

# **FOOD SOVEREIGNTY IN CANADA**

Creating Just and Sustainable  
Food Systems

edited by

**Hannah Wittman  
Annette Aurélie Desmarais  
& Nettie Wiebe**

Fernwood Publishing • Halifax & Winnipeg

Copyright © 2011 Hannah Wittman, Annette Aurélie Desmarais & Nettie Wiebe

All rights reserved. No part of this book may be reproduced or transmitted in any form by any means without permission in writing from the publisher,  
except by a reviewer, who may quote brief passages in a review.

Editing: Eileen Young

Cover Design: John van der Woude

Printed and bound in Canada by Hignell Book Printing

Published in Canada by Fernwood Publishing

32 Oceanvista Lane

Black Point, Nova Scotia, B0J 1B0

and 748 Broadway Avenue, Winnipeg, Manitoba, R3G 0X3

[www.fernwoodpublishing.ca](http://www.fernwoodpublishing.ca)

Fernwood Publishing Company Limited gratefully acknowledges the financial support of the Government of Canada through the Canada Book Fund, the Canada Council for the Arts, the Nova Scotia Department of Tourism and Culture, the Manitoba Department of Culture, Heritage and Tourism under the Manitoba Publishers Marketing Assistance Program and the Province of Manitoba, through the Book Publishing Tax Credit, for our publishing program.



Library and Archives Canada Cataloguing in Publication

Food sovereignty in Canada : creating just and sustainable food systems / edited by Hannah Wittman, Annette Desmarais, Nettie Wiebe.

Includes bibliographical references and index.

ISBN 978-1-55266-443-8

1. Food sovereignty--Canada. 2. Sustainable agriculture--Canada. 3. Alternative agriculture--Canada. I. Wittman, Hannah, 1973-. II. Desmarais, Annette Aurélie III. Wiebe, Nettie

HD9000.5.F737 2011

338.10971

C2011-903224-4

# 6. INDIGENOUS FOOD SOVEREIGNTY

## A Model for Social Learning

Dawn Morrison

“Food will be what brings the people together.” (*Secwepemc* Elder, Jones Ignace)

While the language and concept of food sovereignty has only recently been introduced into communities and policy circles around the world, the living reality is not a new one in Indigenous communities. Over thousands of years, Indigenous peoples have developed a wide range of traditional harvesting strategies and practices, including hunting, fishing, gathering and cultivating a vast number of plants and animals in the fields, forests and waterways. These practices have shaped, supported and sustained our distinct cultures, economies and ecosystems. In turn, a wide range of cultural and biological diversity is reflected in the traditional harvesting strategies practised and maintained within our respective traditional territories, now referred to by settlers as Canada. Our traditional territories (ninety-eight nations in total) are defined by the major geographic regions, and our cultures are defined by eleven major language groups. Approximately one-third of all the cultural and biological diversity within our traditional territories exists within what is now known as the province of British Columbia (B.C.), where twenty-seven nations of Indigenous peoples (consisting of eight out of the eleven major language groups) have developed a tremendous abundance of localized Indigenous foods.

Indigenous cultures are shaped by our unique relationship to the land and food systems within our respective traditional territories. While there is no universal definition of food sovereignty that reflects all of the realities of the myriad of Indigenous communities around the world, the underlying principles of Indigenous food sovereignty are based on our responsibilities to uphold our distinct cultures and relationships to the land and food systems. To avoid the limitations imposed by definitions, the concept of Indigenous food sovereignty describes, rather than defines, the present day strategies that enable and support the ability of Indigenous communities to sustain

traditional hunting, fishing, gathering, farming and distribution practices (Morrison 2006, 2008), the way we have done for thousands of years prior to contact with the first European settlers. Through a process of appreciative inquiry, Indigenous food sovereignty also provides a framework for exploring, transforming and rebuilding the industrial food system towards a more just and ecological model for all.

We have rejected a formal universal definition of sovereignty in favour of one that respects the sovereign rights and power of each distinct nation to identify the characteristics of our cultures and what it means to be Indigenous. Generally speaking, we are tribal peoples who are distinct from other sections of society: we are regulated, wholly or partially, by our own traditions, customs and laws. We descend from ancestors who originally inhabited our traditional territories at the time of colonization: irrespective of our “legal” status, we retain some or all of our own social, economic, cultural and political institutions (United Nations 2000). And while each nation is distinct in language and culture, it is important to note that we share similar worldviews, values and beliefs that underlie our relationships to the land and food systems that sustain us.

Since the time of colonization, traditional harvesteres have witnessed the rapid erosion of the health and integrity of Indigenous cultures, ecosystems and social structures that are integral to maintaining Indigenous land and food systems. Environmental degradation, neoliberal trade agendas, lack of access to the land, breakdown of tribal social structures and socio-economic marginalization are only a few of the most serious issues that are negatively impacting our ability to respond to our own needs for healthy, culturally adapted Indigenous foods.

Supporting Indigenous food sovereignty requires a deepened cross-cultural understanding of the ways in which Indigenous knowledge, values, wisdom and practices can inform food-related action and policy reform. This chapter examines the main principles of Indigenous food sovereignty as well as current issues, concerns and strategies that have been identified in recent discussions, meetings and conferences in Indigenous communities towards building an Indigenous food sovereignty movement in B.C. and beyond.

### Indigenous Eco-Philosophy

For thousands of years, watersheds, landforms, vegetation and climatic zones have worked together to shape and form Indigenous cultures and our respective land and food systems. Consisting of a multitude of natural communities, Indigenous food systems include all land, soil, water, air, plants and animals, as well as Indigenous knowledge, wisdom and values. These food systems are maintained through our active participation in cultural harvesting strategies and practices in the fields, forests and waterways, which represent the

most intimate way in which we interact with our environment. Indigenous food systems ultimately support the transfer of energy, both directly and indirectly, to the current agriculture-based economy that was developed and subsequently industrialized by settlers through the process of colonization. The highest levels of agricultural production in the mainstream economy take place on areas that were once important traditional harvesting sites. For example, non-Indigenous agricultural settlements in B.C. are concentrated on fertile valley bottoms in the Fraser Valley and central interior regions, displacing traditional berry-picking and hunting grounds and decimating elk and other wildlife populations. Much of the agricultural and industrial activities in the mainstream economy have also contaminated waterways that are an important habitat for salmon: they have led to decreased water supplies for local communities as a result of the removal of native vegetation, modification of drainage and contamination by agricultural fertilizers and pesticides (Rosenau and Angelo 2009). A more sustainable and ecological approach to agriculture recognizes the ways in which the ability to grow healthy food is directly connected to maintaining the health and integrity of neighbouring Indigenous ecosystems, including land, air and water.

In contrast to the highly mechanistic, linear food production, distribution and consumption model applied in the industrialized food system, Indigenous food systems are best described in ecological rather than neoclassical economic terms. In this context, an Indigenous food is one that has been primarily cultivated, taken care of, harvested, prepared, preserved, shared or traded within the boundaries of our respective traditional territories based on values of interdependency, respect, reciprocity and responsibility (Morrison 2008).

The Indigenous eco-philosophy that underlies the ability of Indigenous peoples to maintain dignified relationships to the land and food system is in sharp contrast to the Eurocentric belief, inherent in the worldview proposed by European philosopher Rene Descartes, that humans are to dominate and control nature, and therefore seek to “manage” the land that provides us with our food. Indigenous eco-philosophy reinforces the belief that humans do not manage the land, but instead can only manage our behaviours in relation to it. Transformation of the Cartesian worldview that dominates the global food system will require recognition and inclusion of an Indigenous eco-philosophy in laws, policies and institutions rather than continuing the colonial legacy of asserting full “control with no soul” over Indigenous land and food systems (First Principles Protocol for Building Cross Cultural Relationships 2009).

## Principles of Indigenous Food Sovereignty

Indigenous food sovereignty is the newest and most innovative approach to achieving the end goal of long-term food security in Indigenous communities. The Indigenous food sovereignty approach provides a model for social learning and thereby promotes the application of traditional knowledge, values, wisdom and practices in the present day context. In an approach that people of all cultures can relate to, Indigenous food sovereignty provides a restorative framework for health and community development and appreciates the ways in which we can work together cross-culturally to heal our relationships with one another and the land, plants and animals that provide us with our food.

There are four main principles that guide Indigenous communities who are striving to achieve food sovereignty. These principles have been identified by Elders, traditional harvesters and community members (often in various meetings, conferences and discussions that have been facilitated by the B.C. Food Systems Network (BCFSN) Working Group on Indigenous Food Sovereignty).

### *Sacred or Divine Sovereignty*

Food is a gift from the Creator. In this respect, the right to food is sacred and cannot be constrained or recalled by colonial laws, policies or institutions. Indigenous food sovereignty is ultimately achieved by upholding our long-standing sacred responsibilities to nurture healthy, interdependent relationships with the land, plants and animals that provide us with our food.

### *Participation*

Indigenous food sovereignty is fundamentally based on “action,” or the day-to-day practice of nurturing healthy relationships with the land, plants and animals that provide us with our food. Continued participation in Indigenous food-related action at all of the individual, family, community and regional levels is fundamental to maintaining Indigenous food sovereignty as a living reality for both present and future generations.

### *Self-Determination*

Self-determination in this context refers to the freedom and ability to respond to our own needs for healthy, culturally-adapted Indigenous foods. It represents the freedom and ability to make decisions over the amount and quality of food we hunt, fish, gather, grow and eat. Indigenous food sovereignty thus promotes freedom from dependence on grocery stores or corporately-controlled food production, consumption and distribution in the industrialized food system.

### *Legislation and Policy*

Indigenous food sovereignty attempts to reconcile Indigenous food and cultural values with colonial laws, policies and mainstream economic activities. It thereby provides a restorative framework for a coordinated, cross-sectoral approach to policy reform in forestry, fisheries, rangeland, environmental conservation, health, agriculture as well as rural and community development.

### History of the Indigenous Food Sovereignty Movement in B.C.

The Working Group on Indigenous Food Sovereignty (WGIFS) was born in March of 2006 out of a recognized need to carry Indigenous perspectives into various meetings, conferences and discussions that have taken place within the food security movement. Through participation in the B.C. Food Systems Network Annual Gathering and strategic planning meetings, the WGIFS was created to promote an understanding of the concept of food sovereignty and the underlying issues affecting Indigenous peoples' ability to respond to our own needs for healthy, culturally-adapted foods. The WGIFS seeks to apply culturally appropriate protocols and ancient ways of knowing through a consensus-based approach to critically analyzing issues, concerns and strategies as they relate to Indigenous food, land, culture, health, economics and sustainability.

The WGIFS consists of members who provide input and leadership on ways to increase awareness and mobilize communities around the topic of Indigenous food sovereignty. The WGIFS strives to ensure that Indigenous voices are given strong and balanced representation: the group currently consists of participants from key communities and groups in each of the major regions around the province of B.C. The working group is comprised of, but not limited to, traditional harvester (including hunters, fishers and gatherers), farmers/gardeners, Aboriginal community members (on/off reserve, urban/rural, Métis), academics/researchers, grassroots organizations, non-governmental organizations and political advocates. The group includes non-Indigenous advocates from settler communities, and it promotes cross-cultural participation that is representative and balanced, based on geography, community group and cultures.

### The Indigenous Food Systems Network

The WGIFS facilitates relationship building by organizing the time and space for regular meetings and discussions to promote a better understanding of the needs and interests of each group, and of our unique relationship to land and food systems. With respect to the leadership and administrative support provided by the WGIFS and the B.C. Food Systems Network, a rapidly expanding Indigenous Food Systems Network (IFSN) has been born. Through electronic

communications, including the Indigenous Food Systems Network website ([www.indigenousfoodsystems.org/](http://www.indigenousfoodsystems.org/)) and the Indigenous Food Sovereignty email list-serve, we network and share relevant information that helps to build capacity within the Indigenous food sovereignty movement by linking individuals and communities with regional, provincial, national and international networks.

### Current Situations and Challenges for Indigenous Food Sovereignty

Even though Canada is recognized as having one of the highest standards of living in the world, Indigenous communities experience high rates of poverty and socio-economic marginalization, thereby being forced to live in conditions that lead to high levels of stress, economic uncertainty and loss of control. Major stressors include threats to food supply and declining access to adequate quantities of high-quality, culturally-adapted food. Such factors not only lead to high rates of disease, but they also ultimately shatter the illusion of control. In combination with the obvious impacts of widely known food-related diseases such as diabetes, stress is linked with many of the most serious autoimmune and cardiovascular diseases that are disproportionately evident in our communities. While acute stress is a physiological mechanism that is vital to life, chronic stress without resolution produces high amounts of the stress hormone cortisol which destroys tissues, raises blood pressure, damages the heart and inhibits the immune system (Mate 2004). This situation in turn has led to the declining health of our communities in the broadest sense of the term.

According to the National Collaborating Centre for Aboriginal Health (NCCAH), “Poverty has clear outcomes on health because in part, it determines what kinds of foods people have available to them and what they can afford to purchase” (Reading and Wien 2009: 14). Thus, persons with lower incomes are subject to the stress of food insecurity from a compromised diet when sufficient quantities and varieties of food are no longer available. From 1998 to 1999, Aboriginal people living off reserve were almost three times more likely to be living in households experiencing food insecurity than were all other Canadians — a ratio of 27 percent to 10 percent (Reading and Wien 2009: 14). Yet, rather than dwelling on the many statistics that offer a glimpse into the health disparities that exist between Indigenous communities in Canadian society and attempting to quantify negative situations, Indigenous food sovereignty provides a more solution-oriented strategy for improving the health of Aboriginal peoples.

In addition to the high levels of stress experienced from the threat of not being able to meet our most basic and profound need for food, the health of Aboriginal peoples has been severely impacted by emotional stressors triggered by the oppressive colonial government structures and processes

instituted within the elected band council system. The system is divisive and adversarial in nature, lacking the ability to reconcile intra-tribal differences in decision making matters that impact Indigenous land and food systems. This system enables governments and corporations to take advantage of the differences that exist within the community between proponents of large-scale industrial development and proponents for the re-establishment of an ecological economic model based on Indigenous food and cultural values.

Neoclassic economic influences from mainstream culture and society continue to challenge Indigenous individuals and families to find a balance between the amount of time and energy spent in mainstream economic activities with the amount of time and energy spent harvesting, preparing and preserving traditional foods, as well as passing Indigenous food-related knowledge onto present and future generations. Due to the lack of intergenerational transmission of Indigenous food-related knowledge in the home and education system, Indigenous food-related knowledge systems are being rapidly eroded. Furthermore, losses of cultural values have led to the breakdown of tribal social structures and a disconnection of extended family and community networks, which in turn has resulted in fewer hands to do the work of harvesting and preserving enough food for the family.

The techno-bureaucratic approach to food production in the corporately-controlled global food system reinforces a sedentary lifestyle detrimental to the health of Indigenous communities who, until relatively recently, were participating on a day-to-day basis in Indigenous food-related activities. Reliance on food in the global market economy and displacement from many of the most culturally and spiritually significant traditional harvesting sites in the fields, forests and waterways has removed communities from the act of growing, harvesting, preparing and preserving food for their families and communities and has placed billions of dollars of profits in the pockets of a handful of some of the highest paid executives in the corporate world.

The concept of development instituted in the global economy assumes that Indigenous land and food systems are void of any value other than those held by governments and corporate stakeholders from foreign countries that are moving in to grab some of the last remaining fragments of Indigenous land and food systems. One of the most blatant examples of this neocolonialist agenda can be found in the interior of B.C. where a Japanese investor from Nippon Cable, in cooperation with Delta Hotels, has invested millions of dollars to develop an invasive, large-scale ski resort known as Sun Peaks, in the most culturally and spiritually significant hunting, fishing and gathering area in the *Neskonzlith Secwepemc* traditional territory.

Multiple development practices continue to threaten the health and integrity of traditional harvesting sites, including the wave of recent mining proposals, the licensing of individual power projects in B.C. waterways

and widespread pesticide use in forest- and range-management practices. Indigenous communities are witnessing the rapid depletion of salmon populations and of other important sources of protein in marine ecosystems due to environmental contamination, the licensing of open-net cage fish farms and the issuance of individual transferable quotas to wealthy corporate investors. High levels of carbon emissions and rapid climatic changes are challenging the most persistent traditional harvester to adapt to changes outside of the historical range of variability, thereby adding to uncertainty as a characteristic of food insecurity in Indigenous communities. Movements of culturally important plant and animal species in and out of areas, changes to water levels and temperatures, as well as extreme storms and weather conditions are some of the most critical effects of climate change on Indigenous food systems.

### Social Learning and Adapting Cultural Techniques

The food sovereignty approach provides a restorative framework for identifying ways that social and political advocates from the settler communities can work to support Indigenous food sovereignty in a bottom-up approach to influencing policy, driven by traditional practice and adaptive management. The practices of Indigenous peoples have been shown to be crucial in the maintenance of the world's biological diversity, as described in Toledo's (2001) extensive study that maps a "remarkable overlap between Indigenous territories and the world's remaining areas of highest biodiversity" (451). The study also highlights the importance of Indigenous views, knowledge and practices in biodiversity conservation. The ability of Indigenous peoples to sustain the land and food system for thousands of years can be attributed to a dynamic view of the land and food system, which assumes that nature cannot be controlled nor yields predicted. The uncertainty that has come to characterize the current food system calls for humans to adapt our strategies and cultural techniques to an equally dynamic system — one of learning by doing, of acquiring knowledge through trial and error (feedback learning) and of engaging in social learning with Elders and traditional harvester (Berkes 1999: 126).

Adaptive management thereby provides a methodological framework for working across cultures to redesign the global food system through the creation of local and informal institutions that restore traditional harvesting and management strategies to the present day context. In contrast to the western, science-based resource management system, which relies solely on quantitative yield assessment to measure food-system productivity, adaptive management is a more flexible, process-oriented approach. It treats land, environment and health-related policies as experiments from which we can learn how to better manage human behavior in relation to the land and food system.

Many Elders and traditional harvesters offer stories that speak of the historical contributions made by Indigenous peoples to the food security of the first European settlers throughout the period of colonization. *Secwepemc* Elder Irene Billy talks about her experiences throughout the Great Depression in the 1930s:

We [the *Secwepemc*] were not hungry, because we knew how to grow, gather, hunt and fish to put food on the table and we knew how to work together as a community to make it happen. It was the non-native people from across town who were knocking on our doors asking for food because they were hungry and lacked the knowledge and skills necessary to feed themselves by living on the land. (Personal communication)

The Sir Wilfred Laurier Memorial (George Manuel Institute 2010) outlines the history of the relationship between the *Secwepemc* (original inhabitants of the Shuswap geographic region in the southern interior of B.C.) and the European settlers up to the period of 1910. The memorial describes how the colonial relationship that was once based on values of respect, hospitality and sharing with the newcomers had devolved into one that displaced the *Secwepemc* from our land and food systems and that led to the near extinction and/or extirpation of culturally important animal species from traditional harvesting sites. Despite the increasingly adversarial nature of the colonial relationship between settlers and indigenous communities, many Elders and traditional harvesters maintain that Indigenous and non-Indigenous peoples alike must work together to reinforce positive behaviours that build resiliency in ecosystems and communities (Billy 2006).

### Permaculture – Finding the Junction between Sustainable Agriculture and Traditional Harvesting and Management Strategies

Permaculture is an example of an informal institution that is built from alternate social ideals which are fundamental to the process of working cross-culturally to decolonize the land and food system and re-design human settlements towards a more sustainable, ecological model. The concept of permaculture, a set of farming and food production practices that involves the use of perennial crops and patterns to create a regenerative relationship between people and the earth, was co-originated by two Australians, Bill Mollison and David Holmgren, who accredited Indigenous peoples as inspiration for their work on understanding “how to live in place” (Fox 2009). In contrast to the Cartesian worldview and techno-bureaucratic approach that dominates the global food system, permaculture is a system of design that is inspired by an Indigenous eco-philosophy and thereby seeks to mimic relationships found

in nature. For this reason, many of the most dedicated Indigenous harvesters, farmers and scholars agree that it promotes a deeper understanding of the ways to design highly productive, sustainable agriculture systems that are connected to the health of the neighbouring Indigenous land and food systems in the broadest sense of the term.

Furthermore, permaculture applies a method that integrates Indigenous “ways of knowing” by attempting to find solutions to contemporary problems through local and traditional ecological knowledge. Permaculture also provides a framework for understanding complex processes through lateral thinking and questioning natural phenomena. In contrast to the cognitive imperialism that exists in the mindset of western science (Battiste 2000), permaculture recognizes spirituality and intuition as valid forms of intelligence. It promotes self-determination and active participation in a process of analytical observation that is not just another formula taught by an outside “expert” (Fox 2009).

According to Rosemary Morrow in *The Earth User’s Guide to Permaculture*, “the success of a bioregion lies in the way people work and it will fail unless societies move towards cooperation, not competition, as the prevailing mode of interaction and communication” (1993: 135). Permaculture provides an opportunity for cross-cultural learning, activism and the healing of colonial relationships by building bridges between Indigenous and non-Indigenous cultures and their traditional harvesting and farming techniques. It is a system of design that affirms Indigenous cultural and social values, and promotes healthy associations between all people, plants and animals living in a natural, definable bioregion.

### Indigenous Food Sovereignty – Whose Responsibility Is It?

Indigenous food sovereignty provides a framework for exploring and appreciating the optimum conditions and possibilities that exist for reclaiming the social, political and personal health we once experienced prior to colonization. But the framework itself does not resolve where the responsibility for it lies. As Indigenous peoples, we clearly accept our responsibility and the need to balance the amount of time and energy spent reacting to the hundreds of “developments” that are threatening our land and food, with the amount of time and energy spent on activities integral to the preservation of Indigenous food sovereignty. These activities include (1) participating on a day-to-day basis in traditional harvesting strategies that promote and maintain cultural values, ethics and principles; (2) building meaningful and respectful cross-cultural coalitions with friends and allies from non-Indigenous society; and (3) asserting our values, ethics and principles in decision making matters relating to forest and rangeland, fisheries, environment, agriculture, community development and health.

However, the Cartesian worldview, which underlies mainstream society, promotes values of individualism, materialism and mass consumerism that have led to environmental degradation and destructive social phenomena such as neoliberal globalization, privatization, polarization and amenity-based migration to Indigenous territories. Global economic activities and the resulting in-migration to traditional Indigenous territories thereby perpetuates a system that results in the disconnection of humans from their ancestral lands, families and communities, and that continues to erode the tribal social structures that promote an ethic of cooperation, health, balance as well as social and environmental justice. One of the most significant ways in which these destructive social phenomena are playing out in our daily lives is through the global food system in the mainstream culture and economy.

Moving towards cooperative modes of interaction between Indigenous and non-Indigenous communities will require a shared understanding that “everyone is to blame, and everyone is responsible” for reconciling past social and environmental injustices that have impacted Indigenous peoples and the land and food systems. This shift will require evening out power imbalances that exist in the oppressive land regimes imposed by colonial governments by counteracting the tyranny of an imperialistic, rights-based strategy (discussed further immediately below) with a strategy that promotes corporate, social and environmental responsibility and respectful relationships between Indigenous peoples, settler communities and their governments.

### Aboriginal Rights and Title Decisions: Implications for Food Sovereignty

#### *The Rights-Based Strategy and its Failure*

The “business as usual” actions taken by corporations and governments demonstrate the blatant non-recognition of Aboriginal title and rights. In turn, this situation presents many legal challenges for traditional harvesters, who, in most cases, have no other option than to try to stop harmful developments through direct action. The legalistic and individualistic disposition of the court system’s rights-based strategy fails to recognize the sovereignty and jurisdiction of Indigenous peoples. Further, it has not led to best practices or the implementation of court decisions “on the ground” (Kneen 2009).

Traditional harvesters who assert their inherent jurisdiction through direct action often face civil and criminal charges in a court system that is adversarial in nature and has demonstrated a culturally biased tendency to make judgements in favour of corporate interests. For example, between 1998 and 2004, over fifty-four arrests were made of those participating in the *Skwelkwekwelt* Protection Centre established in opposition to the continued development of the Sun Peaks ski resort on traditional *Secwepemc*, *Neskonlith* and Adams Lake territory (McCreary 2005). Especially when considering applications for interim relief, such as injunctions, the test is one of balan-

cing the interests of the corporation on one side and Indigenous peoples on the other. Judges often point to the mainstream economic interests, such as employment opportunities and potential profits from the development, but fail to take into account the interests of Indigenous food economies. From the perspective of the traditional harvesters, the courts fail to balance Indigenous economic values (including traditional food harvesting strategies and practices): instead, they favour the highly destructive industrial economic activities of mainstream society.

There are a few significant Aboriginal Title and Rights decisions recently handed down by the Supreme Courts of Canada and B.C. These cases have had important implications for Indigenous peoples and our ability to protect, conserve and maintain Indigenous land and food systems. At the same time, it is important to recognize that these court cases were extremely burdensome for the nations involved: as well, numerous barriers still exist to ensuring implementation of policy that will support Indigenous food sovereignty in B.C. A detailed analysis and discussion of the relevance of each decision is far beyond the scope of this chapter. We hope that all Canadian citizens will take responsibility to learn more about the underlying issues and outcomes of each case, as well as ways they can advocate for the protection, conservation and restoration of Indigenous land and food systems.

#### *Nuu chah nulth Fisheries (2009)*

After more than a decade of legal preparations and proceedings that challenged Department of Fisheries and Oceans (DFO) restrictions on aboriginal commercial fisheries, the Supreme Court of British Columbia ruled on November 3, 2009 that the *Nuu-chah-nulth* nation has the right to commercially harvest and sell all species of fish within its traditional territorial waters. This decision had important implications for Indigenous food sovereignty in the region, particularly in terms of self-determination, in that it affirmed the nation's right to implement fishing and harvesting strategies according to its own unique cultural, economic and ecological considerations. Cliff Atleo Sr., president of the recent Tribal Council, noted, "We have been stewards of our ocean resources for hundreds of generations. And the government of Canada was wrong to push us aside in their attempts to prohibit our access to the sea resources our people depend upon" (cited in Dolha 2009).

#### *Xeni Gwet'in Ts'ilqotin Rights and Title (2007)*

On November 30, 2007, based on findings that the provincial government's land use planning and forestry activities have "unjustifiably infringed" upon their Aboriginal title and rights (Porter et al. 2008), the Supreme Court of British Columbia ruled that *Tsilhqot'in* Aboriginal title "does exist" within approximately half of its claim area, and that the *Tsilhqot'in* people have inherent rights throughout their entire claim area. These entitlements include the

right to trade in skins and pelts as a means of securing a moderate livelihood as well as the right to hunt and trap birds and animals for various purposes. This ruling removed some significant barriers to Indigenous food sovereignty by allowing the *Tsilhqot'in* to engage in traditional and adapted harvesting strategies throughout their territory and to respond to their own needs for healthy, culturally-adapted Indigenous foods. Further, following this victory, First Nations leaders from across B.C. issued the *All Our Relations Declaration*, which affirmed that negotiations with the Crown shall only proceed “on the basis of a full and complete recognition of the existence of our title and rights throughout our entire lands, waters, territories and resources” (Porter et al. 2008). Thus, the *Tsilhqot'in* ruling had, and will continue to have, important implications for the assertion of Indigenous food sovereignty across B.C.

#### *The Haida Logging Case (2004)*

On November 18, 2004, the Supreme Court of Canada ruled in favour of the *Haida* Nation's claim against B.C. and Weyerhaeuser, an American logging giant that was being permitted to extract a large portion of natural resources on *Haida Gwaii* (the homeland of the *Haida* Nation), including large tracts of old growth cedar. Logging by the company was not only exceeding sustainable rates for old growth cedar, but was also significantly harming the streams that support salmon and other fish. As a result of this landmark case, Weyerhaeuser was forced to abandon its operations on *Haida Gwaii*, giving the *Haida* Nation more power to implement sustainable systems of forest and stream management and to ensure the continuation of traditional harvesting practices that are important to sustaining *Haida* culture, livelihoods and ecosystems (*Haida* Nation 2010).

#### *Delgamuukw Ruling (1997)*

In the longest-running First Nations land claim court case in Canadian history, on December 11, 1997, the Supreme Court of Canada ruled in favour of the *Delgamuukw* land title and rights claim, recognizing that “the exclusive right to use the land is not restricted to the right to engage in activities which are aspects of aboriginal practices, customs and traditions integral to the claimant group's distinctive Aboriginal culture” (Chief Justice Antonio Lamer, cited in *Gitxsan* Nation 2010). This decision signifies that when First Nations groups exert their land rights under Aboriginal title, these rights are not restricted to traditional Aboriginal practices (such as berry picking and traditional hunting) but they can also include “modern” strategies. “This means that Aboriginal title is not ‘frozen in time,’ applying only to those rights practiced at the time of contact” (*Gitxsan* Nation 2010). In the context of Indigenous food sovereignty, this case removes some barriers to the implementation of adaptive management strategies by allowing the *Delgamuukw* to restore traditional harvesting strategies in a present-day context and to

manage land, environment, food and health-related policies in a more holistic manner. The *Delgamuukw* case was also instrumental in instituting the legal recognition of oral histories as valid evidence in the assertion of Aboriginal land titles and rights.

### *The Sparrow Case (1990)*

On May 31, 1990, the *Musqueam* nation succeeded in appealing to the Supreme Court of Canada a previous decision that had charged Ronald Edward Sparrow, a member of the *Musqueam* nation, of fishing with instruments longer than permitted by the band's fishing license under the *Fisheries Act*. While Sparrow admitted to the charge, he justified his practices in the Supreme Court appeal on the grounds that he was exercising his Aboriginal right to fish under section 35(1) of the *Constitution Act, 1982*. Through the appeal process, the Court found that, based on historical records of the nation's fishing practices, the *Musqueam* nation had a clear right to fish for food. The ruling of the Supreme Court of Canada thus represented a ground-breaking decision regarding the application of Indigenous rights (particularly under section 35(1) of the *Constitution Act, 1982*) given that it affirmed that Aboriginal rights, such as fishing, (that had been in existence prior to 1982) are protected under the Constitution of Canada and cannot be infringed without justification. This case was also significant in changing the provincial government's policy of refusing to participate in treaty negotiations for the settlement of Aboriginal rights and title in B.C. (*Musqueam Band* 2010).

### Policy Interventions

Building cross-cultural coalitions and social networks offers a platform for strengthening collaborative capacities for researching and influencing policy as well as informing widespread, systemic change. Participation in the South Africa Learning Exchange in November of 2009 (hosted by the Masifundise Development Trust and sponsored by the Canadian International Development Agency) provided an opportunity to link the B.C. Food Systems' Network Working Group on Indigenous Food Sovereignty with the Coastal Learning Communities' Network in Canada and the Coastal Links Network in South Africa. The learning exchange shed light on the many similarities of the socio-political challenges faced by Indigenous peoples in both Canada and South Africa, as well as presenting some interventions or ways in which Indigenous peoples are striving to enter into policy discussions that will promote food sovereignty.

As a result of the learning exchange, the following framework for action was adapted by the WGIFS from the key entry points and interventions developed by Masifundise Development Trust (2009) to guide policy and management in small-scale fisheries in South Africa:

- Legislation and policy
- Participation
- Knowledge of natural resources and human dimensions in the land and food system
- Integrated assessment
- Governance and co-management approaches
- Cross-sectoral coordination
- Making markets work for sustenance harvester
- Developing human capacity
- Information and communication

Widespread systemic change that will serve to protect, conserve and restore the remaining fragments of Indigenous land and food system in B.C. and Canada will require adequate funding for network development and community mobilization.

Further, the enacting and implementation of Aboriginal Title and Rights legislation and policies, encoded in recent court decisions, will require comprehensive land reform and redistribution. Such reform will need to involve setting aside adequate tracts of land reserves for the exclusive purpose of hunting, fishing and gathering Indigenous foods. Furthermore, governments must take the responsibility to regulate neoliberal trade and promote corporate social and environmental responsibility, as well as the integration of Indigenous food and cultural values in land and resource management.

### Sovereignty from the Ground Up

There is a wealth of knowledge, values and wisdom to share: we hope to engage in activities and policy creation that is not “about” Indigenous peoples’ food systems but learns from and is informed by the experiences and expertise gained through many millennia of practice (*First Principles Protocol for Building Cross Cultural Relationships* 2009). At a grassroots level, the Indigenous food sovereignty approach seeks to reconcile Indigenous environmental ethics and cultural protocols with the re-establishment of community-based economies. Indigenous food sovereignty provides a framework for a specific policy approach to addressing the underlying issues impacting long-term food security in Indigenous communities: it serves to support Indigenous peoples and our efforts to uphold our sacred responsibilities to nurture relationships with our land, culture, spirituality and future generations. Through discussion, analysis and community mobilization, Indigenous food sovereignty seeks to inform and influence colonial “policy driven by practice” and promotes reconciliation of past social and environmental injustices.

From 2007 to 2008 the WGIFS met with more than four hundred people

in more than sixteen communities across B.C. to explore and identify ways the WGIFS could support individuals and groups working on increasing food security in Indigenous communities. At the National Food Secure Canada meeting held in Ottawa in November of 2008, a Canada-Wide Working Group on Indigenous Food Sovereignty was designated as a priority. Much of the Indigenous food-related action, research and policy reform was spawned within this rapidly expanding Indigenous sovereignty movement that was formed within the colonial boundaries set out by the province of B.C. With respect for the boundaries of traditional territories defined by Indigenous peoples long before the provinces and Dominion of Canada was established, the Indigenous Food Systems Network reaches far beyond to link individuals, organizations, families and nations working across Canada and the U.S.

The strength of this movement lies in the relationships built within these extended networks: partnerships between the B.C. Food Systems Network, the Working Group for Indigenous Food Sovereignty, the Coastal Learning Communities Network (CLCN), Food Secure Canada (FSC), the Peoples Food Policy Project (PFPP), Coastal Links Network (South Africa) and several universities have emerged. We believe that these extended networks of Indigenous peoples and allies working to promote and protect Indigenous foods systems across the country will be able to influence a vast and diverse audience to recognize the complexity of colonial history and the destructive impacts of the global food system. As the original inhabitants of the land, we offer guidance in changing human behaviour and ending destructive relationships to Mother Earth and the land and food systems that sustain all human beings.

## References

- Battiste, Marie. 2000. *Reclaiming Indigenous Voice and Vision*. Vancouver, BC: UBC Press.
- Berkes, Fikret. 1999. *Sacred Ecology: Traditional Ecological Knowledge and Resource Management*. Philadelphia, PA: Taylor and Francis.
- Billy, J.R. 2006. "Cultural Survival and Environmental Degradation in the Mountains of the Secwepemc." In L.A.G. Moss (ed.), *The Amenity Migrants: Seeking and Sustaining Mountains and their Cultures*. Cambridge, MA: CABI Publishing.
- Dolha, L. 2009. "Nuu-Chah-Nulth Celebrate Landmark Fisheries Decision." *First Nations Drum* 19, 11 (November). At <[firstnationsdrum.com/2009/11/nuu-chah-nulth-celebrate-landmark-fisheries-decision/](http://firstnationsdrum.com/2009/11/nuu-chah-nulth-celebrate-landmark-fisheries-decision/)>.
- First Principles Protocol for Building Cross Cultural Relationships. 2009. "People's Food Policy Project." At <[peoplesfoodpolicy.ca/protocol](http://peoplesfoodpolicy.ca/protocol)>.
- Fox, J.B. 2009. "Indigenous Science." *Cultural Survival Quarterly* 33, 1. At <[culturalsurvival.org/publications/cultural-survival-quarterly/australia/indigenous-science](http://culturalsurvival.org/publications/cultural-survival-quarterly/australia/indigenous-science)>.
- George Manuel Institute. 2010. "Memorial to Sir Wilfred Laurier, Premier of the

- Dominion of Canada." At <[andoftheshuswap.com/msite/laurier.php](http://andoftheshuswap.com/msite/laurier.php)>.
- Gitxsan Nation. 2010. "Gitxsan Chiefs: Delgamuukw, Aboriginal Rights and Title." At <[gitxsan.com/html/delga.htm](http://gitxsan.com/html/delga.htm)>.
- Haida Nation. 2010. "Legal Cases." At <[haidanation.ca/Pages/Legal/Legal.html](http://haidanation.ca/Pages/Legal/Legal.html)>.
- Kneen, Brewster. 2009. "The Tyranny of Rights." *The Ramshorn* (September). At <[ramshorn.ca/node/180](http://ramshorn.ca/node/180)>.
- Masifundise Development Trust. 2009. *A Draft Handbook Towards Sustainable Small-Scale Fisheries in South Africa: Promoting Poverty Alleviation, Food Security and Gender Equity in Small-Scale Fisheries*. Cape Town, South Africa: Masifundise Development Trust.
- Mate, Gabor. 2004. *When the Body Says No: The Cost of Hidden Stress*. Toronto, Ontario: Vintage Canada.
- McCreary, Tyler. 2005. "No Indians Allowed on Aboriginal Territory at Sun Peaks." *Canadian Dimension*. At <[canadiandimension.com/articles/1940/](http://canadiandimension.com/articles/1940/)>.
- Morrison, Dawn. 2008. "BC Food Systems Network Working Group on Indigenous Food Sovereignty Final Activity Report. Unpublished report." At <[indigenous-foodsystems.org/resources/all-resources](http://indigenous-foodsystems.org/resources/all-resources)>.
- . 2006. "First Annual Interior of BC Indigenous Food Sovereignty Conference Report. Unpublished Report." B.C. Food Systems Network. Available at <[food-democracy.org/links.php](http://food-democracy.org/links.php)>.
- Morrow, R. 1993. *Earth User's Guide to Permaculture*. Kenthurst, Australia: Kangaroo Press.
- Musqueam Band. 2010. "Legal Cases." At <[musqueam.bc.ca/Cases.html](http://musqueam.bc.ca/Cases.html)>.
- Porter, D., Chief J. Sayers and Chief E. John. 2008. "New Day for BC Native Claims: 'Xeni Decision' Casts Doubt on Provincial Authority over First Nations Land Dealings." *The Tyee*. February 12. At <[thetyee.ca/Views/2008/02/12/NativeClaims](http://thetyee.ca/Views/2008/02/12/NativeClaims)>.
- Reading, C., and F. Wien. 2009. *Health Inequalities and Social Determinants of Aboriginal Peoples' Health*. National Collaborating Centre of Aboriginal Health.
- Rosenau, Marvin L., and Mark Angelo. 2009. *Landscape-Level Impacts to Salmon and Steel head Stream Habitats in British Columbia*. Vancouver, BC: Pacific Fisheries Resource Conservation Council.
- Toledo, Victor. 2001. "Indigenous People and Biodiversity." In S.A. Levin (ed.), *Encyclopedia of Biodiversity*. San Diego, CA: Academic Press.
- United Nations. 2000. "The Concept of Indigenous Peoples. Background Paper Prepared by the Secretariat of the Permanent Forum on Indigenous Issues." Department of Economic and Social Affairs; Division of Social Policy and Development.