

Aesthetic Alibis for Conquest:

Settler Imaginations in Creating and Maintaining Pacific Spirit Regional Park



Pacific Spirit Regional Park, separating the University of British Columbia (UBC) from the urban landscape of Metro Vancouver, serves not only as a gateway to the University, but, according to the Dunbar Residents Association, “to the Pacific . . . and [to] becoming one with nature.”¹ While such descriptions position Pacific Spirit Regional Park (PSRP) as an escape from the busy city, they obscure a long history of legal and political conflict that continues today. This paper focuses on two particular points in this history: the process leading up to the land’s designation as parkland in 1989, and the more recent return (“transfer” or “sale”²) of two parcels of parkland to the xʷməθkʷəy̓əm (Musqueam) Nation as part of a “reconciliation, settlement and benefits agreement” with the Province of British Columbia.³ The explicitly legal (i.e. state) processes – negotiations, legislation, etc. – involved in these conflicts are important to consider; however, this paper focuses on the mobilization of residents from the Dunbar-Southlands, UBC and Metro Vancouver communities during these two time periods. I aim to show that residents mobilizing in the 70s, 80s, and most recently in 2007 were engaged in processes of legal argumentation and interpretation, despite their attempts to locate themselves as “outside” of state institutions.

The value of illustrating these residents as legal actors, I suggest, is to make visible the ways in which their arguments engaged with and reinforced long-standing colonial legal norms relating to access to “nature” and “natural” resources. In drawing out connections between legal processes and nature or parkland in the settler colonial context, I build on the work of Indigenous legal scholars in extending anthropological critiques of the nature-culture binary into the realm

¹ Dunbar Residents Association, “Pacific Spirit Regional Park.”

² These terms are used by the government and Dunbar community members respectively, in ways that obscure the Musqueam Nation’s ‘claim’ to title to lands including, but not limited to, what is now known as the University Endowment Lands.

³ Government of British Columbia. “Reconciliation Agreement Reached with Musqueam,” November 9, 2007.

of law.⁴ If both nature and law are cultural, the ways in which these Vancouver residents position themselves as “innocent” by identifying with nature begin to break down. In this decomposition, we can find strategies for disrupting the “everyday realities that we are usually expert at ignoring.”⁵ Specifically, making visible the plurality of legal relationships and processes that exist in our day-to-day lives allows for a disruption of settlers’ claims to innocence, as well as frameworks for building more just relationships with Indigenous territorialities.

Legal Invisibility: Norms and Settler Subject Position

Before setting the theoretical foundation for this paper by exploring the Cartesian dualism of nature versus culture, it is important to contextualize my interests in Pacific Spirit Park, in critiques of settler-colonial narratives, and in the relationship between “one with nature” narratives and normative (legal) frameworks around nature. I currently live on the edge of the Park in Dunbar-Southlands, where I share a house with six other queer settlers. It is clear in this wealthy neighbourhood – close to private schools, far from transit, and largely sidewalk-free – that we do not meet the normative expectations for residents in this community. We can afford to live here only by ignoring occupancy limits; some of us are rarely greeted or acknowledged by neighbours due to gender presentation and/or race; we certainly do not own cars as nice as the sixteen year-olds who attend the local school; we did not go to the back-to-school block party. Nevertheless, we are still here. These normative expectations are not law, at least for us: we face no threat of violence or displacement, nor do we feel any social repercussions for failing to meet these expectations. In other words, there is no external or self-regulation of these norms in our

⁴ See, for example, Deloria Jr., “Sacred Places”; Mack, “Turn Sideways”; Napoleon, “Living Together.”

⁵ Holtorf, *Contemporary Archaeologies: Excavating Now*, quoted in La Salle, “Escape into Nature,” 9.

lives. We are still privileged as settlers (and many of us as white), and as a result can still access these spaces and the Park.

Like most privileges, our settler status is largely normalized – and therefore invisible – in this community. As I return to later in this paper, this invisibility is constantly made both through the presence and absence of subordination and “difference”; to be “unmarked or unnamed is also simply to embody the norm and not to have actively produced and sustained it. To be the norm, yet have the norm unnamed, is to be innocent of the domination of others.”⁶ In the daily traverse toward our home along the aptly named “Imperial Road,” I began to wonder through what legal processes the invisibility of both Indigeneity and colonialism in this space came to be. As I learned from files in UBC’s Rare Books and Special Collections archives, the salmon-bearing Musqueam Creek runs alongside Imperial Road – if that presence was more visible, would Imperial Road sound violent, rather than normalized to residents? Or would it simply uphold imperialism’s normality by giving settlers an opportunity to “recognize” Indigenous presence? My hope is that in asking these questions I can explore settlers’ rhetorical and legal engagements in a way that takes seriously my own position as a settler by not solely taking up Indigenous peoples’ critiques, but also by working with other settlers to think about “what might be done.” Through naming this positionality, I am by no means made “innocent” in the subordination and on-going displacement of Indigenous peoples.

Thus, as part of this critique, this paper also considers settlers’ use of narratives in mobilizing around and naming PSRP that evoke a desire to *be* nature, or to be in spiritual harmony (“one”) with it.⁷ As I discuss, these narratives play a key role in maintaining the invisibility of settlers’ privileges – the access to lands and resources we have *because of* the

⁶ Fellows and Razack, “The Race to Innocence,” 341.

⁷ Many of the community webpages built around PSRP engage such narratives, including the Pacific Spirit Park Society’s “In the Spirit of the Park,” <http://pacificspiritparksociety.org/about-the-park/>.

dispossession of Indigenous peoples' lands and self-determining authority – by assuming that aligning oneself with nature is not a cultural (or legal) act, informed by one's cultural perspectives and power. Imagining and building more just relationships with land (and therefore the Indigenous peoples who are indivisible from those lands), however, is an important component of decolonization, and spirituality may have a role to play in that relationship-building.⁸

I am therefore interested in thinking through the differences between a relationship with “nature” – spiritual or otherwise – that ignores one's own complicity in the systems of oppression that have disrupted relationships with land for Indigenous peoples, and one that strives to be aligned with anti-colonial struggles. In the queer communities I know, white queer settlers are increasingly engaging “politicized” spirituality as a way of building community; caring for oneself and others; and challenging the ideas that spirituality or embodied knowledge should either be separate from activism, or engaged only when it is “conceived as a set of objective beliefs.”⁹ This engagement with spirituality has also been used, however, by “back”-to-the-land queer and feminist collectives in ways that appropriate and exploit the knowledge of Indigenous peoples and people of colour.¹⁰ Which aspects of such frameworks, if any, might be productive for me and my own communities in building different legal relationships to land? What norms have been carried forward by stories and arguments from the past that leads to

⁸ See, for example, Irlbacher-Fox, “#IdleNoMore: Settler Responsibility for Relationship,” <https://decolonization.wordpress.com/2012/12/27/idlenomore-settler-responsibility-for-relationship/>.

⁹ See, for example, Clementine Morigan, “Spiritual Experiences: Valuing and Politicizing Spirituality,” blog post, March 18, 2015, <http://clementinemorigan.com/2015/03/18/spiritual-experiences-valuing-and-politicizing-spirituality/>; Deloria Jr., “Sacred Places,” 334.

¹⁰ See, for example, Scott Lauria Morgensen, *Spaces Between Us: Queer Settler Colonialism and Indigenous Decolonization*, Minnesota University Press, 2011.

events like the recent “Night Quest” – evocative of a “vision quest,” featuring an oracle and spirit-catching?¹¹

This paper, therefore, is concerned with tracing the normative frameworks that settlers mobilized in the 70s-80s and in 2007 in order to resonate with and maintain the legal norms of the government of Metro Vancouver and their fellow citizens. My hope is that this contributes to a better understanding of the colonial norms embedded in settler law (state or otherwise), and thereby assists us in imagining less oppressive legal norms that would enable us to live more justly with nature.

Cartesian Dualisms: Nature as Law’s Exterior?

Indeed, if legal processes are cultural, and we have legal norms that regulate human relationships with “nature” just as we have laws that regulate relationships between humans, then nature and culture are inseparable. In this section, I engage with Indigenous legal scholars’ work on the nature-culture binary to lay a theoretical foundation for exploring how, in the case of Pacific Spirit Regional Park, settler citizens rhetorically position themselves as fighting to save nature *from* culture, while they are fighting, in reality, to maintain the power of settler state law *over* nature, and therefore Indigenous territoriality.

On October 18, 2007, Vancouver citizens concerned about park and golf course land being on the table in negotiations between the provincial government and the Musqueam Nation held a “public forum” to discuss their concerns. One resident, Shelagh Dodd, spoke at the forum about the formation of the Friends of Pacific Spirit Park group in opposition to the Save the Course group:

¹¹ Pacific Spirit Park Society, “Night Quest,” <http://pacificspiritparksociety.org/night-quest-saturday-march-28/>.

The political connections and money behind the Save the Course group were concerning. The Save the Course group were defending their interests, the Musqueam theirs, and the Provincial government was certainly defending their interests. Who was going to defend the Park? We felt we had to speak up and defend the Park.”¹²

In this speech, Dodd positions her group as unlike the other interested parties; the Friends of Pacific Spirit Park were not selfishly defending human interests, but instead speaking on behalf of the natural world. In doing so, Dodd not only places on equal footing the Musqueam Nation and the golf course lease holders, but positions her group – and those mobilizing to “save the Park” – as outside of the legal process. Where other groups engaged in legal negotiations as self-interested parties, Friends of Pacific Spirit Park act benevolently as land defenders. Dodd and others involved in lobbying the government not to use parkland were, of course, residents of the University Endowment Lands and nearby neighbourhoods;¹³ they therefore certainly had personal interest in “saving” the park, as I will return to later. For now, however, I turn to a theoretical investigation of the line being drawn between nature and human culture (and therefore human legal processes).

As Renisa Mawani notes, while “cultural geographers, anthropologists, and historians” have critiqued the nature-culture binary at length, critiques by legal scholars are less common.”¹⁴ However, they certainly exist; scholars engaging legal pluralism in their work frequently challenge the idea that social or Indigenous law simply emerges from uncritical habit, “without contention and without disagreement.”¹⁵ This nature-culture binary is one of many dualisms Western systems of thought use to categorize and control. While one side of any such binary is usually accorded superior status (in this case, culture over nature), settlers’ rhetorical strategies

¹² The Activist Network, “Shelagh Dodd: Pacific Spirit Park/UBC Golf Course,” video, Oct. 18, 2007, <https://www.youtube.com/watch?v=crL-L75ZULY&list=PL38079EBF9A026C64>, 0:45-1:15.

¹³ Dunbar Residents Association, “University Golf Course versus Pacific Spirit Park.”

¹⁴ Mawani, “Legalities of Nature,” 715.

¹⁵ Webber, “Legal Pluralism and Human Agency,” 167. See also: Mack, “Turn Sideways”; Napoleon, “Living Together.”

in “advocating on behalf of” the Park in the 70s-80s and in 2007 demonstrate that settlers can inverse a dualism’s hierarchy to serve their political ends. Settlers strategically align themselves with either side as convenient, without damaging their ability, as privileged subjects of the state, to set the legal norms of engagement with these terms.

Ngati Awa and Ngati Porou scholar Linda Tuhiwai Smith points out that systems of categorization themselves – Cartesian dualisms included – are not inherently oppressive. However, in the context of colonial power, these binaries “divide one part of life from another,” while the power to assign value and implement material effects onto peoples’ lives on both sides of the divide rests with the settler state.¹⁶ Thus, while being categorized as one *particular* side of any such divide affects one’s material reality in specific ways, being on *either* side makes one over into a governable subject of the colonial classification system. Therefore, trying to convince the regulating authority – the state – that you might be on the ‘better’ side of a dualism has little to no liberatory potential because it reproduces the colonial configurations of power wherein the state has ultimate authority.

Scholars engaging Indigenous law in a settler-colonial context including Johnny Mack, Sherene Razack and Linda Tuhiwai Smith have not sought to dismiss the categories of truth, justice, or rationality themselves, but instead to “turn sideways” into a space between them, in order to move the conversation somewhere more productive. Mack, for example, challenges colonial frameworks of rationality, but does not play into what is or is not rational. Instead, he briefly points out that the process of rationalizing – maintaining a “core set of beliefs and practices” – is “universally found in all societies,” in order to move on to a more productive conversation.¹⁷ His turning sideways starts from simultaneously disputing the claim that

¹⁶ Hogan, *Power*, 118; Smith, *Decolonizing Methodologies*, 50-51.

¹⁷ Mack, “Turn Sideways,” 3.

Indigenous peoples have “biologically hardwired cognitive deficiencies” and illustrating that Cartesian dualisms that make such myths are “part of a sociocultural tradition of the West.”¹⁸ Mack is then able to manoeuvre toward a space beyond colonial authority to discuss his community’s “traditional material,” and how it might be engaged to respond to colonial oppression. Mack’s approach, and those of other Indigenous scholars, demonstrates that without challenging (or seeking to move beyond) settler state authority over the categories of culture and nature, settler activists engaged in “conservation” will only reinforce colonialism.

Mawani argues that parks “are legal constructs that normalize nature as law’s constitutive exterior and as the nation’s myth of (empty) origins.”¹⁹ They are not, in other words, “natural”; instead, they are the result of a colonial set of “legal norms of access” to “natural” spaces. Settlers fighting for parkland are therefore not just (if at all) fighting to preserve nature, but for the maintenance of settler law’s authority over land, thereby privileging their own interests as wealthy settlers. To pretend otherwise by placing nature in opposition to culture “naturalizes the values that are created and are communicated through [PSRP] and thereby neutralizes their politics. They remain, however, very political.”²⁰ Indeed, the making over of nature into something beyond or outside of culture is part of colonialism’s extensive mapping, calculation, and management of space. As Cole Harris articulates, drawing borders and projecting legal norms of access onto certain kinds of land – like parkland – is part of creating and maintaining a bureaucracy that has authority over how space is navigated, conceptualized, and dispossessed.²¹ This mapping carries over into legal systems, where “centralized, standardized law applicable to

¹⁸ Ibid.

¹⁹ Mawani, “Legalities of Nature,” 715.

²⁰ La Salle, “Escape into Nature,” ii and 9.

²¹ Harris, “How Did Colonialism Dispossess?,” 174-6.

all” land and peoples is interpreted and deployed by colonial “experts.”²² Part of this expertise lies in the hands of scientists. As Tina Loo traces, the shift from conservation as a mostly localized to a highly centralized, bureaucratic concern in Canada in the early 20th century was a result of “progressive” narratives of “wise use” for the sustainability of civilization through “scientific management.”²³

The ‘creation’ of PSRP in 1989 turned provincial University Endowment Lands into parkland under the management of the Greater Vancouver Regional District’s (GVRD) park system. In its 1991 summary report, GVRD’s park planner, Gordon Smith, describes the “conservation objective” of the park:

to retain the Park’s regionally significant features in as natural a state as possible while providing recreational enjoyment and educational and scientific benefits. The recreation objective is to encourage resource-based recreation in harmony with the natural environment.²⁴

At the end of the report, an extensive list of “interested parties” is provided. While UBC’s student-run Student Environment Centre is listed alongside other governmental and citizens’ groups, the Musqueam Nation is absent – not only from the list, but from any explicit mention in the entirety of the report. While the provincial government had already taken the land from Musqueam, mapping parkland designation onto the space entrenched the settler government’s legal authority over the space, over “nature,” and, therefore, over Indigenous territoriality. Western “scientific management” was upheld as most interested in and capable of maintaining nature. This 1981 transfer was made, as Musqueam points out in a press release from 2007, “without any consultations with the Musqueam Indian Band despite the Band’s strong

²² Ibid., 177.

²³ Loo, *States of Nature*, 19.

²⁴ UBC Rare Books and Special Collections, Endowment Lands Regional Park Committee, Box 25, File 11, Greater Vancouver Regional District, Pacific Spirit Regional Park Management Plan Summary Report, 1991.

opposition.”²⁵ Conserving nature, then, is very much tied to culture: it is a legal process that contributes to the on-going dispossession of Indigenous peoples’ access to land and resources.

Racing to Innocence: Settler and Class Invisibility in Legal Norms

In claiming to speak for or align oneself with nature, settlers maintained a separation from culture that reinforced this colonial violence by upholding its invisibility. In this section, I illustrate the ways in which wealthy settlers have manoeuvred along the nature-culture binary to preserve their self-interest in uninterrupted access to recreational land. Despite their engagements in cultural legal processes, through this manoeuvring they consistently rendered themselves innocent in the dispossession of Indigenous peoples’ lands by imagining themselves as outside of the settler state’s legal processes, by ignoring their own actions as fighting for particular legal norms of access to space, and by “forging collective identities” around justice and environmental stewardship that coheres an otherwise “sparse, internally fragmented, and fragile white settler population.”²⁶

Mary Louise Fellows and Sherene Razack describe how in groups where members experience different and multiple oppressions, there is a tendency to “race to innocence” – to identify first with one’s oppressed identity/ies in a way that obscures and denies that one might also belong to a group(s) that benefits from the oppression of others. While the settlers involved with PSRP do not claim oppressed identities, they do rush to other innocent positionalities. On December 9, 2007, approximately 250 individuals gathered at a rally to resist the return of a portion of PSRP to the Musqueam Nation as part of the reconciliation deal with the province that had been announced a month earlier. The two parcels of land were known as the Triangle lands

²⁵ Musqueam Indian Band, “Statement on the GVRD Board’s Decision.”

²⁶ Mawani, “Legalities of Nature,” 721.

and Block F – the former adjacent to the Musqueam reserve and the latter located past the western end of the University Golf Course. At this rally, the “interested citizens” sang a homemade tune, which included the line: “First Nations don’t get us wrong / and please join us in this song / you were here first, but both of us thirst / for parklands in an urban landscape.”²⁷ Followed by cheers from the crowd, this line speaks back to the aforementioned statement issued by the Musqueam Nation two days prior to the rally, which asked for a fair reading of the agreement by drawing attention to the unfair history of dispossession involved both in the creation of PSRP in 1989, and in the history of their confinement to reserves.²⁸

Gary Gibson, then GVRD’s Park Board Area A Director, also spoke to the “interested citizens” anxieties of the bargaining on parkland: “We’re giving up parkland to save the government’s neck. . . . What’s next, in our community? What other parks are susceptible to take over to settle First Nations issues? . . . There are at least 2 other areas [in PSRP] that could be nabbed in the future.”²⁹ By suggesting that PSRP consists of “private assets,” and that concerned citizens were being exploited to “save the government’s neck,” Gibson quickly illustrates that these settlers are uninterested in giving up material privileges (assets) as part of building a more just relationship with Indigenous peoples because they do not see themselves as implicated in or party to that relationship. Gibson frames the issue as between the provincial government and First Nations, which individual citizens are outside of, and unjustly dragged into. Of course, if the complaint is that the province should not use municipal lands for negotiating with First Nations who choose to engage the state, what options does that leave Indigenous communities

²⁷ Menzies, “Pacific Spirit Park Rally,” 10:40.

²⁸ Musqueam, “Musqueam Indian Band, “Statement on the GVRD Board’s Decision.” See also: La Salle, “Escape Into Nature,” 39-43 for a discussion of the displacement of the Musqueam Nation to reserves as “open[ing] up all lands beyond [the reserve] to settlers.

²⁹ Menzies, “Pacific Spirit Park Rally,” 18:00. Likewise, Shelagh Dodd suggests that transfer of any part of the park would “set a dangerous precedent” for future transfers: The Activist Network, “Shelagh Dodd: Pacific Spirit Park/UBC Golf Course,” video, Oct. 18, 2007, <https://www.youtube.com/watch?v=crL-L75ZULY&list=PL38079EBF9A026C64>, 3:10.

like Musqueam who are in an “urban landscape”? In the 80s, the Endowment Lands Regional Park Committee that petitioned the government to create PSRP took care to declare themselves as “non-political” and “neither anti-government nor anti-housing.” Instead, their “concern [was] exclusively with the preservation of an *irreplaceable natural resource*.”³⁰

Tina Loo traces the rhetoric of wildlife preservation in English common law to the medieval period, where “hunting had evolved into a class privilege.”³¹ Preservation was approached in a highly localistic manner, where animals were preserved according to the desires of any given land owner. While, as described above, conservation has become managed more by centralized government institutions focused on scientific determinates and management of “usefulness,” class and localism have continued to inform Canadian wildlife policy.³² Moreover, Mawani points out that nature – the commons – was “thought to be a source of law and liberty,” “ ‘breath[ing] the spirit of liberty into our hearts.’ ”³³ Consequently, “attacks” on nature have been framed as attacks on order and the freedom of the universal ‘man,’ as illustrated above in Gibson’s speech.

There is, however, no universal legal subject, affected uniformly by law. To act as if there is erases the existence of colonial oppression, and, by extension, one’s own freedom from such subjugation – one’s own privilege. In park spaces, the presence of Indigenous peoples is restricted “through the production of new legal norms of access that criminaliz[e] native peoples, interpellating them as ‘squatters,’ ‘poachers,’ and ‘trespassers.’ ”³⁴ Musqueam experienced

³⁰ UBC Rare Books and Special Collections, Endowment Lands Regional Park Committee, Box 25, File 11, Pamphlet, June 1974, emphasis added.

³¹ Loo, *States of Nature*, 13.

³² *Ibid.*, 20-21.

³³ Mawani, “Legalities of Nature,” 718, 720.

³⁴ *Ibid.*, 722.

diminishing access to the University Endowment Lands even before PSRP was created;³⁵ in the Nation's 1984 comprehensive land claim, community members articulate limited access to the lands that provide them with sustenance – physical and otherwise:

A lot of the park area is used by the dancers but they can't stay there because as soon as daylight comes, they have to get out of there because there are so many people, so many people walk around there, walking their dogs and everything and we have had incidents where people try to take pictures and we don't allow pictures in our traditional ceremonies that take place.³⁶

The Endowment Lands Regional Park Committee's 1974 pamphlet argues that there is a need for a second park in Vancouver because Stanley Park was too crowded;³⁷ this ignored the dispossession already inflicted on Indigenous peoples through the creation of Stanley Park,³⁸ and the use of University Endowment Lands to-date. Likewise, the settlers mobilizing in 2007 ignored the fact that preserving “parkland in an urban landscape” entails a legal process that reinforces this dispossession. While positioning themselves outside of any such legal process, the settlers who mobilized around PSRP in the 80s and in 2007 were engaging in very explicit settler state legal processes – petitioning or lobbying the state to uphold or change a certain policy. But even without engaging the state, these wealthy settler communities came together and affirmed amongst themselves these norms as law: rich people should have access to “nature,” and that settlers are not responsible for the settler governments relationship with Indigenous peoples. As laws, these norms enabled these communities to continue to live together – as a result of access to parkspace, and claiming stewardship over the land, these settlers can jog in the morning, have a good ‘quality of life,’ “grow in harmony” with the park, and retain high property values.

³⁵ See La Salle, “Escape into Nature,” 37, for the history of some of settlers’ physical disturbances (e.g. logging, farming) to the area the park now inhabits.

³⁶ Musqueam Band Council. “Comprehensive Land Claim,” 59.

³⁷ UBC Rare Books and Special Collections, Endowment Lands Regional Park Committee, Box 25, File 11, Pamphlet, June 1974.

³⁸ For more on the particular histories of dispossession in Stanley Park, see: Barman, “Erasing Indigenous Indigeneity,” and Mawani, “Legalities of Nature.”

Pacific Spirit Region Park, and the settler “activism” surrounding its history, is therefore “an aesthetic alibi for conquest.”³⁹

From Being “Nature” to Being in Relationship with Land

Despite claiming to speak on Musqueam’s behalf, or, at the very least, to know what the Musqueam Nation desired, vast wealth disparities, racism, and imposed borders have long limited relationships between settlers and Indigenous peoples in the Dunbar-Southlands and Point Grey areas.⁴⁰ In combination with settlers’ privileges, this lack of engagement with Musqueam has made it easy for settlers to position themselves as outside of the settler state’s relationships with Indigenous communities, and to ignore histories of Indigenous dispossession on the lands their houses occupy. In the conclusion to this paper, I turn from identifying and making visible the plurality of legal relationships settlers engaged in or ignored, to exploring how these relationships might be more justly constructed. Specifically, I return to the question of how settlers might engage in different legal relationships with land without evoking the problematic and appropriative desires to be nature, or to be Indigenous. Broadly, I offer that building different legal relationships with Musqueam is a necessary and inseparable part of building more just relationships with land.

Marina La Salle’s recent dissertation discusses how settlers constantly “rehears[e] a heritage of [PSRP] as nature” through “ritual performances.” These performances include day-to-day performances as mundane as running ones finger in the sand (literally *feeling* more connected to nature), and events organized by community groups like the aforementioned “Night

³⁹ Mawani, “Legalities of Nature,” 724.

⁴⁰ La Salle, “Escape into Nature,” 58-60.

Quest” that engage more explicitly “spiritual” elements.⁴¹ As La Salle points out, these performances “remain precisely that – focused on nature.”⁴² Most often, they engage neither Musqueam Nation nor settler colonialism. Like the legal processes settlers engaged in described throughout this paper, these ritual performances deny relationships to Indigenous and settler culture alike.

Altering how we perform in these spaces, then, is one way of disrupting the normalization of settler colonialism in PSRP. On the last day of classes, I attended a bonfire on Wreck Beach. [Friend,] a queer settler of colour, coordinated the gathering, and invited friends through a Facebook event. The event’s description included the following request:

Wreck beach is on unceded and occupied Musqueam territory. Pls be respectful of the Indigenous communities that have been tending and caring for this land since time immemorial by packing in/packing out.

A few weeks prior, [another friend] had discussed with me his frustrations with the anxieties settlers have in making territorial acknowledgements at events. He stressed that he acknowledges the land daily, and yet settlers find it difficult to acknowledge the land publically even once. He was pointing out an obvious truth I had not paid attention to: I knew no settlers for whom acknowledging the land is a daily practice – including myself. Acknowledging Musqueam territory is something we do in political conversations, at events, and in class. The more mundane activities – walking along Imperial Road, taking the bus to UBC, running one’s hand through the sand at Wreck Beach – most often go without acknowledgement of the ongoing settler colonialism in these spaces, and without acknowledgement of these activities as taking place on Musqueam territory.

⁴¹ La Salle, “Escape into Nature,” 248-72.

⁴² Ibid., 281.

[Friend]'s simple act of framing the mundane “packing in/packing out” not as a responsibility to “nature” or to save the environment, but to Musqueam and other Indigenous caretakers, prefigures a different legal relationship to this land as a settler. It recognizes that there are (pre-)existing relationships between Musqueam and the lands here, into which we have come as settlers and which we must therefore defer to. In other words, we must defer to Musqueam law when engaging with these lands. This understanding precludes any relationship-building with “nature” that does not also build relationships with Musqueam – it “turns sideways” to the nature-culture binary by recognizing their inseparability.

These moments have the potential to prefigure vastly different futures wherein we pursue legal norms in alignment with Indigenous peoples’ authority, rather than in alignment with our own settler interests. However, deferring to Musqueam law is more complex than simple acknowledgements on Facebook, and expanding these moments into more substantial and just relationships will require much more listening and learning for settlers like myself, which requires in part being present in spaces facilitated or informed by Musqueam – direct actions, research, teaching, and beyond – where appropriate.

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