy, when we talk about rights and responsibilities, typically people are thinking about flip-sides of the same coin, right, that in order for somebody to have a right, it requires a focus on the responsibilities of other people to adhere to that right. But you're speaking about something quite different, I think, when you're talking about the need to shift from thinking about conservation through a rights lens to thinking about conservation through responsibilities. Correct me if I'm wrong, but I think what you're saying is we don't necessarily need to have battles about who *owns* this land in order to figure out how we can take care of it together. Is that right?

Eli: The Rights Revolution, and I think it's necessary, it was necessary. I mean, from 1885 to 1951, it was impossible for an Indigenous nation to pursue a land claim. Practice of religious freedom, for example, was also outlawed in this country. And so from 1951, you know, it started the Universal Declaration of Human Rights in 1948 and then there was the Geneva Convention on the status of political refugees, which safeguarded, theoretically, all human beings on the planet from religious persecution. You come home from Geneva and what's happening in Canada was that you couldn't go Sun Dance, you couldn't–the Feast of the Dead, the Potlatch–was all outlawed. We had to do all that stuff in secrecy.

And so the basic human rights from 1948, 1951 and beyond, was fundamentally important to get us back on kind of solid ground or or close to it. But what the elders always reminded us is that responsibilities and rights are two sides of the same coin. It's not about somebody else's responsibility and *my* rights. It's about claiming authority. If you claim ultimate authority, you have to also accept ultimate accountability. So this is the magic of delegation. You know, if you delegate responsibility to somebody, you also have to give them the means to undertake those things. Rights and responsibilities are two sides of the same coin. William Commanda said it beautifully. He said "We exercise our rights through taking care of our responsibilities."

Yeah, I mean, you know, *conservation* is an alien word to a lot of Indigenous peoples. I'm thinking about an elder from Cree country in Treaty Six Territory up in Edmonton, Alberta, at a gathering. I was there in 2010 and he came up to me at the very beginning of the meeting, and he really wanted to say something to me. He says, "In our language, we don't have a word for conservation." The whole idea of nature conservation is illogical, culturally illogical to them. And what he said to follow that up is he said, "What we have is the way we live our lives" and he went on to explain that they learned about hunting the ungulates, the elk, through observing the wolves and how the wolves cultivated the ungulate resources. They would never go for the biggest buck, you know. And this is the travesty of what you call the big game hunters, the trophy hunters: they want the biggest rack over top of their fireplace or whatever. Well, from a Cree perspective, they shared that with the wolves, is that you never take the biggest buck. You never take the biggest male out, because you want that guy to continue to procreate and bring about the next generations. So what they did is they would take the–the injured and the weak. Some big game hunters might think that that's cowardly, but actually, when you look at natural law and the evolution of species, that actually

cultivates the herd to make it stronger over time.

And so–so, yeah, I mean, you know, we got IPCAs. It's an olive branch. IPCAs are an olive branch to the dominant self-destructive culture going all the way back to those prophecies. You mentioned earlier, where they were the old people who were alive back in those times. They observed the way that the newcomers consumed and they–they predicted bad times would come. And so IPCAs is a stopgap measure, and it is an olive branch.

Kai: Yeah, but even, even while it's a stopgap measure, there is something really interesting and powerful. So I don't know how many of our readers thoroughly understand how these work. So Maia and I were hoping that we could get into that, in part through the tribal parks that you have helped to found in Tla-o-qui-aht territory. So you know, and going back to the idea, like basically in federal and provincial law, you basically need to own the rights to land in order to protect it, right? But tribal parks kind of turn that on their head a little bit, right? Because First Nations don't necessarily have that kind of rights and, sorry, *the ownership* to like–what we would call *fee simple* in a conservation context–to that land, but they're still exercising the authority in order to steward and protect that land. So can you walk us through that? Starting with Meares Island.

Eli: Yeah, yeah. And I guess I'll preface my response by saying that I am a citizen of the Tla-o-qui-aht Nation. Once upon a time, I was a staff member. I am not a staff member today. I'm not a political representative. But my family does have responsibilities in in Tla-o-qui-aht, like you mentioned. And essentially, British common law was imposed, like you talked about fee simple, it was imposed. And because of the pressure from the United States back in the 18 you know, 1840s, 1850s, it was the Gold Rush time. And before that, it was the fur trade. There were a lot of economic interests and so the colonies of Vancouver Island and New Caledonia banded together to negotiate terms of union with the Dominion of Canada in 1871. And part of that was to say that they wanted full control of their Crown Lands from the very beginning. So that's why I said earlier, “Go back to the Canada archives, 1871, look at a map.” It's starkly interesting to see British Columbia delineated exactly [as] it is today, but Alberta is not even on the map. Saskatchewan is not on the map. Manitoba is a postage-stamp province, a little square around where the Assiniboine and Red Rivers come together. That a picture says a thousand words, and so when they negotiate their terms of union, British Columbia said, “We want to have full control over our Crown Lands. None of this Northwest Territory stuff too; we want you to construct a railway at *your* expense, to connect our economies and our communities. And number three, we want *you* to maintain responsibility for Indians and lands reserved for Indians.” So there's a tension there that we want full control over our Crown Lands, but we don't want anything to do with the Indians.

And so at that time, there's something called the Honor of the Crown. And when King George made his Royal Proclamation of 1763, it's still alive today in constitutional law. And so when you look at the court record, all of the logic in the courts for the modern-day treaty process go back to the Royal Proclamation of 1763. But the successors in the Union when British Columbia joined Confederation, yeah, they weren't worried. They neglected their responsibility. They neglected the Honor of the Crown for over a hundred years, and that tension gave rise to what today, you know, is like they say, "We have fee simple." They claim underlying title, but we said, "No, you have not made a treaty with us. You've not lived up to King George's words. We claim underlying title.” But the authenticity of that comes not from a piece of paper. It comes from Creator's law, Mother

Nature's jurisdiction. So all these advanced governance ethos comes through biomimicry in observing Mother Nature/Creator's jurisdiction and how Mother Nature organizes her economy, and then we emulate that, and that's where we have our authentic claim to underlying title to all things. Tribal parks is just an olive branch; we never would have had tribal parks 500 years ago, you know? It's goofy to think we're gonna protect one part of our land and then, what–sacrifice the rest of it? It's dysfunctional and disconnected.

Hishuk-ish tsawalk means everything is one and everything is interconnected. Yeah. And I know you're gonna ask me a question, but one thing I want to circle back on is before he was the king, Prince Charles and I shared a stage in northeast India where he talked about that exact thing that the phenom of disconnected worldviews and how that gives rise to all the problems today, including the falsehood that overpopulation is destroying the planet. No, no, no. You know, if we–if we buy into the idea that overpopulation is the problem facing the world, then it allows us to turn a blind eye to starvation, to genocide, to the unfair treatment of many people around the world. But you know, let's bear in mind that human beings have an equal capacity to be creators and to be caretakers of the land as much as we have the capacity to be destroyers and consumers.

Maia: I think … I had this thought while I was listening to some of your interviews speak. I found a lot of your verbiage really inspiring, just because it was not anti-natalist. And I feel like a lot of people, like environmental circles, especially in the Western world, will have that: it'll be based in that type of rhetoric, and it's just *so* anti-social, it characterizes life in a way where it needs to be controlled. Beyond that, though, I also heard you talk about, like the story of Meares Island and the way that Moses [Martin] had to speak with the loggers, and he had to connect with them on sort of, like, a spiritual level. He had to explain to them, like, this island is a holy land for us, and you are desecrating it once you come here. And it was really only that plea that they were able to listen to.

Eli: Well, yeah. There was a young man who was working for MacMillan Bloedell, and he was part of the survey crew. So, if you can imagine, I mean, he went out to these places and he engineered cut blocks, roads, whatnot. He saw the majestic beauty, natural wonder of these places, and then got to see them after the logging crews came through and implemented those cut blocks. And so he was the one that came to my Uncle Moses and uh, Lee Hilbert, and he disclosed the true plans of MacMillan Bloedel. And so that inspired Moses through the *oosimch* [cleansing] ceremony in recognizing that the staff that were employed by MacMillan Bloedell were also human beings, and they also cared like–like Lee Hilbert, and and so he thought, in November of 1984, to extend the olive branch and to create a welcoming feast for this–the other staff of MacMillan Bloedel at the shores of Heelboom Bay, known by us as C'is-a-qis–and it was taking the higher ground, the moral higher ground, and exercising true responsibility.

Like you know, the province was claiming that. But if you look at their policies, it was about seizing. And Christy Clark said that about the LNG opportunity in British Columbia: "we have to seize the LNG opportunity." Well, if you look at the word, the definition of the word *seize*, to take something (not responsibility), to *seize* a resource, to *seize* the day, to *seize* something that's not yours. And people who are not going to live with the consequences of their decisions, they're just going to move on to the next place. And so Moses stood, yeah, on the shores of Heelboom Bay, and he took responsibility, and he extended the olive branch. And that's what we continue to do. My niece, Giselle, she said it very perfectly. She said, "We're still in early contact." You know, go back to 1778 when we made first contact with Europeans. Well, that's only, you know, not long ago. What is it–2025? A couple hundred years ago. When you look at the history of the Nuu-chah-nulth nation,

we're talking about tens of thousands of years in the known archeological record. Couple hundred years is a drop in the bucket. We're still in early contact and we're still holding out that olive branch.

Kai: But relating it to conservation and again, to ownerships, and thinking about rights, right, and moving *away* from rights: tribal parks don't exist in the same way that a provincial or a federal park do, right? It's not–doesn't exist in Canadian legislation or in provincial legislation–and yet it still works, right?

Eli: Okay, I'll push back on that!

Kai: Okay.

Eli: I'll tell you why. So the Wanachus-Hilthuu'is Tribal Park first comes from natural law, and then it grows up through Indigenous Nuu-chah-nulth law, and then it bridges into Canadian law via section 35 of the Canada Act of 1982. So when the provinces and the federal government in the early 1980s were separating from the United Kingdom by creating a domestic amending formula for our own Constitution, the British North American Act of 1876 required all constitutional amendments to go to the Privy Council in London before ultimate approval. So that's the umbilical cord to the United Kingdom. In 1982 that umbilical cord was cut. And what the people in the Constitution Train and Elijah Harper and all those guys back in those days, what they wanted to ensure is that Aboriginal and treaty rights would be entrenched forever in the Constitution of this country. And that was what Section 35 is. And so when we create tribal parks or IPCAs, we're not just, you know, exercising our Nuu-chah-nulth law or Indigenous law: we're actually exercising constitutional agency–

Kai: Absolutely!

Eli: In the country of Canada, and that's why we keep winning in court. So Jack Woodward, who was our lawyer in 1985 for the Meares Island court case, and Woodward and Associates, they did the Tšilhqot'in case in 2014 landslide decision on aboriginal title in the Tšilhqot'in. You know, Jack Woodward was interviewed by, I believe it was *The Narwhal*, or one of those–one of those papers. And he said, "The best way for the average Canadian to understand what a tribal park is from a legal perspective is that it is a *constitutional* park. So provinces create provincial parks; federal governments create national parks; Indigenous nations have the constitutional agency to create constitutional parks." So, you know, yeah, there's no provincial policy or fee simple whatnot, but we're exercising the highest law of the country.

Kai: Exactly. I didn't mean to suggest that there wasn't, like, legitimacy to them. My point was that the legitimacy predates those national and provincial jurisdictions, in a sense, right? And in that sense, it represents, although you've talked about it as a stopgap measure, it also represents perhaps a point of leverage? Where we can bring some of that crucial wisdom from Indigenous ways of knowing from all across Canada and bring that to change how we govern natural resources and the land and the waters, right? Because, rather than quibble about, you know, the boundaries of this provincial park or federal park–which those processes take a *long* time–Meares Park sprang up quite quickly, didn't it? As a tribal park?

Eli: I'll tell you what. I mean, it was in 1914: there was a meeting that happened in the village of Opitsaht, where my father grew up on Meares Island, the Meares Island Tribal Park, and it was called The Royal Commission on the Status of Indian Peoples of British Columbia. Basically, it was a

check-in from the federal government in the aftermath of union. So British Columbia joined the Dominion of Canada in 1871. And so what was said at that meeting: that in 1914, the meeting happened in Opitsaht, and what the elders said (Eddie Joseph and Jimmy Jim and all those guys), they said that in 1909 the reserve boundary started to be enforced. That was contrary to what was promised by Harry Gilead, the first Indian Agent to come to the West Coast. They surveyed out the Indian reserve boundaries. And our people were in full control and care of our own lands at that time. And so Harry Gilead said, "Well, don't worry about it. Like this is just a formality. You can continue to live your life as you always have." That was the 1880s. 1909, those reserve boundaries started to be enforced and our people were jailed, fined and jailed for–for just fishing or getting firewood outside of the reserve boundaries. So it was from 1909 to 1984: that's a seventy-five year period of time that we lost control over our lands and waters. The Declaration of the Meares Island Tribal Park and the Meares Island court case in 1985 marked a turning point where we started to take back control of our own lands and waters.

But what I really want to–I don't want to miss the opportunity to talk about what it means to be a citizen of this country. Um, you talked earlier about my–my growing up back and forth between Manitoba and British Columbia. When I was a child in Manitoba, there was a commercial that was funded jointly by the Manitoba Chiefs Association and the Government of Manitoba, the provincial Government of Manitoba. And it was a short commercial, and it was–it was an image of Native children and white children playing at a playground. And the caption was, "We Are All Treaty People." Okay, so what they're saying is that Indigenous peoples have treaty rights and responsibilities, but so do the rest of Canadians. You're not just a voter in a municipal election or a voter in a provincial election or even a federal election. We actually–all Canadians–have some constitutional agency in terms of the original Peace and Friendship Treaties that this country is founded upon.

The tragedy is that most Canadians don't have a hot clue what that means. They don't even know what the word *Canada* means. They have–and now the whole Trump thing is making us look at what does it mean to be Canadian? What's the difference between Canada and the United States? And you know what? I hope this becomes an opportunity for us to delve into what it means to be a Peace and Friendship Nation. Which, you know, like the Scotiabank commercial, you know, "You're richer than you think." We have a lot of great gifts from the elder societies of this–of this country, and we've kind of lost it. The educational system has really done a poor job of educating people. I find that immigrants know more about what it means to be a Canadian citizen because they have to pass a citizenship test. Well, no such thing is for Canadians. You turn 18 years old, or 19, you go to the bar and get drunk legally for the first time. That's the coming-of-age ceremony in this country. There's no inkling or understanding of what this nation is actually all about in terms of peace and friendship.

Kai: Absolutely.

Eli: Oh, by golly!

Maia: I–uh–this is a short question, but I know the answer is going to be long and complex. How is the current climate crisis we're in connected to colonialism? How did colonialism lead to the climate crisis that we're in now?

Eli: Well, I–when I was a young boy, I explored the *Analects* of Confucius, along with a bunch of different things. But one of Confucius's quotes that really just comes front of mind when you ask

that question is "To put the world in order, we must first put the nation in order. To put the nation in order, we must first put the family in order. To put the family in order, we must first cultivate our personal lives. And to cultivate our personal lives, we must first set our hearts straight." And this, this two-thousand something-year-old quote is about the direct connection between our inner world of values and beliefs and the world that we leave behind for our grandchildren, what we create. And so if we have discontinuity within our inner worlds, then we manifest that. And this goes back to what Prince Charles said at that conference in northeast India. He went in great depth to explain that overpopulation, war, poverty, capitalism, pollution, climate change, all the things that we point to as being "the problem" facing humanity are actually just symptoms. They're symptoms of an underlying root problem. And one underlying root problem gives rise to all these symptoms, and that root problem that he described, I think very intelligently and with humor, is a worldview of disconnectedness. Human beings separate from nature, Christians separate from Muslims, Black people separate from White people. Gender divides–all the cascading series of disconnectedness, and when you see the world that way, it gives rise to dysfunctionality and disease. And so climate change is a symptom of, you know, that worldview of disconnectedness.

And I would turn my answer from there to Marilyn Baptiste, who educated me about her elders, like in the Tŝilhqot'in and the Nemaiah Valley, a place called Xeni Gwet'in, they were talking about "the war on climate." And leave it to the Americans to make everything about a war! [Laughter] And you know–by God, by golly! And, you know, the elders were affronted by this rhetoric and they said, "Why are you trying to have a war on Mother Nature? Mother Earth, she's cleansing herself and she's smudging herself. The floods, the fires and even the diseases, the pandemics: these are all things that Mother Nature is using to bring balance back." And so we don't need to be afraid. And you know, a mother's love is unconditional, generally speaking. And so even sometimes her children may lose sight of–they may lose respect. They may be destructive, especially in their adolescence, in their teenage years. But a mother never stops loving her children, and Mother Nature is not punishing us. She's cleans–she's correcting us with a firm but loving hand. And the whole idea here with climate change is we can–we can–you know, unfortunately, we can descend into adversarialness once again and and scapegoat climate change, where we need to look more at the fundamental problem, which is about balance and right relationship with Mother Nature, Creator's jurisdiction.

Kai: And that–that principle which, by the way, resonates so much with me, *hishuk-ish tsawalk*? [**Eli:** Yeah] There's a parallel in virtually every Indigenous nation that I've heard of, right? Some saying that represents the same idea of interconnectedness. Can you just walk through–I mean, I'm sure it's obvious to many people, but can you just walk through why that is just *not* reconcilable with the clear-cutting of old growth forests, for example, you know? Is it even–can you even put that into words, or is it just so obvious at the core of your being that you know it doesn't–it doesn't even come out in the English language?

Eli: Well, you know what comes to mind when you ask that question is a meeting that we had when I was on staff with my nation. We had a joint meeting between the Mayor and Council of Tofino and the Chief and Council of Tla-o-qui-aht, my nation, and Moses opened the dialog by saying that "We're all here to stay." And he said, "We have to learn to work together." And it was a really nice meeting. It was heartfelt. And after the meeting, there was a young guy from the Tofino Council that came up to me, and he was a very intelligent fellow, very outspoken, had a lot of opinions about what should or shouldn't happen in Tofino and Clayoquot Sound. He came up to me, and he said–it looked like he had seen a ghost, you know? And he said, "You know, Eli, like, I don't know, I

feel unsettled because what your uncle said, what Moses said, that 'We're all here to stay.'" He says, "My family we're Québécois. We–there's no French immersion schools here. My children are under school-age right now, but my wife and I have decided we're going to move to another community where there is French immersion school." And he kind of realized in that moment that he's not here to stay. He's not–he won't be here to live with the consequences of his decisions. And so he lost his voice, in a way. And so that's as simple as it gets.

Like, people who don't have to live with the consequences of their decisions, they might just come for a party, take all the–clear-cut the old growth forest, make a bunch of money–but they're not here to stay. They're not–they don't have to live with the consequences of their decisions. And so that is as simple as it gets in my mind. It doesn't matter what skin color you are, religion, or whatever, what color your eyes are. It's about a vested interest. Where do you want your bones to be buried when you are dead and gone? Where are your bones going to be and what kind of world are we going to leave behind for our children and our grandchildren?

Kai: Yeah, on one level, at the level of the planet, right? If everything is one and everything is connected, we're *all* here to stay, we're all here to stay on this planet for the most part. I mean, Elon Musk–

Eli: Elon Musk! [Laughter] He can go to Mars!

Kai: Yeah, that's fine! But–but for the rest of us, like if we can, if we can see and we can realize that interconnectedness, then we can still take that relationship of care–[**Eli**: But you know what–]

Eli: It's funny Kai, because we laugh about Elon. But there's *a lot* of people out there who want to find another Earth-like planet. That will be the salvation of humankind: we need to expand beyond this planet. And–and they are acting recklessly.

Kai: That's right.

Eli: And so with tongue in cheek, I say the best thing scientists can do is to convince the richest people on the planet that they have found another Earth-like planet, and they have created the perfect rocket ship that will bring you there and then, and then just blast them all off! The 1% go and we'll be here to clean up the mess. That's the basic principle of being a captain of a ship. If you think about the planet as a ship going through space and time, are you willing to go down with the ship? Or are you gonna jump aboard and go to the next one?

Kai: Exactly.

Eli: Ah anyways.

Maia: I'm excited to ask this question, but I have to ask it in a specific way…

Eli: The answer is yes!

Maia: We–well [laughter], so obviously we're at UBC right now on campus, one of the most *beautiful* buildings on campus (Forestry Department). The reason the building is so beautiful is because they have money from foresters. Now, just generally speaking, how can academics actually divest from these sort of extractive colonial endeavors when that's the people who are paying them?

Eli: Well, there's a role for the government. The government has kind of–it's the same thing with the real estate market. They basically laid people bare to the wolves. I mean, you know, no disrespect

to wolves, but they've made everyone *vulnerable* to the private sector in this kind of profit-driven, you know, *irresponsible* economic development. And it's the same thing why I spend so much time in the grocery store looking at labels. What the hell's actually in that thing? Well, you know, government should be the first line of defense to make sure that you know what–what is being sold to the general public is actually safe for consumption. And it's the same thing with permitting forestry tenures. Where did we go wrong? The provinces became dominated, or they–they're the way the tail wags the dog or something. They became too influenced, too influenced by the private sector. And this collusion, conflict of interest everywhere, and I think that this is part of the decentralization of power and authority in this country. Goes back to the end of World War II, and how Canada used to be a highly centralized federation. The provinces grew in population, they grew in strength, and they've been sequestering slowly, power and authority. You know, they used to be Section 91 and 92 of the British North American Act, while the provinces have been slowly getting power and sequestering that away.

Look at King–King Klein, Ralph Klein–and what he did to the Alberta Heritage Fund. He basically left the back door open while he was falling asleep drunk in the other room. And you know, the Norwegian Sovereign Wealth Fund was actually based on the Alberta Heritage Fund, but the act–the Norwegians actually *implemented* it properly. Alberta could have been a have-have province with all the oil development that they had, but provincial politicians left the back door open, fell asleep at the wheel, and let private sector run amok. I think it goes now to municipalities and academic institutions, and civil society, and philanthropy to work together with ethical entrepreneurs and ethical investors to make Canada a stronger, more resilient nation. And yeah, the provinces have *failed* in their fiduciary responsibility, by the way. We often talk about fiduciary responsibility regarding the Indian Act. But because municipalities are legal creatures of the provinces, they're created through acts of legislation, there arises a fiduciary responsibility, and the provinces have failed. They're too subject to the whims of the economy. And you know what? I think the pandemic was a blessing in disguise, and I think Trump's tariffs are a blessing in disguise. It's going to force us to talk about good governance and domestic supply chain security and ensuring that we have the basic necessities of life within our controllable geopolitical boundaries.

Kai: I want to circle back on this one. So first, to clarify that we're not in the forestry building today, actually.

Maia: No, no we're not! No, we're in the Annex, yeah!

Kai: We're in a beautiful building on campus–maybe not as beautiful [as the Forestry Building].

But the point, the point, is a good one, right? I agree that the federal and provincial governments have less left us all vulnerable to private industry and its extractive mindset. And it's not only academics who need to figure out how to divest, right? We talked with Alex Morton in the same season about fish farms and the way that some of the nations were on board with protecting the coast from fish farming and protecting wild salmon. And other nations who had resource sharing agreements and in many cases NDAs (non-disclosure agreements) and other kind of legal mechanisms to bind them with fish farming companies, have allowed fish farms to continue existing in their territories *despite* the negative effects that they are *clearly* having on not just wild salmon, but other parts of the ecosystem. And so thinking about different struggles, different resources, different ecosystems. First Nations sometimes have become tied to these resource-extracted companies. How to navigate *that*?

Eli: Well, I think it was Malcolm X who said that if you offer somebody two glasses of water, and one is clearly polluted and dirty, and the other one is clear and healthy looking: if you offer those two glasses of water to somebody, the natural instinct is to grab the clean, pure water. But when all you have is dirty water, I mean, you know, like you become habituated to it. [**Kai**: Yeah] And the other phenom there is something that I call "Toast," and it was a friend of mine, an elder–elderly friend of mine who attended residential schools–and he said that when he was in residential schools, the priests and the white staff had fresh bread and toast. So you know, if you've ever smelled a loaf of fresh bread, it smells so delicious. The Native children, they had to eat the day-old bread or the moldy bread, and they were not afforded the same luxuries. Now that would be–that'd be one thing if it was behind closed doors, but it was in an open context where the Native children could *clearly* see the white people having the nice, fresh bread and the toast. And so what happens?

It's like if we go for lunch today, and you know, I don't know if you guys like steak, but only *Kai* is allowed to have steak, and we all have to have spam or bologna or something. [Laughter] He's got the nice steak. Well, there's a sense of relative well-being that happens. And for a child, it becomes a psychosis. And what results from that is *marginalization*, because what the priests were saying is that "You can no longer be who you were if you–if you continue to talk that language, if you continue to live that way. You're gonna go to hell. But you also can't be like us. We're never going to completely accept you." And what happens there is marginalization. You can't go forward, you can't go backwards, and what often results is suicide from that. And so toast is a real life thing, but it's also a metaphor.

And so oftentimes, marginalized people will reach out to the shiny things like driving a Lincoln Navigator or having that flashy gold chain, or the new whatever, like Prada, or, I don't know, like, some kind of like things that people–what do they they call–brands, expensive brands. They want to, they want to fashion themselves in the desire to be accepted, to finally say, "I belong," you know. Because we can't go back [**Kai:** Uhm hmm] you know. So it's marginalization, and it's a precarious place, and people reach out for that. And money, you know? I mean, you know, money is one shortcut to that, you know. Going down to Las Vegas and, you know, whatever. So it's toast, and it's–it's deeply personal, it's psychological, and it is still unfolding, unraveling today.

And so, yeah, I mean, one of my–one of my dear elders–he was a supporter of fish farms, and we had a conversation. And he said, you know, because in his life, he saw the decline of wild fish, yeah, go from this amazing abundance to poverty, biological poverty. And he said to me (because I was all about tribal parks) and he was saying, "Well, that's all fine and dandy, you know, we can make these tribal parks as perfect as we can. But where do our fish go when they when they're spawned and they go out to international waters? What happens out there? Deep sea pollution, interception, so on and so forth. If they live four years out there before they come back home. We don't have control over the open ocean, but what we *do* have control over is our inland waters." And that was his argument for supporting fish farms. And he said to me, *hishuk-ish tsawalk* you know. Like we can create perfect tribal parks here in Clayoquot Sound, but what's happening in the world around us is eventually going to impact us. And only a few months later was the earthquake at Fukushima, and they still haven't got that under control. All these years later, what was that? 2011? We're like that 14 years ago, and that thing is still in a state of a disrepair, and they're just now–they're pumping that water out in [the] Pacific. So *hishuk-ish tsawalk* for sure. And you know what? I didn't take that–I didn't take that as an argument for me to accept fish farms. I took that as an argument for *me* to go out to the world and bring tribal parks-type methodologies to other nations. So that has now resulted in the IPCA Movement from Halifax to Tofino, from the Pacific

Coast all the way down South America. And you know, we have to *try*, at least, to combat this–these big international challenges.

Maia: I'm even thinking, like, geographically, about what you're talking about: when we're talking about the west coast of the Island, you know, it's just–it's so unprotected, it's so vulnerable. It's just the Pacific Ocean, and that's it. And then it would involve–it would really involve so much coordination for all of the largest ocean in the world to be safe for the salmon.

Kai: Well, that brings us to perhaps the design of IISAAK Olam, right? Which is not just a place-based initiative to protect *one* place, but which is an organization that has a *much* broader theory of change. [**Eli:** That's right] You both have an educational side, as well as a–I don't know what you call it–a kind of general…incubator! It's like an incubator, right, where you work with diverse partners in various places to get the organization together for IPCAs, and then you hand them off beautifully to those people in place. Tell us a bit more about IISAAK Olam, please.

Eli: Well, when I was a younger fellow, I asked a lot of questions, and one of the people that always shared a lot of knowledge with me was my uncle, Levi Martin. He was the–he *is* the little brother of Moses, the younger brother of Moses. And one day, I kind of squared up with Levi and I thanked him. I wanted him to know just how influential that he was in my life and educating me. And when I thanked him, he kind of paused, and he says, "Well," he says, "half of the knowledge that we created was from your questions." And the analogy was sunlight. And you know, this kind of misnomer that we get vitamin D from the sun, whereas the reality of it is, is that the sun emits a signal, an energetic wave, that when it hits our skin, it stimulates the production of a chemical. But the potential for that chemical is already in your skin. The sun, sunlight essentially wakes it up, and we call it vitamin D. And by golly, it gives us a sense of well-being, and it affects so much elements of our health. So he was essentially saying that my question is like the sunlight that wakes up the answer in him.

With that, like he never–I never paid him consulting fees, let's say–but with the knowledge that he shared with me came a responsibility. In Nuu-chah-nulth culture, if you meet somebody who's starving and they don't know where their next meal is going to come from, and if you have extra food, you have them (and if they're not your enemy), then you have a moral and legal responsibility under natural law to share your surplus goods with that starving person. Because if somebody's starving, they may not be their best selves: they may lash out, they may–they may act destructively to themselves and to others. And it's the same thing with teachings. If you meet somebody who has not had elders to teach them properly, to give them that *hahuupalth*, the moral education, then they may be starving. They may have much food, but they're starving in a different way. They're malnourished in teachings. And if you have teachings and they're not your enemy, then you have a moral and legal responsibility to share those teachings.

And so for me, the IISAAK Olam foundation discharges that responsibility that I have inherited through learning from people like Levi and William Commanda and other elders from across this country that have shared teachings with me. And you know what? I'm just a simple human being, and like, "*Echey wichah-cha tushina wakan wapidah wee-yah*."* You know, like, this is an old prayer about humbling ourselves in the face of Creator's provision and the fact that we, as human animals, are born naked and vulnerable and very dependent. Even the crow has its own feathers; the deer has its hide. Human–the human animal is quite vulnerable–and we depend so much on other things.

So the IISAAK Olam Foundation became the vehicle. It's an educational non-profit organization to discharge that responsibility through knowledge mobilization and capacity development. We do have *some* interest in research, but it's fairly limited because we kind of already know what needs to be done, and so knowledge mobilization, in the spirit of We Rise Together, is the focus of our mandate and capacity development to support civil society, First Nations, Métis and Inuit governments, federal governments, provinces, whatnot, to–you know–essentially have better relationships. The Truth and Reconciliation Commission said a lot of important things, but the quote from there which I think is most relevant to the work that we do, is that "Crown and Indigenous Reconciliation can *never* happen until there's reconciliation with the land." And so it is a multi- dimensional healing that needs to happen, and knowledge mobilization and capacity development through the ISAAK Olam Foundation is one way that we're kind of putting our best foot forward, so to speak. Our mandate focuses on bio-cultural heritage and diversity. IPCAs just happen to be a model that kind of enshrines and helps to mobilize and support bio-cultural heritage and diversity.

Kai: Wonderful. It has been such a great pleasure and a privilege to have you here today. Thank you so much.

Eli: Thank you, Kai. And thank you for all the research you guys did. I'm so delighted by your well-informed questions!

Maia: Yay!

[*medley of Small Planet Heroes theme song*]

Sam: Thank you for listening to this episode of *Small Planet Heroes*. *Small Planet Heroes* is a production of CoSphere, a project of the University of British Columbia. UBC is situated on the unceded territory of the Musqueam First Nation. *Small Planet Heroes* was created by our Executive Producer Dr. Kai Chan. Our guest this week was Eli Enns. Check out our show links in the episode description to learn more about their work and other ongoing projects. This episode was edited by Maia O'Donnell. Production is by me, Sam Blackwell, Maia O'Donnell, Emma Jarek-Simard and Clare Price. Your hosts this week were Dr. Kai Chan and Maia O'Donnell.

Maia: Our show coordinators are Clare Price, Sam Blackwell, Maia O'Donnell, Dr. Nancy Kang, and Emma Jarek-Simard. Special thanks to Jai Ranganathan, Bilal Bartai, Elizabeth Ye, Katie Kathierson, Dr. Nancy Kang, Anahita Seraji, Dr. Sarah Klain, and Zaida Schneider. Our theme song was written and performed by Daniel Forrest. Our interviews are conducted and recorded at UBC Studios. If you would like to join our Community of Small Planet Heroes, check out www.cosphere.net.

Show notes:

ISAAK Olam

We Rise Together: Achieving Pathway to Canada Target 1 through the creation of Indigenous Protected and Conserved Areas in the spirit and practice of reconciliation.

Tla-O-Qui-Aht First Nation

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Selected Links to Things Mentioned or Discussed:

Tla-o-qui-aht Tribal Parks - IPCA Knowledge Basket

https://clayoquotbiosphere.org/our-biosphere-region/overview (UNESCO Biosphere Region)

Indigenous Leadership - Canada Conservation (On the Indigenous Circle of Experts)

Canada Target 1 — biodivcanada.ca

Conservation through Reconciliation Partnership

Map of Canada from 1871

https://parks.canada.ca/lhn-nhs/mb/forkshttps://parks.canada.ca/lhn-nhs/mb/forks (The Forks National Historic Site, Manitoba)

Biography of Louis Riel | Province of Manitoba

Covenant Chain | The Canadian Encyclopedia

A Fair Country: Telling Truths about Canada, by John Ralston Saul

What Is the BRICS Group and Why Is It Expanding?

Oxford Public International Law: Westphalian System

Potlatch Ban | The Canadian Encyclopedia

Keeper of the wampum: William Commanda, Algonquin elder | CBC News

The Royal Proclamation of 1763

Christy Clark on 'seizing the LNG opportunity'

The Constitution Express (referred to as "Constitution Train" in the episode)

Peace and Friendship Treaties

Marilyn Baptiste - Goldman Environmental Prize

On This Day: 2011 Tohoku Earthquake and Tsunami | News | National Centers for Environmental Information (NCEI)

*The phonetic version of this Dakota prayer has been provided by Monica Shore, Co-Founder and Executive Director at IISAAK OLAM Foundation.

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