

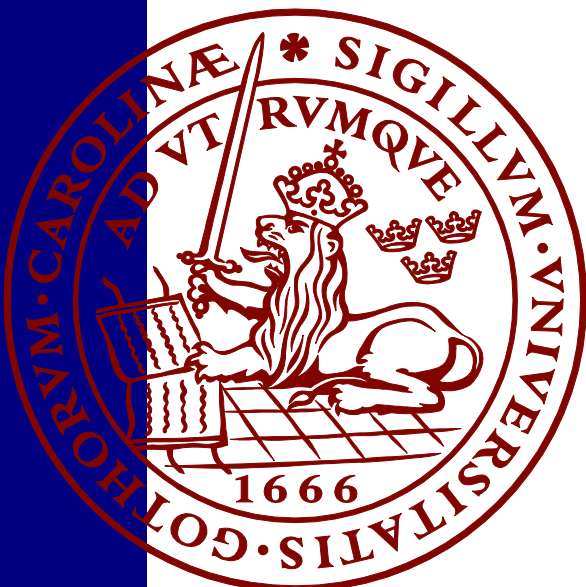
More than a pipeline

Understanding and responding to the environmental injustices surrounding the Coastal GasLink pipeline conflict

Avital Meira van Meijeren Karp

Master Thesis Series in Environmental Studies and Sustainability Science,
No 2020:026

A thesis submitted in partial fulfillment of the requirements of Lund University
International Master's Programme in Environmental Studies and Sustainability Science
(30hp/credits)



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Submitted May 12, 2020

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Abstract

The winter of 2020 was dominated by Canadian and international news coverage about a group of indigenous land defenders in Northern British Columbia, Canada. At the centre of the media frenzy was a pipeline conflict involving an indigenous community, namely, the Wet'suwet'en Nation, and Canada's largest private sector investment ever which is set to cross directly through Wet'suwet'en territory. This research set out to understand the conflict from an indigenous perspective and to identify potential environmental injustices as defined by Schlosberg's (2004) environmental justice framework. Using a mixed methods approach, including an emphasis on indigenous research methods, this research plotted out the main drivers, pressures, state, impacts, and potential responses to the conflict. Neocolonial and neoliberal behaviour was found to be driving the conflict through mechanisms like Canada's cultural assimilation agenda, lacking aboriginal rights, and prioritization of profit and economic growth. Moreover, a rise in social and climate activism was found to be adding a 'positive pressure' to the situation, while climate change, economic pressures on reserves, Canada's current political landscape, Canadian law, and historical relations between settler Canadians and First Nations (partially fueled by a lack of indigenous presence in Canada's education system) were found to exacerbate the current conflict. The observed impacts of this conflict have been significant; the indigenous community in Canada has reported increases in racism and calls for violence against indigenous people online. Contrastingly, there has also been an increase in unity between different indigenous groups within Canada as well as an increased public awareness of indigenous injustices. This research identified multiple environmental injustices related to this case. The main injustices at the core of the conflict are a lack of recognition of Wet'suwet'en Nation's hereditary governance system and the subsequent procedural injustice which occurred when the Wet'suwet'en hereditary chiefs were bypassed and ignored during the process of Free, Prior and Informed Consent. Additionally, the distribution of environmental risks was found to be entirely skewed towards the people of Wet'suwet'en Nation which rely on their land for food, water, traditional indigenous culture etc. Further injustices included disproportionate police presence and use of force against (indigenous) land defenders. Changes to Canada's educational system and a formal adoption of UNDRIP on federal level were identified as necessary responses to help reconcile these environmental injustices, however participatory research and action to address structural injustices in Canada will be needed to ensure the justice and equity that the indigenous community deserves.

Keywords: Environmental justice, First Nations, Indigenous research methods, Pipeline conflicts, Canada

Word count: 11, 926

Acknowledgements

The entire duration of this thesis process was spent in Toronto (Tkaronto) which is the traditional territory of many indigenous nations including the Mississaugas of the Credit, the Anishnabeg, the Chippewa, the Haudenosaunee and the Wendat peoples and is now home to many diverse First Nations, Inuit and Métis peoples. I would therefore like to start by thanking the indigenous community here for being so welcoming and open to working with me as a settler Canadian. I hope this research helps shed light on, and put an end to, the many injustices which the indigenous community in Canada still experience today.

From a research standpoint, this thesis would not be possible were it not for Dr. Ranjan Datta's guidance way back in January. Thank you for introducing me to the concept of decolonization of research and indigenous research methods, and for pushing me to prioritize indigenous voices. Your advice has made me a better researcher and a better person. Further thanks go to Natalia, my thesis supervisor, and Anastasia for your input and feedback throughout this process. You both helped me shape this project into what it is today and made the process of doing so very enjoyable!

Last but certainly not least I would like to thank my friends and family for their unwavering support throughout the past few months. Thanks to my mom for recommending some great literature on the topic and for taking care of my appeltaart needs during my visits. Thanks to my girls (you know who you are) for sticking with me even when I was stress eating 2 litre tubs of ice cream. Thanks to Will for the endless laughs, support, and great feedback. You have made Toronto feel like home. Finally, thanks to the LUMES family for everything. The past two years have been life-changing, and I am so grateful to have embarked on this adventure.

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List of Abbreviations

BC - British Columbia

CGL - Coastal GasLink

CRT - Critical Race Theory

RCMP - Royal Canadian Mountain Police

UNDRIP - UN Declaration on the Rights of Indigenous Persons

1. Introduction

Canada's reputation is that of a kind country which prides itself on inclusivity, nature, and maple syrup (Doucet, 2017; O'Neil, 2015; Johanson, 2013). In fact, Canada is often ranked as having the *best* reputation internationally which is largely attributed to the country's progressive government, and seemingly ambitious climate goals. However, when looking at Canada's actual performance in these areas, the country may not seem so ambitious (McKibben, 2020).

Take climate action for example. In 2015, Canada joined most countries in signing the Paris climate agreement, thereby committing to reducing domestic greenhouse gas emissions to stay well below a 2 degree Celsius temperature increase, and ideally limit global warming to under 1.5 degrees Celsius above pre-industrial levels (United Nations, 2015). More specifically, Canada has committed to cutting emissions by 2030 to 30 percent below 2005 levels (Government of Canada, 2017). Given Canada's arctic presence, the country has also committed to reducing its black carbon emissions and particle pollution which coats frozen surfaces, thus reducing albedo and exacerbating arctic warming (GoC, 2017; Kang & Cong, 2016). Moreover, the current Liberal Canadian government has positioned climate change as a central priority, a move which helped initially put the party in office back in 2015 and secure a re-election in the 2019 elections (Liberal Party of Canada, 2019).

However, Canada's actual climate performance has not mirrored these seemingly impressive ambitions. Despite its commitments, the federal government continues to support a fossil-fuel based economy by utilizing a 'green-growth' strategy (Harris, 2019; Environment and Climate Change Canada, 2016). Although this strategy involves the introduction of a country-wide carbon tax, emphasis is placed on the continued extraction and use of fossil-fuels (Environment and Climate Change Canada, 2016). Long-term economic investments in carbon intensive industries are still supported by the current Liberal government, which has even gone so far as to discuss supporting the development of a new oil-sands mine which could produce up to 260,000 barrels of oil per day (Forrest, 2020; Radwanski, 2020).

From a social perspective, Canada's performance is also mixed. Despite being hailed as a leader regarding inclusivity (Garr, Shellenback, & Scales, 2014), the country's colonial history of aboriginal abuse continues to resurface in modern activities. Canada is home to more than 1.6 million aboriginal people which the

government categorizes into three indigenous groups, namely; First Nations, Inuit, and Métis¹ (Statistics Canada, 2017; Government of Canada, n.d. a; Parrott, 2019). One way which the Canadian government yields its power over First Nations communities is through a principal statute called the *Indian Act*. The Indian Act was created in 1876 shortly after Canada became a country and bestowed the government with complete control over all indigenous affairs ranging from indigenous identity and culture, to governance and political structure (Henderson, 2018). The Act has historically been very oppressive in its mandate and enforcement, with law enforcement being granted the right to make judgements based on “good moral character” (Henderson, 2018). As a result, First Nations peoples continue to face extreme socio-economic hardships (Government of Canada, n.d. b), and struggle to recover from the attempted (cultural) genocide at the hands of the Canadian government (Palmater, 2016). Consequently, First Nations communities face high rates of mental illness, and suicide is the leading cause of death amongst community members below the age of 44 (Shulman & Tahirali, 2016; Randhawa, 2017).

1.1 Pipelines and conflict

One investment which has polarized Canadian society is British Columbia’s (BC) newly approved Liquefied Natural Gas (LNG) project which is Canada’s largest private sector investment in its history (Schmunk, 2018). The project, which has been developed under the province’s climate finance program, aims to help Asian countries² fuel the transition away from carbon-intensive energy sources like coal or oil by providing a cleaner burning fuel source, namely natural gas (Government of British Columbia, n.d. a). Support for the project has been widespread largely due to projected employment creation and economic gain (Government of Canada, 2019). For example, in a region of the province which is often faced with high unemployment rates, facility and pipeline construction is set to create approximately 10,000 temporary jobs, while management and maintenance is estimated to create approximately 950 full-time positions (Government of British Columbia, n.d. b; Government of Canada, 2019).

However, despite the financial benefits which this project presents, the environmental benefits remain largely contested; although natural gas *does* burn cleaner than conventional fossil-fuels, the hydraulic fracking often yields these carbon benefits void as large amounts of methane escape when accessing the

¹ First Nations peoples were the first inhabitants of present-day Canada and could most commonly be found in all areas south of the Arctic, while the Inuit inhabited the Arctic region both on land and ice. Finally, the Métis peoples are the descendants of European settlers which reproduced with indigenous people (Parrott, 2007).

² The province has not specified which Asian markets will be supplied.

gas (McJeon, *et al.*, 2014; Sovacool, 2014; Shearer, John, Inman, & Davis, 2014; Wigley, 2011; Howarth, Santoro, & Ingraffea, 2012). Additionally, investment in natural gas has been found to hinder the adoption of renewable energy sources which nullifies the carbon benefits which the energy source may initially provide (Shearer, John, Inman, & Davis, 2014). Finally, hydraulic fracking also often results in the release of radiative forcing aerosols like black carbon which, as mentioned above, Canada has committed to limiting (Wigley, 2011). Adding to these climate change-related concerns are more localized environmental concerns about deforestation, habitat disruption, water-use and pollution (Unist'ot'en Camp, n.d. a).

Aside from concerns over the project's environmental footprint, conflict with an Indigenous Nation located along the proposed route of the pipeline has raised concerns over the social justice implications of the project. Despite signing a benefits agreement with most of the elected band councils of Wet'suwet'en First Nation, Coastal GasLink (CGL), the company responsible for pipeline construction, neglected to consult the Wet'suwet'en Nation hereditary chiefs who hold authority over the 22,000 km² territory (Baker, 2020). As a result, a nation-wide solidarity movement has taken form. This movement includes peaceful protests across Canada, critical infrastructure disruption in the form of rail- and highway blockades, as well as blockades set up along the only road entrance to the territory (Baker, 2020). In early January, the BC supreme court served the Wet'suwet'en with an injunction stating that CGL has the right to proceed with construction (Baker, 2020). Shortly after the injunction was served, the Royal Canadian Mountain Police (RCMP) raided the unceded territory and arrested land defenders at camps along the construction road (The Turtle Island News, 2020).

This thesis explores the environmental injustices occurring in this case. More specifically, I aim to draw attention to injustices which many indigenous people in Canada continue to experience today. A combination of Schlosberg's Framework of Environmental Justice and indigenous research methods form the theoretical basis of research. It should be noted that an emphasis on indigenous voices/knowledge has been central in this research. Finally, the main research questions which have been posed are:

1. *What are the environmental injustices surrounding the Wet'suwet'en pipeline conflict?*
2. *How have historical and modern factors contributed to these injustices?*
3. *What are potential responses that could address these injustices?*

2. Background

The following section provides background information on the pipeline project as well as Wet'suwet'en (First) Nation.

2.1 LNG Canada pipeline project

At the core of this conflict is the CGL pipeline which is part of the LNG Canada pipeline project. The project includes the extraction of natural gas which will occur in Dawson Creek, BC as well as the transportation (via the 670 km long pipeline) and ultimate liquefaction which will occur in Kitimat as the gas is prepared for export (Figure 1) (Schmunk, 2018; Government of British Columbia, n.d. a). As the project is a private sector joint-venture, the primary economic beneficiaries are the project investors, namely, Shell, PETRONAS, PetroChina, Mitsubishi Corporation and KOGAS (Government of British Columbia, n.d. b). The federal government is also an important economic stakeholder and is set to earn 22 billion CAD in direct tax revenues over the next 40 years (Schmunk, 2018; Government of British Columbia, n.d. b).



Figure 1 Coastal GasLink pipeline route. The pipeline is shown crossing the province from Dawson Creek to Kitimat. The shaded area represents Wet'suwet'en territory. Reprinted from 'A who's who of the Wet'suwet'en pipeline conflict', Rafferty Baker, CBC, February 26, 2020. Source: <https://www.cbc.ca/news/canada/british-columbia/wetsuweten-whos-who-guide-1.5471898>

Experts have found that the project is expected to increase BC's carbon footprint by an estimated 8-9 megatonnes; a number which is posed to derail the province from meeting its climate goals (Britten, 2018). As part of the approval process, LNG Canada and CGL gained consent from all 20 First Nations

elected band councils through which the pipeline is set to pass (Baker, 2020). Furthermore, many elected band councils signed benefit agreements with the province, in addition to the private benefit agreements signed with CGL (Government of British Columbia, n.d. b).

2.2 Wet'suwet'en (First) Nations

The Wet'suwet'en are an indigenous nation located in Northern BC, Canada. Wet'suwet'en Nation is composed of 13 houses which make up five clans (Figures 2 & 3) (Unist'ot'en, n.d. b). Within Wet'suwet'en Nation is Wet'suwet'en First Nation which has the elected chief and council which is the colonial governance system that approved the CGL pipeline, a key distinction in this case (Baker, 2020).

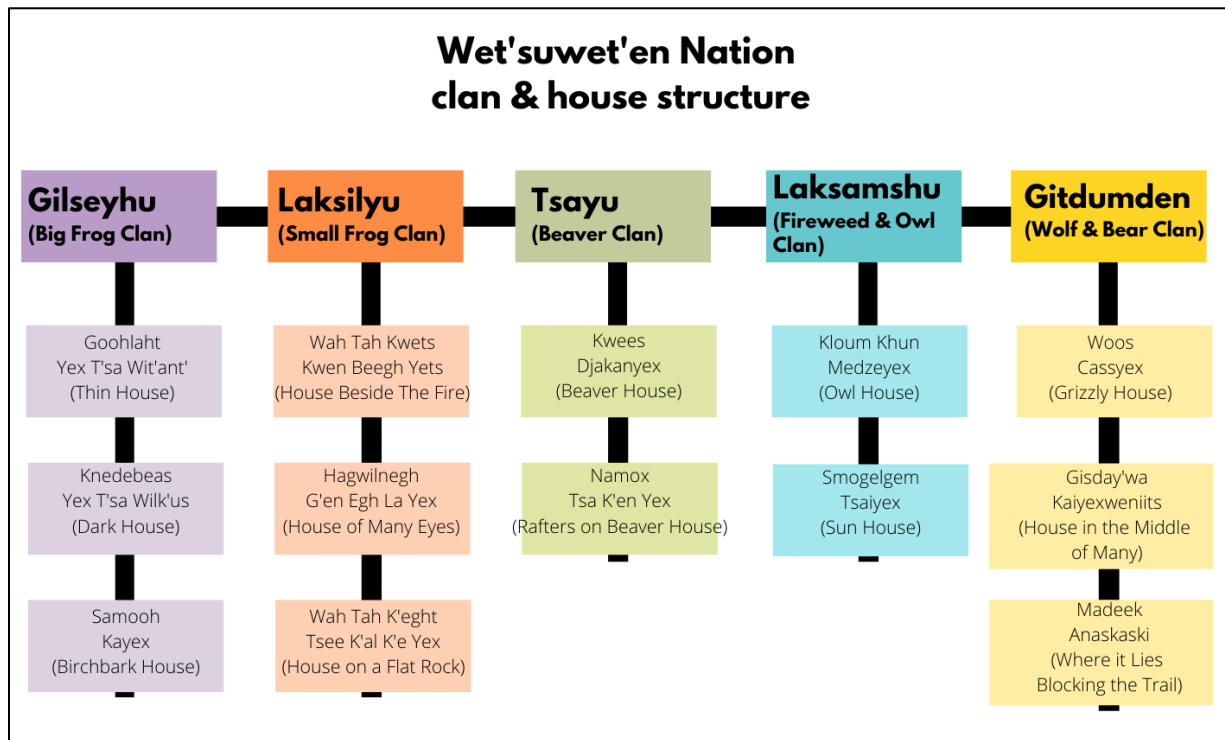


Figure 2 Wet'suwet'en Nation's traditional structure. Aside from this traditional structure, the Nation is also home to five different Indian Bands namely: The Skin Tye Band, Nee Tahi Buhn Band, Wet'suwet'en First Nation, Moricetown Band, and Hagwilget Band (Wet'suwet'en First Nation, n.d. a). Indian Bands functionally operate like municipalities and pertain to government recognized indigenous communities. Bands are a colonial invention and therefore operate under Canada's Indian Act. Bands are governed by elected band councils and are sometimes referred to as First Nations (Price & Gadacz, 2020). (Image: own creation; Info source: Wet'suwet'en.com.)

As a product of the Indian Act, the elected chief and council is responsible for governance matters pertaining to the different bands, which primarily includes practical matters related to the different reserves (Wet'suwet'en First Nation, n.d. b; Mccue, 2018). These responsibilities include managing

different areas like housing, education and childcare, culture, and economic development within reserves (Wet'suwet'en First Nation, n.d. b). Unlike the rest of Wet'suwet'en Nation's unceded territory, Indian reserves are considered 'Crown land' and are governed by treaties and/or other agreements (Mccue, 2018). This is a key distinction as, under the Indian Act, this land technically belongs to the federal government and cannot be fully owned by those living on it (Mccue, 2018). One of Wet'suwet'en First Nation's key priorities is economic development of the First Nation. This task is managed by the Yinka Dene Economic Development Limited Partnership (YLP) which strives in part to “- partner with the Government and Industry to positively impact the economy of the Wet'suwet'en First Nation” (YLP, n.d.). The Wet'suwet'en Nation's territory as a whole is governed by the traditional hereditary system (Baker, 2020).

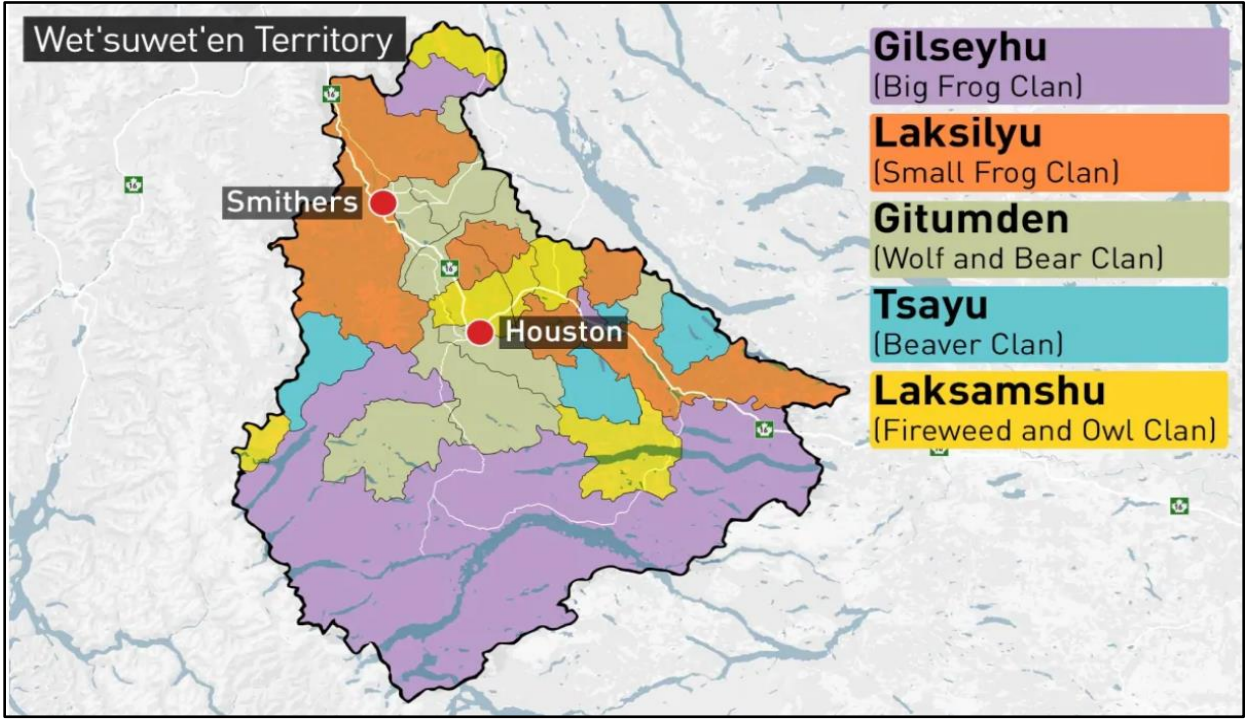


Figure 3 Wet'suwet'en territory clan breakdown. Reprinted from 'A who's who of the Wet'suwet'en pipeline conflict', Rafferty Baker, CBC, February 26, 2020. Source: <https://www.cbc.ca/news/canada/british-columbia/wetsuweten-whos-who-guide-1.5471898>

Central to this conflict are the Unist'ot'en people³ which occupy the original Wet'suwet'en territory (Unist'ot'en camp, n.d. c). The Unist'ot'en have traditionally taken a strong stance against pipelines on their territory citing environmental concerns (Unist'ot'en camp, n.d. b). On their website, the following quote is used to explain their stance: *“Our people’s belief is that we are part of the land. The land is not separate from us. The land sustains us. And if we don’t take care of her, she won’t be able to sustain us, and we as a generation of people will die.”* – Freda Huson, Unist'ot'en Hereditary Spokesperson (Unist'ot'en camp, n.d. b)

More specifically, the Unist'ot'en cite water use, chemical leakage, greenhouse gas emissions, and the subsequent impact on the climate and public health as reasons why they are strongly opposed to the CGL pipeline (Unist'ot'en camp, n.d. b). Despite the high-profile nature of the current pipeline conflict, opposing such pipelines is not new to the Wet'suwet'en. The first formal statement of opposition against all pipelines on behalf of the Wet'suwet'en took place in 2007 and has been followed by key developments like the establishment of the Wedzin kwa access checkpoint in 2009 (Unist'ot'en camp, n.d. d). These actions have all followed the 1997 Delgamuukw supreme court case which recognized the Wet'suwet'en territory as unceded and asserted that the aboriginal title applies to the territory (Unist'ot'en, n.d. d; McIntosh, 2020a).

3. Theoretical framework

The purpose of this research is to draw attention to the environmental and social impacts of CGL's natural gas pipeline in British Columbia, Canada, with the ultimate goal being to contribute to the broad improvement in quality of life for indigenous peoples in Canada. This case is complex in its embodiment of how flawed climate change mitigation efforts can result in environmental and indigenous injustices. The following section outlines the theoretical foundation which was used to approach this case and structure research. The theories below shaped both the research methods which were employed, as well as helped create and inform the analysis of data. Given this case's connection to both the social and natural sciences, and the need to identify equitable solutions, three main theoretical influences were utilized, namely: indigenous research methods, environmental justice, and sustainability science.

³ Unist'ot'en is affiliated with the Knedebeas (Dark House) within Wet'suwet'en Nation, as shown in Figure 2 (Unist'ot'en, n.d. b).

3.1 Indigenous research methods

During desk research in the early stages of this project it became clear that this case posed certain challenges. For example, adding to the complexity of this case are the injustices which are commonly present when mainstream, non-indigenous researchers attempt to research and resolve issues concerning indigenous communities. Misguided research can lead to social issues like indigenous knowledge appropriation, Colonial-centric conclusions, and damaged relations with the indigenous community (Datta, 2017; Dei, 2013; Wilson, 2001; Chilisa, 2012). Further investigation into the topic led me to explore indigenous research methods which, when employed properly, can help avoid the negative impacts listed above.

The indigenous paradigm of research diverges from mainstream research methods in several ways. For example, indigenous research methods are unique in the central belief that all things have some sort of knowledge to share, and therefore relationships are of key significance (Chilisa, 2012; Wilson, 2001). Developing on the importance of relationships is the indigenous axiology that indigenous research should result in a benefit for the indigenous community (Wilson, 2001; Chilisa, 2012; Dei, 2013; Wilson, 2008; Bird-Naytowhow, Hatala, Pearl, Judge, & Sjoblom, 2017; Henry & Foley, 2018; Piper, Jacobe, Yazzie, & Calderon, 2019). This is in contrast to common mainstream research approaches where researchers conduct research for their own cause and then leave and implies that the researcher and their subjects should share knowledge, and both stand to benefit from the encounter. This principle also introduces a relational accountability in which the researcher holds a certain responsibility to their indigenous subject to deliver some benefit (Dei, 2013).

By adopting an indigenous paradigm for my research, I was able to focus on knowledge-sharing based research methods, while centering research around a solutions-oriented approach which focused on understanding the issue so that indigenous community conditions can be improved. Another unique facet of indigenous research methods, which also played an important role in this case, is the need to forfeit an apolitical stance when conducting research (Wilson, 2008; Dei, 2013; Datta, 2017). Seen as a crucial step when establishing trust and building relationships, it was imperative to the success of this research that I clearly communicated to community members that I am an ally and my intent to help improve their situation.

3.2 Environmental justice

Environmental justice formed the theoretical basis of my analysis. Environmental justice is a broad term commonly used to describe social injustices associated with the distribution of environmental benefits and burdens (Schlosberg, 2013). For example, early research in the field most often explored how low-income and racially diverse communities (often pertaining to indigenous communities) experienced more environmental hazards than higher income, Caucasian communities⁴ (Walker, 2012; Schlosberg & Collins, 2014).

Referring to the First National People of Color Environmental Leadership Summit which took place in 1992, Schlosberg highlights that from its conception, environmental justice has adopted an indigenous outlook on the relationship between humans and non-human nature (Schlosberg, 2013; Lee, 1992). This summit was the result of collaboration between urban African Americans and rural Native Americans and led to the introduction of the foundational environmental justice principles, the first of which confirms the movement's connection to indigenous ideals, stating: *“Environmental Justice affirms the sacredness of Mother Earth, ecological unity and the interdependence of all species, and the right to be free from ecological destruction.”* (Lee, 1992).

Environmental justice theory has broadened to include a wider array of justice issues which can be encapsulated within the term. While distributional justice remains a well-known facet of mainstream environmental justice theories, recent decades have seen the topic develop further into other realms like cultural justice, material justice, processual justice, and political justice (Banerjee, 2014). However, by far the most influential work on the topic has been completed by Schlosberg (2004, 2007) whose research and frameworks effectively led to the inclusion of two more central justice pillars used when analyzing environmental justice issues, namely: procedural justice and recognition-based justice (Schlosberg, 2004; Schlosberg, 2007; Walker, 2012).

3.2.1 Schlosberg's Framework of Environmental Justice

Schlosberg's framework of environmental justice aims to provide a deeper conception of justice issues by understanding not only the allocation of environmental hazards, but also the procedural and recognition-

⁴ These origins of environmental justice also led to the definition of 'environmental racism' which concerned the intentional skewed distribution of environmental hazards (Walker, 2012, p2).

based conditions under which such hazards are distributed (Schlosberg, 2004). Inspiring Schlosberg is the work of social justice theorists like Iris Young and Nancy Fraser who discuss the impact which, aside from unjust distribution, a lack of recognition and flawed procedures have on justice issues (Schlosberg, 2004). Both theorists note the relationship between respect & recognition, and participation in society, including in political processes (Schlosberg, 2004). Given the history of pipeline conflicts and environmental justice issues which the indigenous community in Canada has experienced, it is of key importance to recognize the social oppression which this group has experienced and its relation to procedural and distributive injustices.

A key distinction between the work of Schlosberg, Young and Fraser, and traditional liberal justice theorists is the emphasis which the latter place on exploring ideal scenarios, while the former focus more on the actual drivers of social injustice and how they can be resolved (Schlosberg, 2004; Walker, 2012). In his later work, Schlosberg further refers to how environmental justice serves to explore and understand the systems which contribute to environmental injustices, as opposed to simply confirming that inequities exist (Schlosberg, 2013).

Distributional justice

As mentioned above, distributive justice is the most commonly recognized facet of environmental justice. Originally defined under broad justice movements, distributional justice refers to how various goods, like natural resources and freedoms, and various burdens, like risks and costs, are distributed amongst society (Schlosberg, 2007). When applied to environmental justice however, distribution refers to a broad array of environmental dimensions and how they are distributed among society (Walker, 2012). More specifically, distributional justice looks at how these environmental dimensions are distributed among certain populations which fall under different social dimensions. Certain social groups, like indigenous communities and racial minorities, have historically been more exposed to distributional injustices (Walker, 2012).

Recognition-based justice

Recognition-based justice concerns the recognition of the effects which social differences have on procedural and distributional justice (Schlosberg, 2004). Social differences can be both oppressive or may provide privilege, however in an environmental context, recognition-based justice concerns communities which face oppressive distributive injustices (Schlosberg, 2004).

Despite recognition's connection to distributive justice, recognition is not simply a subcategory of distributive issues. As Fraser (2001) contends in her article '*Recognition without ethics?*', recognition should be seen as its own individual injustice. Fraser is clear in defining misrecognition as a justice violation due to its 'institutionalized subordination'⁵ (Fraser, 2001). A lack of recognition leads to personal and cultural devaluation and degradation, and harms the affected community in two ways, namely, by directly inflicting damage, and by causing a negative societal and political perception of said communities (Schlosberg, 2004). Recognition-based injustice is therefore significant as it presents multiple challenges by directly harming people as well as by laying the foundation for other injustices. For this same reason, the inclusion of recognition as a facet of environmental justice is especially important as it is necessary when drafting pragmatic responses to justice issues (Schlosberg, 2004). When applied to energy projects, recognition-based justice research commonly concerns the inequitable placing of energy projects which are often proportionately located in closer physical proximity to certain demographic groups like ethnic minorities and indigenous communities (Jenkins, McCauley, Heffron, Stephan, & Rehner, 2016).

Procedural justice

Procedural justice concerns the empirical reality of unjust institutional processes (Schlosberg, 2007). Despite being its own important justice pillar, procedural justice is also significant in the fact that it can be a catalyst for distributive justice (Walker, 2012). As Schlosberg (2007) argues, distributive justice cannot happen with an absence of inclusive/democratic process. The inclusion of procedural justice is echoed throughout broad definitions of justice and is often referred to using mechanisms like access to decision-making processes, participation, and meaningful involvement (Walker, 2012). From an indigenous rights perspective, procedural justice may be measured using mechanisms like compliance to free, prior, and informed consent which is recognized by the UN Declaration of the Rights of Indigenous Peoples (UNDRIP), and which seeks to ensure equitable and just procedures (United Nations, 2007). Walker (2012) discusses how unjust decision-making processes often result in conflict centered around a 'lack of opportunities to be heard or listened to'. Consequently, these conflicts commonly regard differing views on perceived environmental threats (Walker, 2012).

⁵ Fraser is referring to the exclusive assignment of cultural value which denies certain individuals or groups status in society. Fraser explains that this process of assigning cultural value is institutionalized, lacks participation, and ultimately belittles those which had no say in the process (Fraser, 2001).

While Schlosberg (2007) associates procedural justice primarily with state responsibility, Walker (2012) asserts that other actors like the private sector should also be considered accountable as they play an increasingly present role concerning state-functions under neoliberalism. Moreover, this phenomenon presents an opportunity for transparent state procedures to become hidden behind the commercial confidentiality of the private sector (Walker, 2012).

3.3 Sustainability science

As a discipline, sustainability science seeks to explore socially equitable and environmentally sound solutions for modern sustainability issues by adopting and utilizing transdisciplinary perspectives (Jerneck, et al., 2011; Wiek, Ness, Schweizer-Ries, Brand, & Farioli, 2012). Moreover, sustainability science is unique in its consideration of both the natural and social sciences (Jerneck, et al., 2011). As this case deals with social conflict concerning environmental justice and climate change mitigation, sustainability science provided key methods to help explore resolutions to the current situation. Additionally, sustainability science provided a great opportunity to combine multiple theories and research methodologies. For example, as mentioned above, the theoretical basis of this research combines both indigenous research methods with environmental justice theory. This was done to help ensure that indigenous research techniques and research paradigms were applied while using environmental justice principles to guide research. To help provide a clear conceptualization of the problem when combining these theoretical approaches, this research utilized the Drivers, Pressures, State, Impact, and Responses (DPSIR) framework. Aside from providing structure, the DPSIR framework was also ideal as it shares both a focus on solutions-oriented research as well as an emphasis on systems-thinking with environmental justice theory and indigenous research paradigms (Burkhard & Müller, 2008; Schlosberg, 2013; Wilson, 2001).

3.3.1 DPSIR Framework

The DPSIR Framework (Figure 4) is a useful tool to help plot out processes and interactions in human-environmental systems (Burkhard & Müller, 2008). The framework is based on the Pressure-State-Response model which assumes that pressure on a system will result in certain responses (Burkhard & Müller, 2008). The DPSIR framework expands on this model to facilitate the research of specific cause-effect relationships - including the drivers and impacts of such relationships (Burkhard & Müller, 2008).

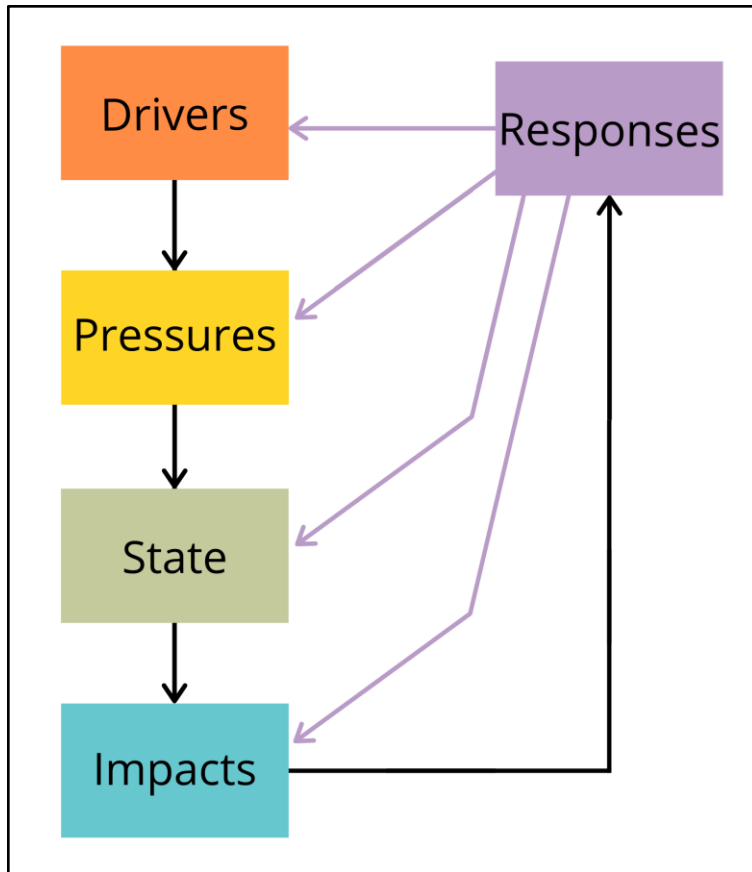


Figure 4 DPSIR Framework showing interaction between Drivers, Pressures, State, Impact, and Responses (Source: own creation)

4. Methods

Given the qualitative nature of this case, qualitative research methods were employed. As mentioned in the theory section above, my goal with this research was to contribute to an improvement in quality of life for indigenous peoples in Canada. As a non-indigenous person residing in Canada, this naturally posed several challenges. Firstly, having been raised under Canada's colonial education and government system, I was worried about intrinsic biases which I may possess. A second obvious challenge which I faced was a lack of first-hand experience or even academic experience with the topic of indigenous justice issues in Canada. Finally, gaining access to Indigenous people, especially those living on Wet'suwet'en territory nearly 5,000 km away posed practical data-collection challenges.

Early on in research I was very fortunate to be able to discuss my planned research with an indigenous researcher, Dr. Ranjan Datta, from the University of Saskatchewan. Ranjan's research covers a broad scope of indigenous-related research topics such as indigenous energy and drinking water management,

and indigenous and western science integration (Datta, n.d.). During our initial correspondence, Ranjan emphasized the importance of indigenous research methods and decolonization of research. Moreover, we spoke about the importance of giving the indigenous community a platform to share their stories, express their grievances, and very importantly, participate and lead the discussion around conflict resolution. As participatory research is a universal concept in both environmental justice theory and sustainability science, I was immediately intrigued by Ranjan’s suggestion that I consider using indigenous research methods for this thesis. Though I was unable to fully employ indigenous research methods (see 4.2 *Limitations*), I was able to adapt traditionally Western research methods to align with indigenous research paradigms and to focus specifically on indigenous voices.

Given the qualitative nature of this research combined with the challenges mentioned above, I decided to pursue triangulation by employing a mixed-methods research approach (Bryman, 2012). My research methodology ultimately consisted of a literature review on relevant research/case studies, semi-structured interviews (/storytelling sessions) with members of the indigenous community in Toronto, observational research at solidarity events in Toronto, and a thematic analysis of online discussions on the conflict. See Figure 5 for research design.

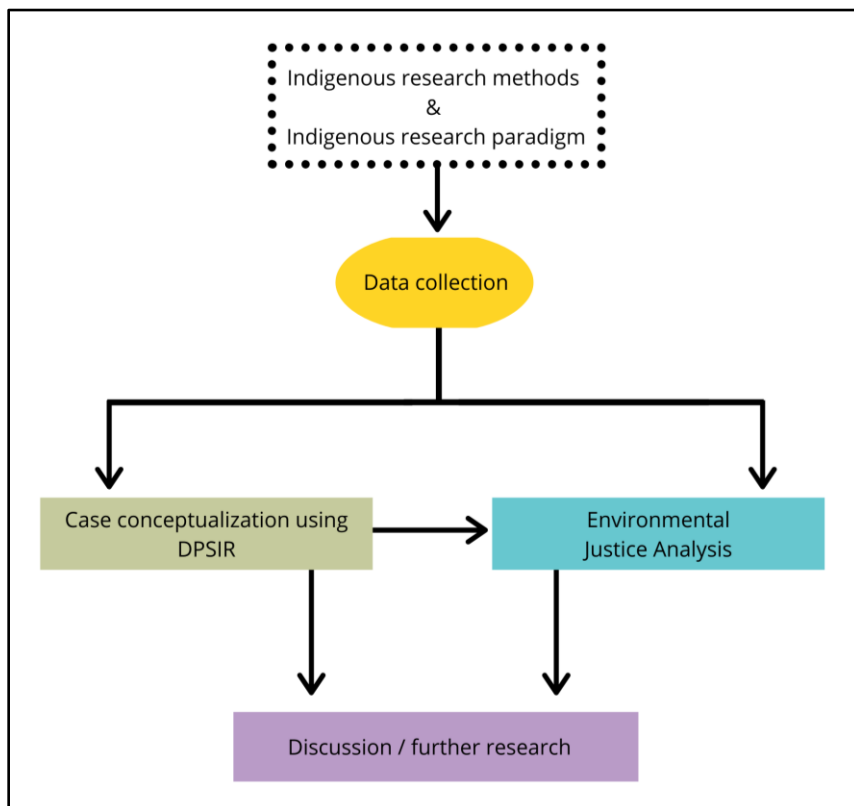


Figure 5 Research design visualizing how indigenous research methods were used to shape data collection (Source: own creation)

4.1 Data collection and analysis

4.1.1 Literature review

A literature review was used at two main points during research. Firstly, I utilized a literature review to help provide a deeper understanding of the historical context surrounding the case. This was especially necessary given my recent introduction to the topic. The second main instance when literature review was used was when exploring appropriate responses to the drivers, pressures, and impacts of the conflict. Although I initially intended to identify responses using solely information gathered during interviews, the historical complexity of this case sometimes led to interview participants expressing feelings of hopelessness or doubt that an equitable response could be employed. This ultimately impacted the depth and breadth of answers concerning conflict resolution. For this reason, literature review using work primarily from indigenous researchers was used to supplement primary research findings.

4.1.2 Semi-structured interviews

The second and main research method I employed was semi-structured interviews. Despite their label, in practice I tried to adopt the indigenous research method of storytelling sessions (Wilson, 2001; Henry & Foley, 2018; Piper, Jacobe, Yazzie, & Calderon, 2019). As mentioned under indigenous research methods in the theoretical framework section, indigenous research focuses on relationships and the 'give-and-take' which that relationship entails. Part of this focus on relationships entails building trust. For this reason, I approached the semi-structured interviews like they were conversations with my aim being to facilitate a feeling of trust and to help build some sort of relationship (Kovach, 2010). Additionally, as is suggested in literature on indigenous research methods (Henry & Foley, 2018; Piper, Jacobe, Yazzie, & Calderon, 2019), I forfeited my apolitical stance which is otherwise uncommon in the social sciences. Practically, this entailed being open with participants about my support of the #WetsuwetenStrong movement and my personal background with environmentalism and climate activism.

Concerning interview content, I used Schlosberg's framework of environmental justice to provide structure and guide the topics which I wanted to discuss. See appendix 1 for interview questions.

After certain logistical limitations I ended up interviewing three unrelated First Nations community members that are based in the Greater Toronto Area. Despite all sharing indigenous heritage, participants otherwise varied in their occupation and life experience. This diversity proved quite beneficial as it

enabled me to explore a broader scope of the conflict. For example, one participant had academic experience with indigenous law and was able to add valuable insights into potential discrepancies between Canadian law and indigenous law. Another participant on the other hand was a survivor of the sixties scoop⁶. This participant currently works professionally on social issues in the indigenous community and was therefore able to provide unique insights into some of the injustices which the indigenous community continues to face in Canada.

4.1.3 Observations

The third research method which I employed was covert observational research at Wet'suwet'en solidarity events. The purpose of this method was to gain valuable insights into how the indigenous community perceives the current conflict. By attending six solidarity events over a period of two months I was able to observe key developments in the conflict as it progressed. Additionally, I was able to witness the birth of the current rail blockade social movement and hear directly from indigenous activists on the frontline.

Also of significance was my ability to attend three solidarity events in which members of Wet'suwet'en First Nation were present and shared their stories and views on the conflict. Two of these solidarity events were especially meaningful as they were attended by land defender and daughter of Wet'suwet'en hereditary chief, Eve Saint. Ms. Saint was one of the land defenders that was arrested during the RCMP raid on the 44km Gidimt'en checkpoint. Ms. Saint was therefore able to speak first-hand about the interactions between the RCMP and indigenous community during this conflict, a topic which was discovered to be problematic during preliminary desk research. Furthermore, as these events were attended by many members of the indigenous community, I was able to gain an understanding of current feelings and discourses within the community. Lastly, speakers at these events often discussed conditions which need to be met in order to begin reconciling the relationship between the Canadian government and First Nations.

⁶ The sixties scoop was a period when the Canadian government systematically removed indigenous babies and children from their homes for relocation to 'white' Canadian families (Sinclair & Dainard, 2019).

Table 1. List of solidarity events (own creation)

Event No.	Event	Date (dd.mm.yy)
1	Climate emergency: What is to be done?	14.01.20
2	Divestment and Beyond: Organizing Climate Justice at U of T	16.01.20
3	Wet'suwet'en solidarity with Eve Saint	24.02.20
4	A land defender's reflections from Wet'suwet'en	25.02.20
5	We are Stronghold: Tkaronto	27.02.20
6	Student walkout for Wet'suwet'en: University of Toronto	04.03.20

4.1.4 Thematic analysis of online discussions

The final research method utilized was a thematic analysis of online discussions on the conflict which was accomplished by joining Facebook groups designated to the topic. However, despite initially aiming to focus exclusively on indigenous voices, I diverged from this ambition during the thematic analysis. The reasoning behind this decision was that during early stages of research I observed members of the indigenous community reporting an increase in abuse online. Online abuse ranged from name-calling to threats of violence and began in January when news of the conflict went mainstream. Abuse significantly worsened with the emergence of the rail blockade social action in solidarity with Wet'suwet'en, and it was at this point that I decided to document what was being said in so-called 'anti-blockade' Facebook groups and try to identify key themes which were being presented.

Despite initial doubts about this form of analysis, after concluding research, I stand by my decision to include the thematic analysis. During interviews and observational research, I heard many stories about violence and hate from members of the indigenous community. People spoke of experiencing offline violent attacks and hate-crimes, and for this reason I find it valuable to understand the online themes which may be translating into real, physical threats.

4.2 Limitations

This project presented many limitations which shaped what and how research was conducted. Limitations can mainly be categorized as either logistical, cultural, or circumstantial limitations. As elaborated upon above, given my non-indigenous upbringing, as a researcher I lacked an established network in the indigenous community. This combined with cultural hesitations due to historical occurrences of indigenous knowledge appropriation limited my ability to connect with members of the indigenous community. From a logistical standpoint, accessing members of Wet'suwet'en First Nation was challenging. Wet'suwet'en is located in Northern British Columbia, which is approximately 5,000 km away from where I was based in Toronto. Despite a hopeful start to research during which I managed to connect with Wet'suwet'en community members online, as the situation worsened, it became clear that the pressures resulting from the police occupation of Wet'suwet'en territory would prevent me from conducting research in person. With the exclusion of Eve Saint, I was therefore unable to connect with community members in a way which contributed to their substantial participation in research.

5. Results & Analysis

Exploring the environmental and indigenous justice perspectives surrounding this case proved far more complex than initially imagined. Literature on environmental justice as well as indigenous justice principles was used to inform and shape data collection and analysis, which enabled me to explore the drivers and pressures which are fueling the current conflict and subsequent social action. The below findings have been structured according to the DPSIR framework (Figure 6).

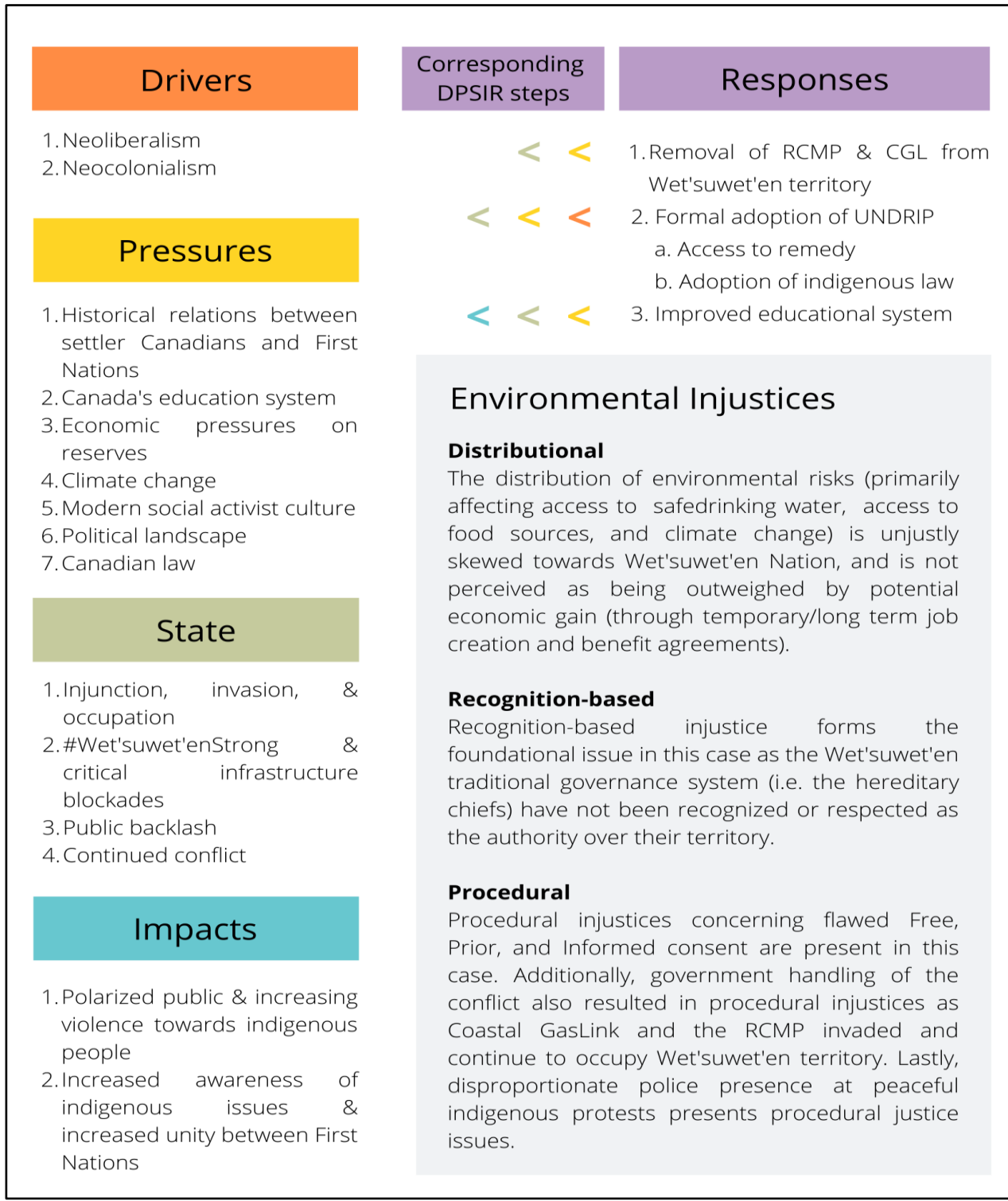


Figure 6 Conceptualization of conflict using DPSIR Framework and the (summarized) environmental justice analysis findings (own creation).

5.1 Drivers

Despite the many voices which could be heard during solidarity events, read while browsing through online indigenous discussions, or raised during interviews, there were two drivers behind the current conflict which were frequently referred to, namely, capitalism and colonialism.

5.1.1 Capitalism, neoliberalism & weak sustainability

While interviewing members of the indigenous community, participants mentioned capitalism as one of the driving forces behind the current conflict. The following quote illustrates one interview participant's thoughts: *"As far as I'm concerned, they're [the government] taking the very capitalistic route. There's a lot of money in this gas and oil. Look at these big contracts, which to them is more important than you living in some place pretty, which is how I think they see it."* (interview 1). While the term capitalism is quite broad, certain facets of capitalism like an emphasis on profit maximization (Scott, 2006), or the prioritization of the man-made dimension of capital were highlighted as examples (interviews 1; 2).

Neoliberal behaviour by the Canadian government, primarily in the form of economic growth fetishization (Büscher, Sullivan, Neves, Igoe, & Brockington, 2012; Foucault, Senellart, Collège de France, & Burchell, 2008; Fletcher, 2010), was also mentioned as a key facet within capitalism that is driving this conflict. For example, in another interview, one participant stated that *"you cannot receive enough money to destroy the environment. I'd rather see them leave that resource in the ground, or have it be used very sparingly."* a few moments later they continued, saying *"This goes on to the idea of endless market expandability which is a myth. This is something where native people will benefit the West in saying 'no, you can't spend endlessly, you can't use endlessly, you have to live within your means.'" (interview 2).*

Further elaboration on their statements revealed that participants also indirectly referred to Canada's adoption of a weak sustainability approach to the economy as driving the current conflict. Weak sustainability can be defined by its human-centric approach which focuses primarily on adapting natural resources to better meet the demands of economic growth (Williams & Millington, 2004). The Canadian government's belief in infinite resource extraction to support economic growth and its ability to 'pay for its [environmental] sins', as one participant put it, were mentioned as ideals that are in conflict with indigenous culture which views nature as a sacred interconnected system which needs to be respected (interviews 1; 2; 3). Similarly, members of the First Nations community often referred to this disconnect between traditional indigenous values and the capitalist nature of this project as having led to the benefits

of the project being skewed towards the oil and gas companies and government, while indigenous people and the planet are left paying the price, a clear distributional justice issue.

On the other end of the spectrum are pipeline proponents and rail blockade critics who also echoed neoliberal arguments when defending their stance. For example, a common observed theme used by pipeline supporters was criticism towards the Wet'suwet'en community for not simply commodifying their land to improve the economic outlook of their reserves. Interestingly, this theme was also present in anti-pipeline online discussions, where it manifested itself in criticism towards the elected band council which many claimed only consented to the pipeline out of greed (online discussions; interview 3). During one interview, the participant referred back to distributional and procedural justice issues stemming from the high levels of corruption within the elected band council system (where elected chiefs capitalize on reserve money) which they considered to be a driving factor for accepting expensive projects (interview 3).

5.1.2 (Neo)Colonialism

Canada has a rich history of colonization of indigenous land (Tomiak, 2016; Gunn, 2019; Wilkes, 2020; Maynard, 2010), a practice which is still being perpetuated through neocolonialist actions and which was found to be a driver behind the current pipeline conflict in Wet'suwet'en. As a continuation of colonialist control, neocolonialism can be exercised through different economic, cultural, political, and ideological means as well as through education and literature etc. (Qiao, 2018). During research, several different manifestations of neocolonialism were addressed. Summarised, these most often referred to actions to dispossess indigenous land, as well as Canada's assimilation agenda which was often referred to as cultural genocide (solidarity events 1-6; interviews 1; 2; 3). One interview quote is especially interesting when considering how the latter drives the current situation: *"our understanding of our own culture has been very distorted by Colonialism. There's the effect of post-colonial colonialism and so we don't always react and believe the things in a way which we ought to."* (interview 2)

These neocolonial actions have resulted in obvious environmental justice issues. For example, early on in research it became apparent that a key issue in this case is the lack of recognition of indigenous governance systems (hereditary chiefs) versus colonial governance systems (elected band councils) which has led to procedural injustices when obtaining the free, prior and informed consent needed to proceed with the project (Gunn & McIvor, 2020; Ditchburn, 2020; Smart, 2020). While attending solidarity events

with members of Wet'suwet'en First Nation as well as during interviews, this procedural justice issue was heavily discussed. For example, attendees and interview participants expressed the belief that by consulting the elected band council instead of the rightful authority, namely hereditary chiefs, CGL and the Canadian government acted to surpass indigenous titles and governance systems to enable an illegal occupation and dispossession of Wet'suwet'en land (solidarity events 1-6, interviews 2 & 3).

Another common theme which was found during data collection is that of flawed consent relating to the elected band council having made the decision under duress (interviews 1; 2; 3; Bracken, 2020; Pasternak, 2020). This theme combines capitalist and colonialist factors as it concerns the federal government's restrictions on granting indigenous communities full ownership of their land under the Indian Act (Mccue, 2018), as well as the perceived prioritization in this case of financial capital over human or cultural capital. This theme was reiterated in the consensus amongst the anti-pipeline community that Indigenous Nations do not have the privilege to reject projects on their land. Severely problematic from procedural and recognition justice perspectives, participants expressed the belief that the project would have gained approval regardless of whether or not the elected band council in Wet'suwet'en had opted to reject the CGL pipeline, and that the elected band council was right to pursue any financial compensation that may be available because the project would proceed anyway (interviews 1; 3; Smart, 2019; Bracken, 2020). These concerns are justified when reading the province's 2014 Environmental Assessment report of the pipeline in which the province notes that they have received written submissions from several indigenous communities, including the Office of the Wet'suwet'en, which address concerns over their environmental assessment methodology, the impact of the project within asserted territories, impacts to traditional land use, and concerns over rights and titles (EPIC, 2014, p. 5). Despite these written letters of concern, the province's Environmental Assessment Office proceeded to approve the pipeline.

Similarly, media accounts from First Nations communities which had also consented to the same pipeline recalled how CGL would not take no for an answer and would continue to pressure communities (Smart, 2019; Morin, 2019). Statements like "*Consent given under duress is not consent*" were commonly encountered during data collection, thus highlighting the perceived procedural injustices surrounding this case. Furthermore, when considering additional recognition-based injustices of the project, it is also noteworthy that both CGL and the provincial government failed to recognize the authority of the

Wet'suwet'en hereditary chiefs when rejecting a proposed alternate route⁷ citing primarily economic reasons (Boynton, 2020; Coastal GasLink, 2014).

5.2 Pressures

The following section addresses the main pressures found during research, namely: settler Canadian relations with First Nations, the absence of indigenous issues in Canada's education system, economic pressures on reserves, climate change, modern social activist culture, political landscape, and Canadian law.

5.2.1 (Historical) relations between settler Canadians and First Nations

During data collection, several pressures on the current pipeline conflict (and subsequent social action) became apparent. The first pressure which frequently arose in online discussions, was present in media articles, spoken about at solidarity events, and brought up during interviews is the relationship between settler Canadians and First Nations in Canada.

Probably the main defining characteristic of this relationship relates back to Canada's colonial history which is mentioned above as a driver. Interview participants talked extensively about the historical and modern implications of the Canadian government's Indian Act. While the Indian Act does award certain benefits, the original intent of the legislation was to ensure that First Nations peoples assimilated into Canadian society which was historically accomplished through violence, oppression, and (cultural) genocide (Henderson, 2018). Every indigenous person I encountered during research shared stories of how they have been personally affected by racism, systemic violence, or some form of oppression (solidarity events 1-6; interviews 1; 2; 3). This historic context has materialized today as a lack of trust in the government among the First Nations community, socioeconomic inequalities, and heightened tensions (solidarity events 1-6; interviews 1; 2; 3).

Absence of indigenous issues in Canada's education system

Interview participants also felt that a lack of education on First Nations people in Canada contributes to poor relations between settler Canadians and First Nations people (interviews 1; 2; 3). Interview participants connected racist indigenous stereotypes to a lack of education on, and exposure to

⁷ The proposed alternate route would have still crossed Wet'suwet'en land, however, would have been less culturally and ecologically harmful (Boynton, 2020; interviews 1; 2).

indigenous people (interview 1; 2; 3). Similarly, one participant reflected on how Canada's limited education on the topic often paints a flawed view of indigenous people. Moreover, Canada's educational system was described as a neocolonial method employed by Canada to further its agenda of indigenous assimilation and epistemicide⁸ (solidarity events 2 & 6; interviews 1; 2; 3; Hall & Tandon, 2017). On the topic, one interview participant mentioned the following: *"I didn't know about what happened in residential schools⁹ until the last 10 years. We weren't taught about it. I knew that there were schools, but I thought they were just schools that were on the res [reservation]. Since these years I've met many people that have been directly affected by these tools of Colonization."*

Interview participants also felt that Canada's education system contributes to procedural injustices by perpetuating racist stereotypes which fuel police brutality towards indigenous people¹⁰ (interviews 1; 2; 3). Many people I encountered spoke about how they do not feel safe being an indigenous person in Canada, and discussions around distrust of the Canadian government's desire and ability to address indigenous issues were prevalent. A frequently mentioned example of this is the 'highway of tears' which is the site of numerous kidnappings and murders of indigenous women from Wet'suwet'en and surrounding Indigenous Nations (solidarity events 3, 4, and 5; interview 2). One interviewee mentioned their belief that if these cases concerned 'white women' the government would have addressed the issue long ago (interview 2).

5.2.2 Economic pressures on reserves

Largely a result of the historical oppression mentioned above, are economic pressures which First Nations people face, especially on reserves. During research it was found that despite contradicting traditional indigenous prioritization of the environment, many First Nations support projects like the CGL pipeline as they offer communities relief from poverty and high unemployment rates on reserves (NIEDB, 2019; MacKinnon, 2013). For instance, despite disagreeing with the move, all interview participants expressed

⁸ Epistemicide is defined as the killing of knowledge systems (Hall & Tandon, 2017). In this case, Canada's actions have been described as means to disconnect indigenous people from their heritage and misinform the general public (interview 1; Hall & Tandon, 2017).

⁹ Residential schools were part of a government funded initiative created to assimilate indigenous children into Euro-Canadian society. Aside from the major implications presented by disconnecting students from their families and heritage, residential schools were rife with abuse, and approximately 6000 of the total 150,000 indigenous children that attended residential schools never made it home. The final residential school closed in 1996, and since then thousands of residential school alumni have demanded recognition and restitution (Miller, 2020).

¹⁰ This was echoed in online discussions around the rail blockades which often mentioned the 1990 Oka crisis which occurred between the Canadian military police and a group of indigenous land defenders in Quebec. The crisis resulted in one death and multiple injuries and has largely served as an example of how clashes between Canadian authorities and First Nations communities can turn violent very easily.

understanding and compassion for the Wet'suwet'en elected band council's decision to consent to the project. During desk research, it was found that indigenous reserves in Canada often lack resources to provide their communities with basic needs like proper education, housing, heating, and clean drinking water (Zoledziowski, 2020a; Levasseur & Marcoux, 2015; Stastna, 2011a; Stastna, 2011b; Stastna, 2011c). Most people I spoke with during research (during interviews as well as during solidarity events and online discussions) mentioned how they sympathized with the band council for having to decide between "*feeding their communities*"¹¹, and contradicting the deeply ingrained indigenous values of environmental prioritization (interviews 1; 2). As this economic burden is felt disproportionately by First Nations people due to restrictions set in place by the Canadian government (as well as indirectly due to ignorance and racism), there is enormous pressure to accept any relief which is offered. These pressures are compromising free, prior, and informed consent, thereby contributing to procedural injustices.

5.2.3 Climate change

The next factor which is pressuring the situation is climate change. During research almost every indigenous and non-indigenous person I encountered mentioned the added pressure to stop this pipeline due to climate change (solidarity events 1, 2, 3, 4 and 6; interviews 1; 2). Interview participants mentioned how indigenous people living off the land can see the impacts of climate change much faster than non-indigenous people living in the city, and therefore disproportionately bear more burdens of climate change-inducing activities like fossil fuel projects (interviews 1; 2). At solidarity events, land defenders from Wet'suwet'en mentioned how they are fighting this pipeline for the sake of future generations in an effort to mitigate climate change (Solidarity events 3 & 4). From a general environmental perspective, this project presents distributional injustices as it is perceived by indigenous people as costing more environmentally than the proposed financial benefits it would yield (Unist'ot'en camp, n.d; interviews 1; 2; 3).

5.2.4 Modern social activist culture

Seen as a positive 'pressure' on the situation, indigenous community members mentioned the rise in social justice and climate change activism as helping attract non-indigenous people to the cause which has helped garner more attention and media coverage (solidarity events 1, 3, 4, 5, and 6; interviews 1; 2; 3; Bracken & Cecco, 2020).

¹¹ During research other comparisons were often drawn, however all had the same implications and meaning as the one above.

5.2.5 Political landscape

A significant factor adding pressure in this situation is the current political climate in Canada (interview 1). On October 21st, 2019 Canada held its federal elections. Following a politically polarized campaign season, the elections resulted in a Liberal minority government. Having previously held a majority government up until that point, Prime Minister Justin Trudeau and the Liberal party faced immense pressures during the election campaign to appeal to more politically conservative voters in Canada's main oil & gas producing provinces (Ljunggren & Gordon, 2018; Kent, 2019; Giovannetti, 2019; Zimonjic, 2019). To achieve this, one key topic in the Liberal campaign was bolstering the economy by supporting pipeline projects while investing revenues from said projects into climate change mitigation initiatives (Liberal Party of Canada, 2019). However, after the breakdown of another widely supported pipeline project, the Liberal party suffered a sweeping defeat to the Conservative party in the popular vote. As the Liberals have been vocal about their support for this project (Government of Canada, 2019), and due to the broad Conservative-voter support for the pipeline (Stubbs, 2018), the current government seems reluctant to support pipeline protesters and indigenous land defenders who are trying to put a stop to the CGL pipeline. This political landscape can be seen as contributing to ongoing procedural and distributional injustices as it is thwarting the federal government from taking action to resolve the issue.

5.2.6 Canadian law

Finally, when considering recognition and distributional injustices, one interview participant¹² made a connection between Canada's legal system and unjust resource use. The participant discussed how Canadian law has adopted an economic lens which influences legal decisions in court, and which they believe has contributed to the approval of this project despite aboriginal rights violations (solidarity events 4 & 6; interview 2). This point is also reflected in the Canadian supreme court's broad definition during the Delgamuukw court case¹³ of what constitutes justifiable grounds to limit aboriginal rights (Gunn, 2019). This definition includes things like development of Crown land through agricultural development, hydroelectric power generation, and general economic development of BC (Gunn, 2019). Additionally, despite being hailed a victory for aboriginal people in Canada, the Delgamuukw court case failed to

¹² The participant has both an academic and professional experience with indigenous law and was therefore able to elaborate on the topic.

¹³ The Delgamuukw court case helped establish aboriginal title and Gitksan and Wet'suwet'en Nation's aboriginal claim to their territories. The case is the result of continued legal action which initially denied the nations right over their land. This case is also significant in the fact that it led to the recognition of oral evidence as proof in the court of law (Beaudoin, 2019).

address the topic of remediation (Gunn, 2019). Therefore, although the case did set a precedent by confirming that aboriginal rights can be recognized by Canadian courts, it failed to provide meaningful resolutions to potential rights violations.

5.3 State

The following section describes the state of the conflict as of the beginning of March 2020.

5.3.1 Injunction, violent invasion, and occupation

Although the current conflict with CGL started years ago, it was only in January of 2020 when CGL and the RCMP enforced an injunction granted by the BC supreme court that the situation escalated and garnered international attention. On February 6th, the RCMP began invading Wet'suwet'en territory and arresting land defenders, including the Wet'suwet'en matriarchs who were defending a healing centre. Although the RCMP maintain that only peaceful methods of detainment were employed, witnesses recall the presence of snipers, guns being pointed at peaceful protesters, and the disproportionate presence of military police (solidarity events 3, 4, 5, and 6; Gidimt'en checkpoint, 2020; the Two Row Times, 2020). Most land defenders have since been released. During two solidarity events, land defender and daughter of one of the hereditary chiefs of Wet'suwet'en First Nation, Eve Saint, recounted how the RCMP offered to release her on condition that she only return to Wet'suwet'en territory for ceremonial purposes (solidarity events 3 & 4). Ms. Saint criticized the offer stating *"Every time I step into my territory it's spiritual. Being on my land is a ceremony"* (Eve Saint, solidarity events 3 & 4). This offer substantiates a lack of recognition of aboriginal land rights, while the entire process of serving an injunction to a First Nation on their own land presents clear procedural and distributional injustices.

5.3.2 #Wet'suwet'enStrong & critical infrastructure blockades

The *"#WetsuwetenStrong"* social movement started in January in protest of the illegal occupation of Wet'suwet'en land. This movement has resulted in thousands of people engaging in peaceful protests across the country including marches, school walkouts, and benefit concerts. Immediately following the arrests of land defenders on Wet'suwet'en territory, Mohawk First Nations protesters at Tyendinaga near Belleville, Ontario set up a rail blockade in support of the Wet'suwet'en people (Wyld & Loriggio, 2020). This action quickly resulted in the establishment of rail and highway blockades across Canada, all calling on the government to remove RCMP and CGL workers from Wet'suwet'en land immediately. Online discourses on indigenous social media pages revealed the historical relevance of such protests as

indigenous peoples in Canada have historically resorted to rail blockades as a form to protest colonization or colonial violence. These protests also serve to increase awareness of indigenous justice issues in Canada by drawing comparison between the inconveniences which settler Canadians experience because of the rail blockades, and issues that indigenous people have historically and currently faced.

Public backlash

The effectiveness of the rail and highway-blockades has led to economic pressure on the government in the form of stalled goods and services. As more than half of all Canadian goods are transported by rail across the country, the economic impact of these blockades is immense (Prentice, 2020; MacLeod, 2020; Howlett & McCullough, 2020; Zoledziowski, 2020b). The Conservative party leader and leader of the parliamentary opposition, Andrew Scheer added further pressure to the situation on February 18th when he labeled the protests as radical and illegal (Raj & Lum, 2020). These comments seemingly contributed to anti-protester rhetoric which had been escalating since the start of the rail blockades. Many indigenous community members reported receiving abusive or violent messages on and offline during this period (Mussa, 2020; Sterritt, 2020; interviews 1; 2; 3). Two common threats which appeared on online discussion boards were people calling for indigenous protesters to be run over by trains as well as people threatening to give indigenous protesters blankets imported from Wuhan, China (the epicentre of the Covid-19 breakout), a historical nod to Colonial biological warfare during which smallpox blankets were distributed to indigenous people to infect them with the foreign disease (Lamoureux, 2020; Kiger, 2018).

On February 24th, the Ontario Provincial Police arrested Mohawk protesters at the Tyendinaga rail blockade (Wyld & Loriggio, 2020). According to firsthand accounts by indigenous protesters which were present during the arrests, police were very violent during the arrests (Solidarity event 6; thematic ...). However, despite these arrests, highway blockades have continued throughout the country (Taekema, 2020; Hristova & Taekema, 2020; Richardson, 2020).

5.3.4 Continued conflict

In early March mainstream media outlets reported that the Wet'suwet'en hereditary chiefs had reached an agreement with the provincial government (McIntosh, 2020b; Alam, 2020; Jang, 2020). However, mainstream media largely misrepresented the agreement which turned out solely addressed the issue of land titles, and not the current pipeline project (CBC, 2020). As of March, the RCMP and CGL workers remain on Wet'suwet'en territory and the project is proceeding as planned.

5.4 Impacts

Some impacts of the Wet'suwet'en pipeline conflict and subsequent social action are already observable while some may take time to realize. The following section will cover the four main impacts which have already been observed, and while projected impacts which emerged during research have been addressed in the discussion section.

5.4.1 Polarized public & increased violence towards indigenous people

The first and probably most overt impact due to the current conflict is the polarization of Canadian society. While the initial pipeline conflict was polarizing and split Canada into those who were in support of the pipeline and those advocating for environmental and indigenous rights, it was the subsequent rail blockades which really split the country. As elaborated upon in the *state* section, the rail blockades have been subjected to intense political scrutiny and have resulted in a rise in abusive online discussions in which 'anti-blockaders' call for indigenous activists to be run over, shot, hit etc. When discussing the topic, one interview participant said the following *"I don't think there are more racists, I think it's the same amount of people that were racist all along, but they're being emboldened by what they're seeing."* (interview 1). According to Schlosberg (2004) this negative societal impact is due to recognitional injustices and may perpetuate further physical injustices.

5.4.2 Increased awareness of indigenous issues, and increased unity among First Nations

However, despite the above concerns, it was apparent during research that the current state has also positively impacted indigenous and non-indigenous relations. Firstly, by drawing attention to indigenous justice issues, many non-indigenous Canadians have found meaning in the cause. Particularly, the masses that identified with the growing global climate movement seem to find this cause especially meaningful as it concerns environmental issues as well. This on its own has been majorly impactful because it has resulted in large numbers of people physically protesting, contacting political representatives, and covering the story in mainstream media (Bracken & Cecco, 2020).

5.5 Responses

Responding to this issue in a way which creates socially equitable and environmentally sustainable solutions is no easy feat. However, while solving this issue poses great challenges, the first step is clear; indigenous voices need to be central in the process. Therefore, the following responses have been

compiled using suggestions from members of the indigenous community, statements from Wet'suwet'en hereditary chiefs, as well as using insights gained throughout this process.

5.5.1 Removal of RCMP and CGL from Wet'suwet'en territory

Naturally, the first response to this conflict is to remove the RCMP and CGL from Wet'suwet'en territory immediately. As the Wet'suwet'en territory is unceded, the only way which the project should proceed is if full free, prior, and informed consent is granted. This response was not only provided by all participants during interviews but is also the core call-to-action behind the #Wet'suwet'enStrong social movement (interviews 1; 2; 3).

5.5.2 Formal adoption of UNDRIP on federal level

Addressing one of the core drivers of this issue, namely colonialism, is the need to grant indigenous people equal rights. As mentioned under pressures, the current representation of aboriginal people under Canadian law is very limited and lacks access to effective remediation (see 5.5.2.1). Responding to this issue should include formally adopting UNDRIP into federal legislation and thereby referring to internationally defined human rights instead of Canada's oppressive Indian Act, a move which has been widely called for within the indigenous community (interviews 1; 2; 3). The adoption of UNDRIP is especially important in this case as it directly addresses two of the drivers behind the conflict, namely the rights of indigenous persons to be protected against cultural assimilation as well as the right of indigenous persons to 'use, own, occupy, and develop their traditional lands, territories, and resources' (Gunn, 2019).

Economic remediation to account for historical oppressions

While the above response addresses inequities which indigenous people in Canada face daily, it does not directly respond to Canada's history of dispossession and economic oppression which continues to impact First Nations communities. Therefore, the second necessary response should aim to retroactively address historical distributional injustices by providing remediation in the form of money and land (solidarity events 4, 5 & 6; Gunn, 2019). This response will also help eradicate some of the procedural injustices caused by economic pressures which First Nations face when deciding whether to accept projects like the CGL.

Adoption of indigenous law into Canadian law

Aside from adopting UNDRIP, one response which will strengthen the relationship between the indigenous community and settler Canadians as well as address recognition-based injustices is the integration of indigenous law into the Canadian legal system. Although self-determination is a foundational right of Indigenous peoples (Gunn, 2019), by recognizing and integrating specific laws from indigenous nations in Canada, indigenous perspectives and participation can be better ensured (interview 2; Tomm, 2013; Ariss & Cutfeet, 2011; Moulton, 2016; Perry, 2011). This was reiterated when speaking to a First Nations community member with a background and experience in indigenous law. This participant discussed how integrating indigenous law into the main Canadian legal system is not a far-fetched idea and would be a pragmatic step forward in reconciling relations with the indigenous community in Canada (interview 2).

5.5.3 Introduction of indigenous history into the Canadian education system

Addressing many of the drivers, pressures, and impacts of this case starts with addressing the education of future generations (Schaepli, et al., 2018; Graham, 2010). When talking to First Nations members about overcoming racism and fostering positive relations with non-indigenous Canadians, the conversation often related back to education. If adopted as recommended above, UNDRIP asserts the right of indigenous peoples to access to indigenous education. This obligates the Canadian government to ensure that indigenous education¹⁴ is made accessible to all indigenous people in Canada (Graham, 2010). As previously mentioned in the pressures section, the lack of indigenous inclusion in the Canadian education system, as well as the almost complete absence of indigenous perspectives in education has led to impaired relationships between indigenous and non-indigenous Canadians. Responding to this pressure therefore requires an adaptation of Canada's current educational curriculum to include indigenous storytelling¹⁵ and indigenous-led history lessons (Schaepli, et al., 2018).

¹⁴ This includes having access to culturally appropriate education as well as education offered in indigenous languages (Graham, 2010).

¹⁵ As discussed with interview participants as well as found in literature on the topic, much of indigenous education happens orally through storytelling. Indigenous storytelling adheres to traditional methods used to ensure accuracy as the story gets passed down to the next generation (interviews 2; 3).

6. Discussion

The pipeline conflict between Wet'suwet'en Nation, CGL and the Canadian government is complex in many ways. As found in the analysis, this case is driven by neocolonial and neoliberal practices, and has resulted in environmental injustices on many different levels. Also interesting is the subsequent social movement, #WetsuwetenStrong, which has gained widespread support thanks in part to its overlapping cause with climate action movements. Using the DPSIR framework, the analysis has plotted out the drivers, pressures, state, impacts and potential responses to the conflict, while environmental justice theory has been used to identify distributional, procedural, and recognition-based injustices. The following section discusses topics of further interest or additional importance.

6.1 Recognition, law, and participation

Almost all of the environmental injustices occurring in this case could in some way be related back to neocolonialism either indirectly through racist or biased beliefs created through Canada's efforts to assimilate indigenous people into a Euro-Canadian culture, or directly through oppressive laws set under the Indian Act. Responding to such complex drivers and pressures can be especially challenging. For example, one of the key issues in this pipeline conflict is the lack of recognition of indigenous laws and governance systems which contributed to the pipeline being approved in the first place. One response which was found to help address this issue of recognition is the integration of indigenous law into Canada's legal system.

Despite the perceived potential of this response to increase indigenous sovereignty and to improve the quality of life for indigenous people in Canada, research on the topic has found that issues with legal pluralism in Canada's legal system (and a rights-based approach) limit the applicability of indigenous law into Canadian law without reinforcing colonial systems (Moulton, 2016; Hendry & Tatum, 2016). This together with public justifiability issues, or the idea that *"the laws of a democratic state should be justified to all its citizens"* (Tomm, 2013), indicate that a change to the greater system may be a prerequisite. Theoretically, Critical Race Theory (CRT), which draws a connection between race, law, and power¹⁶ (Möschel, 2019), may be an appropriate entry point to further explore these systemic shortcomings and

¹⁶ Despite its origins exploring racism towards African Americans in the American legal system, CRT has expanded to explore racism towards other minorities, including indigenous people, and its applicability to other legal jurisdictions like the Canadian legal system (Möschel, 2019).

how to overcome them. Literature on the topic has explored how historical racism towards indigenous people in North America has led to an acceptance and integration of racist stereotypes within the Supreme Court (Maillard & Williams, 2007). Given the scope of this research, I was unable to explore this topic deeply enough to be able to provide specific recommendations on how Canada's (or specifically British Columbia's) legal system should be adapted to rid itself of racist structures which perpetuate the environmental injustices observed in this case. However, members of the indigenous community, including those briefed in indigenous law, have communicated that this would be an important step towards reconciliation. Given its social importance to the indigenous community, as well as its material importance to this case, it is crucial that this topic be further researched.

As CRT often discusses the role which academic language and legal jargon play in isolating and marginalizing the voices of those most impacted by racist legal structures and systems, participatory research is key to ensuring that indigenous stories are shared and indigenous voices are heard. Additionally, intersectionality is both a central tenet of CRT (Möschel, 2019) and is especially relevant in this case given the increased risk which certain members of the indigenous community face (see 6.2 *Addressing racism & violence*). Therefore, participatory research should include marginalized voices within the indigenous community itself.

6.2 Addressing racism & violence

Another important point for discussion is how to respond to the increase in overt racism which is adding pressure to the current conflict. During research it was concluded that this racism is largely the result of flawed education in Canada, and therefore the suggested response was to adapt Canada's education system to include lessons on indigenous history, language, culture etc. While this response mainly prevents future racist behaviour by raising children to be more informed, it does not *directly* address current racist behaviour which means the indigenous community may remain exposed to racist violence both on- and offline.

Responding to this pressure is especially difficult as the pressure itself is manifested in different ways. For example, as mentioned in the analysis, there have been increases in indigenous people receiving racist abuse online, which, aside from a few rare cases, largely goes without consequence¹⁷. Offline, members

¹⁷ Members of the indigenous community reported that on the rare occasion, racist or violent comments were taken down after being reported (interview 1).

of the indigenous community reported feeling vulnerable to disproportionate police violence or racial profiling (solidarity events 1, 3, 4, and 6; interviews 1; 2; 3), and also reported feeling as though cases of violence towards indigenous people often go unaddressed by police¹⁸. Adding to this is concern over a projected increase in colonial violence towards indigenous people. During interviews and solidarity events indigenous community members expressed concern that the increase in openly racist and violent commentary online would translate into real physical threats offline (solidarity events 3, 4, and 5; interviews 1; 2; 3).

This raises the important question of how to address and end this violence. An Amnesty International (2009) special report on violence against indigenous women in Canada discusses addressing racism and violence by reducing external factors which make members of the indigenous community more vulnerable. These factors include things like access to housing, education, and poverty (Amnesty International, 2009). Similarly, from a human rights due diligence perspective, Canada as a nation must focus on identifying areas of increased risk (for example police brutality against indigenous people) using participatory measures, taking active steps to mitigate identified risks, and providing access to remedy should a human rights violation occur (ohchr, 2011).

However, the continuous abuse of indigenous rights in Canada serves as proof that this process is not working as it should. Therefore, I would argue that, given the response which the movement has already garnered, the best way forward may be to continue applying pressure to the government through the #WetsuwetenStrong campaign. When discussing this topic in interviews, one interview participant referred to settler support and awareness raising stating the following: *“Academic research such as yours is fantastic. Involvement, social involvement of non-native people like yourself is so welcomed and appreciated. If it is a better world in the long run, I think it’ll be because we’ve taken this organic approach.”* (interview 2). Similarly, many indigenous community members communicated their anticipation that the increase in non-indigenous allies taking part in the #WetsuwetenStrong movement will help add (inter)national pressure to the federal government which may result in improved conditions for First Nations across the country. This indicates the welcomed potential which further research on the

¹⁸ According to a 2009 report on violence against indigenous women in Canada, despite only representing 6% of the population, indigenous women make up 60% of long-term cases of missing women in Saskatchewan (Amnesty International, 2009).

topic provides, whether through directly identifying solutions to the problem, or by increasing leverage through awareness creation and education.

6.3 Attitudes moving forward

Despite the urgent need to resolve this issue, one of the most challenging parts of research was understanding discrepancies within the indigenous community on how to respond to issues driving this conflict. For example, when discussing remediation I observed many members of the indigenous community calling for *Land Back* which directly relates back to a deep seeded sense of injustice and resentment by the indigenous community about the dispossession of their land by settler Canadians during colonization. However, while the use of the term was widely applied by the indigenous community, actual attitudes towards what *Land Back* should entail varied. For example, during one solidarity event, one indigenous person spoke about how reconciliation means indigenous people should receive *all* of their land back, or in other words, all non-indigenous people need to leave turtle island¹⁹ (solidarity event 6). At the same event however, another indigenous person spoke about reconciliation meaning equal rights, recognition, and equitable participation in decision making (solidarity event 6). Despite these variations, most indigenous people I encountered were unified in calling for the Canadian government to demonstrate accountability and genuine engagement, including recognizing²⁰ and respecting²¹ traditional indigenous governance and culture. There was a clear consensus that such actions would need to occur to start forming a meaningful relationship between the indigenous community and Canadian government (interviews 2; 3).

Another important discussion point is how to address the climate change pressure in this case as well as the broader exposure which indigenous people face worldwide. While the adoption of UNDRIP would provide the indigenous community in Canada the right to govern their land as they please (which may facilitate the mitigation of direct environmental impacts), climate change continues to threaten the indigenous community at large. For example, the members of Wet'suwet'en Nation rely on the land to source their food. As climate change threatens global biodiversity, changes weather patterns, and increases forest fire risk (IPCC, 2014), the people of Wet'suwet'en become especially vulnerable.

¹⁹ Turtle island refers to the entirety of North America.

²⁰ Recognized in this sense refers to formal recognition under the law.

²¹ Respect refers to the Canadian government following their own laws as well as indigenous law governing indigenous territory.

It is also important to understand the ways in which the media may be skewing attitudes surrounding the conflict. For example, during research it was quite challenging to get a clear view of opinions on the ground through conventional media sources. So-called “fake news” was widely circulated, and paid media by CGL was often featured by major mainstream media sources (Rocha, Yates, & Bellemare, 2020). Furthermore, one study by the Yellowhead institute at Ryerson University found that CGL’s private benefits agreements (which remain unsigned by Wet’suwet’en Nation) include clauses which forbid Nation members from speaking out against CGL or the project, thereby limiting aboriginal constitutional rights (Pasternak, 2020). Procedural injustices like this reinforce a flawed system where indigenous voices are suppressed, the ability of indigenous people to act out against injustices is hindered, and people are left feeling helpless and hopeless.

6.4 Relevance for sustainability science

This case cements the importance of sustainability science in climate change mitigation. As an issue, climate change alone presents inequities regarding distribution of impacts. In other terms, those who are most vulnerable to climate change remain the people that played little to no role in causing the problem. Therefore, when addressing climate change, we must try to ensure that efforts are both just and equitable. As this case demonstrates, participation is key in this process. The most socially progressive and environmentally sound solutions are often found by working with the people, especially when dealing with indigenous populations. This case therefore contributes to sustainability science by providing a case which questions the social equity surrounding highly popular, and in a sense *hegemonic*, forms of climate change mitigation, namely, transition fuels like natural gas. Additionally, this case exhibits the compatibility and importance of indigenous research methods when conducting participatory, solutions-based research, like that found in sustainability science.

7. Conclusion

This thesis aimed to understand the environmental injustices behind the Wet'suwet'en pipeline conflict and to identify ways to respond to and resolve these injustices. This conflict presents a very complex case driven by a mix of modern and historical factors. Canada's rich colonial history and modern neoliberal economic mindset has led to a wicked problem which is not easily solved. Using mixed methods and theoretical inputs from indigenous research methods and environmental justice theory, this research identified several different environmental injustices ranging from absent recognition of traditional indigenous governance systems, to procedural injustices relating to disproportionate police violence. Historical factors like poor settler-colonizer relations, socioeconomic oppression, and political pressures have combined with modern factors like climate change and an activist subculture to birth the current state which is defined by the #WetsuwetenStrong nation-wide social action, the RCMP invasion, and continued presence of CGL on Wet'suwet'en territory. The current situation has resulted in the polarization of Canadian society into those who are pro-pipeline and/or against the rail blockades, versus those supporting the Wet'suwet'en strong movement. Consequently, members of the indigenous community have reported steep increases in online abuse and threats of violence.

Not all impacts have been negative, however. An increased feeling of unity among different indigenous nations in Canada was reported, as well as increased awareness of this case and indigenous oppression at the hands of the Canadian government. The first main response to the various drivers, pressures and impacts of this case is adapting Canada's educational system to help reverse historically ingrained biases towards indigenous people, and to foster a more tolerant society by integrating indigenous history, culture etc. into the mandatory curriculum. Supporting this response is a formal adoption of UNDRIP on federal level as well as the integration of indigenous law into Canada's legal system. These actions address several justice issues in this case by ensuring that indigenous sovereignty and agency is recognized and well protected. Finally, responding to this situation must include addressing historical socio-economic pressures which restrict indigenous sovereignty and decision-making. By providing retroactive access to remedy in economic terms as well as by providing *land back*, economic pressures due to Canada's (neo)colonial history will be eased, thereby ensuring a more equitable future for the indigenous community in Canada.

However, these responses are not perfect; further research is needed to ensure that the steps forward do not cause any unintended harm. Research into topics like decolonizing education and law are crucial. Similarly, while this thesis addressed one specific pipeline conflict, it should not be forgotten that environmental injustices affect indigenous people across the globe. At the core of this conflict is Canada's continued extraction of fossil resources. As indigenous groups remain especially vulnerable to climate change and are set to be disproportionately affected by its impacts, we must continue to question and change the global systems which perpetuate this issue. Only then can we really ensure the equity and justice that all indigenous people are entitled to.

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9. Appendices

9.1 Appendix 1 - Interview questions

1. How would you describe the current pipeline conflict out in Wet'suwet'en?
2. When and how did you first hear about the current Wet'suwet'en pipeline conflict?
3. What was your initial reaction upon learning about the conflict?
4. Would you say that your feelings are shared within the indigenous community? If not, why?
5. How do you perceive the distribution of benefits and burdens of Coastal GasLink/LNG Canada's project?
 - a. Economic benefits/burdens
 - b. Environmental benefits/burdens
6. How do you perceive the Recognition of indigenous communities as a key stakeholder in relation to energy projects? More specifically, what are your thoughts on the recognition (or lack thereof) of Wet'suwet'en traditions/customs/governance structures?
7. What are your thoughts on free, prior, and informed consent? Do you feel like the approval procedures surrounding energy projects are just?
8. What do you identify as the drivers behind conflicts with First Nations communities?
9. Can you identify any phenomenon's that you feel may put pressure on the situation? Climate change for example.
10. How do you feel the current situation impacts the indigenous community as a whole in Canada?
11. What do you think can/needs to be done to facilitate more just and equitable conditions for indigenous persons in Canada? How do you think we can address the drivers of these issues to improve the lives of indigenous communities in Canada?