

The State is a Man: Theresa Spence, Loretta Saunders and the Gender of Settler Sovereignty

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ABSTRACT

This article examines the relationship between settler colonialism and Indigenous women's life and death. In it I examine the incredulity and outrage that obtained to a hunger strike of (Chief) Theresa Spence and the murder of Loretta Saunders. Both affective modes were torn from the same book of exonerating culpability from a public that denied an historic and political relationship between Indigenous women's death and settler governance. The paper argues that in spite of this denial, these deaths worked effectively to highlight the gendered, biopolitical life of settler sovereignty.

This article makes two very simple arguments: one about settler statecraft, and the other about settler imperative. First: Canada requires the death and so called "disappearance" of Indigenous women in order to secure its sovereignty.¹ Two: that this sovereign death drive then requires that we think about the ways in which we imagine not only nations and states but what counts as governance itself. Underpinning these arguments is a crucial premise: in spite of the innocence of the story that Canada likes to tell about itself, that it is a place of immigrant and settler founding, that in this, it is a place that somehow escapes the ugliness of history, that it is a place that is not like the place below it, across that border. Canada is not like that place for many reasons² but it is especially exceptional now, because it apologized, it stood in the face of its history, it "reconciles" the violence of the past with its present and so, presumably, with this acknowledgment of wrongdoing, may move on. These emotional gestures, registered at an

institutionalized, state level are undermined by an extractive and simultaneously murderous state of affairs. And, in spite of those present-day discourses from Canadian political scientists and policy makers that imagine a process of equality through the space afforded to Indigenous political orders as the “third order of government”, the evidence suggests that Canada is quite simply, a settler society whose multicultural, liberal and democratic structure and performance of governance seeks an ongoing “settling” of this land. The process of settlement is definitely *contra* equality. I will speak more of this evidence shortly. This settling thus is not innocent – it is dispossession, the taking of Indigenous lands and it is not over, it is ongoing. It is killing Native women³ in order to do so and has historically done this to do so. It is this killing that allows me to also qualify the governance project as gendered and murderous.

Relatedly, Jodi Byrd’s *Transit of Empire*⁴ structures its intervention among two methodological axes: one of “cacophony” the other of “transit.” It is through these axes that history is known, possibility is made and difference is rendered. With “cacophony” you have the possibility of multiple, sometimes competing and contestory narratives of truth and with this, possibility as well. But with that multiplicity, also the riot of noise that requires an ear, and a decipherment, an audibility but perhaps a willingness to listen. With these two axis/methodological modalities introduced to us we see her analytic commitments unfold, Indigeneity she argues operates as a transit, an emptying nodal point, or circuit, that allows for empire to move, geographically, politically, hermeneutically. With this, Indigeneity is moved well beyond the body and into a global heuristic. “Cacophony” more than acknowledges, in a thin way, the ways in which force structures the multiplicity of voices and truths that emerge out of the transit of this force, it

privileges the lives of multiple narratives and invites us to listen closely for those that may matter to us and remain unacknowledged.

In all of the acoustic mess of settlement, there is a clarity of one trumpeting discourse and that is of ‘the state’ and here I want to ground Byrd’s transit in flesh, as the force that she describes and analyzes through texts, I will demonstrate, moves through bodies, through flesh. The state that I seek to name has a character, it has a male character, it is more than likely white, or aspiring to an unmarked center of whiteness, and definitely heteropatriarchal. I say heteropatriarchal because it serves the interests of what is understood now as “straightness” or heterosexuality and patriarchy, the rule by men.⁵ As well, it seeks to destroy what is not. The state does so with a death drive to eliminate, contain, hide and in other ways “disappear” what fundamentally challenges its legitimacy: Indigenous political orders. And here is the rub, Indigenous political orders are quite simply, first, are prior to the project of founding, of settling, and as such continue to point, in their persistence and vigor, to the failure of the settler project to eliminate them,⁶ and yet are subjects of dispossession, of removal, but their polities serve as alternative forms of legitimacy and sovereignties to that of the settler state.

Settler states do not narrate themselves in the following manner: “as settler states we are: founded upon Native dispossession, outright and unambiguous enslavement, we are tethered to capitalist modes of production that allow for the deep social and economic differences that takes the shape in the contemporary of “unequal” social relations. We now seek to repair these unequal social relations through invigorated forms of economic liberalism that further dispossess and some would say consensually enslave those who do not own their means of production or opt out

or fall out of this form of economic life.” More often than not, and here I am thinking of the US (in its cagey political project), Australia and Canada fancy themselves as “multicultural, democratic, economically liberal,” and committed to free trade among nations and sometimes, social policies that allow for forms of historical redress that correct or attempt to repair the fundamental and un-narratable violences that bring them into being. Their histories do not live fully within the present, do not enter into a cacophony of discourses, but instead take the form of supposedly good policy and good intentions, liberal, settler governance. Those good policies and intentions perform a kind of historical reckoning, but through Truth and Reconciliation commissions, discourses of “healing”, Apologies – in general, the performance of empathetic, remorseful, and *fleetingly* sorrowful states. But states that are built upon violence and still act violently, either at a bureaucratic level, at an economic level (as we see saw with the former Prime Minister Stephen Harper’s relentless drive to extract from land),⁷ or through a violent indifference – which we saw as well with that governments unwillingness to launch an inquiry into the Murdered and Missing Indigenous Women (MMIW). This was an unwillingness that is absolutely of a piece with Harper’s August 19, 2014 statement that the problem of murdered and missing Native women should be understood as a “crime” (rather than sociology).⁸ As a crime it appears to have no context no structure animating it, no materiality besides a legal transgression – thus the appearance of death after a murderous act, with a perpetrator, a victim and a clear and punishable transgression of a moral and legal code. This is an individuated, judiciable act – justice can be served. But Harper uttered that as the bodies aggregated, and became something sturdy, something apparent, something hard to ignore, a cacophony of death, of grief and of outrage. Harper said this even though this density of native women’s bodies, this aggregate of grief has been called a “phenomenon” of such statistical significance that it warrants reports,

warrants explanation. And yet in response to this phenomenon, sociological fact or crime, Stephen Harper replied to Peter Mansbridge's query on need for a national inquiry in December, 2014, with "... it isn't really high on our radar, to be honest."⁹ This specificity of the Murdered and Missing Indigenous Women and Girls (MMIWG) is of a piece with the diffuse forms of violence that constitute a state: the intentions, the feelings, the capacities of its citizens, who can also, as we saw in the case of Loretta Saunders, and so many more, kill. States do not always have to kill, its citizens can do that for it.

How do the subjects of such states reach for life in the face of this death? How do they not lose themselves in the cacophony? What does this speak of for the future? I will consider two cases that stretch beyond a simple, monologic story of governmental sorrow, abandonment and ineptitude and into an opening into the ways we think about citizenships or publics, particularly the way they may be in active antagonism with the subjected, with those that are being made vulnerable. The arc of this article will be the following: bodies, sovereignty and what I see as the necessity of pedagogical practices of thoughtful antagonism and "contention" not "reconciliation."

Bodies

In December 2012 Theresa Spence announced that she would stop eating until the Prime Minister of Canada and the Governor General of Canada - the official representative of the Crown, met with her to discuss treaties, to discuss the deplorable conditions of life in her community as well as the broader and also deplorable conditions of life in the North. Each of

these men, as the embodiments of states, she said, had a hand in suffering, in the failure to meet their historic obligations to the land and the people upon the land who were living in contaminated conditions, were without clean water and proper housing, in legendarily cold and bitter winters. She described this Conservative political party in power as particularly “aggressive” and the Prime Minister Stephen Harper as exceptional in his willingness to withdraw the care and compassion that is supposed to mark a 21st century liberal, democratic state.

As with all spectacularized political cases, things were not what they seemed. The Hunger Strike was not a hunger strike in a strict sense of the term, and to be fair, which many were not at the time, a hunger strike under conditions of ongoing death deserve more interpretive flexibility than Theresa Spence or any indigenous or racialized woman in Canada would or could be afforded in those moments. But to continue with my other point, this was not a hunger strike in a “classic” sense – it was rendered a “soft” hunger strike. And as such we read in endless newspaper articles, blog posts, vicious comments sections, in twitter flame wars and heard on TV.¹⁰ We heard in comparative terms that her campaign did not compare to the strike of Bobby Sands, or other, “successful” strikes – for example, the strikers at Guantanamo, who have had to be force fed, hers did not compare to these other declarations of a willingness to die because these other strikes nearly ended in death, or in fact, ended in death. She was drinking fish broth twice a day, and so, was “fudging” things (so to speak). And in fact, you would think she was actually eating fudge, as irate Canadians “weighed in” continuously on her insincerity, her avarice, her body, and in particular, her fat. Yet as the hours turned into days and the days turned into weeks, people caravanned to her camp across from Parliament to assemble around her, to offer strength

to her, to visit, – to pray with her. They did not care if she drank fish broth twice a day. In fact, they prayed for her continued life, and they celebrated her fortitude. Of this the Anishnaabe scholar Leanne Simpson argued in her crucial piece “Fish Broth and Fasting”:

We protect the faster. We do these things because we know that through her physical sacrifice she is closer to the Spiritual world than we are. We do these things because she is sacrificing for us and because it is the kind, compassionate thing to do. We do these things because it is our job to respect her self-determination as an Anishinaabekwe – this is the most basic building block of Anishinaabeg sovereignty and governance. We respect her sovereignty over her body and her mind. We do not act like we know better than her.¹¹

Out of respect for her action and for her sovereignty, other Indigenous people stopped eating in solidarity, all repeating her “demand” to meet with the PM, to have the Treaties upheld, to make something happen in a governmental storm of complete and total indifference to the life of land and people in Canada. This indifference has a life of its own, of course, and its clearest embodiment and manifestation, Stephen Harper, sowed his own roots as a chief policy analyst for the Reform party in 1987 – a party that was resolutely opposed to any form of indigenous rights that was not based on the rights of the individual to acquire and accumulate property. This way of thinking about rights converted historic agreements signed between their country – Canada - and First Nations, what are in fact, *treaties*, to be in fact, “race-based” forms of recognition that were not tenable with the idea of equality-as-sameness that his particular political party advocated for. Hence, Harper’s immediate shelving of the Kelowna Accord upon

coming into office. This is a gloss on a deeper history of reform/alliance party politics that take the form of conservative skepticism (and here I am being generous) towards Indigenous peoples in Canada, but it is enough to say for now that the intellectual and political project of neoliberal capital accumulation that marked Harper's ascent to the position of PM is what Theresa Spence walked in to. And in this time of aggressive moves into soil and subsurface soil, of governmental indifference if not abandonment, she stopped eating.

Here I want to gender this argument and move to her body. Theresa Spence's appearance, her fleshy appearance, was itself a site of ire by commentators on-line, in twitter flame wars, and in print journalism. She was too fat! We heard in different ways, over and over again, to be sincere, to be what she was supposed to be, which was a person in starvation. Yet her "excess" flesh, flesh that exceeds the western, normative Body Mass Index (BMI) of under 25, itself defies a logic of genocide and in this, settler domination. Why this link between fat, her fat in particular, and a resistance or refusal of domination? Because what she is required to do, with or without the starvation, is die. In fact, her very life, like the lives of all Indian women in Canada is an anomaly because since the 1870s they have been legally mandated to disappear, in various forms – either through the *Indian Act's* previous instantiation of Victorian marriage rules whereby an Indian woman who married a non-Indian man lost her Indian status (her legal rights based identity) and as such her right to reside on her reserve. With this legal casting out was the casting out as well of the possibility of transmitting that status to her children, a loss as well of governmental power with Indigenous governance itself, the political form that her body and mind signified.

Here I want to use an example to demonstrate this argument about symbolization, Indigenous political orders and settler governance. In the case of Iroquois or Haudenosaunee peoples (the peoples who signal North America's first "new world" democracy) this move to make Indian women white, to remove their status as Indians was a blow to the knees, if not a strangulation of Indigenous governance and political order, as Iroquois women appointed Chiefs, held property, counseled chiefs and de-horned them if necessary (removed them from their position of Chief). They divorced their men by placing their belongings outside of the Longhouse. They were the inverse of the settler colonial woman, they had legally mandated authority and power, and so, they represented an alternative political order to that which was in play or was starting to be in play in the late 19th Century. They embodied and signaled something radically different to Euro Canadian governance and this meant that part of dispossession, and settler possession meant that coercive and modifying sometimes killing power had to target their bodies. Because as with all bodies, these bodies were more than just "flesh" – these were and are sign systems and symbols that could effect and affect political life. So they had to be killed, or, at the very least subjected because what they were signaling or symbolizing was a direct threat to settlement.

Now I want to emphasize that the technique of elimination that I am emphasizing here is legal and the time that I am thinking of is the mid and late 19th Century, when the legal work of the Indian Act went into play and marriage rendered Indian women the property of their husbands. As such if Indian women "married out" they were disappeared into a white, settler body politic through a limited enfranchisement (here I say "limited" because as new white women and they would not vote in Manitoba until 1918 and Quebec by 1940). Nonetheless, when their Indigenous political order was overlaid by the Indian Act and specifically its gendered rules

recognizing only some forms of marriage, defining then, a notion of out-marriage and the simultaneous imposition of patrilineal descent. At that moment we see a white, heteropatriarchal and white setter sovereignty ascend and show us its face. It does so through the work that it does with this legal move to dispossess people of land, of territory, to kill traditional governance forms and in the Haudenosaunee (and other Indigenous) cases, supplant traditional Indigenous governance, sovereignty and political life. This was achieved through the imposition of Federal and state law in particular legislative moments¹² but also through slow processes of forced geographic removals, assimilation projects and citizenship itself. The move to patrilineal/patriarchal governance in Indian territories was a legal femicide of a sort – but not of fleshy bodies, of political form, as women are the political form of the Iroquois Confederacy.

Yet, it is this very instrument of Indian women's legal death or redefinition as subjects of white sovereignty, that makes Theresa Spence a "Chief." An elected, Indian Act "Chief," 136 years after the Act is imposed on Indians in Canada and 82 years after her Cree trapping community of Attawapiskat in Northern Ontario, enters into Treaty with Canada – Treaty 9 – this is 1930. They are among the last to sign on, or be added to this Treaty. At that point this small "hunting band", one that lays at the mouth of James Bay, an important stopping point for travelers, fishermen and hunters, was brought into the legal life of an emergent state. Within 82 years the broader political order of "Cree" in James Bay (who are in both what is now Northern Ontario and Northern Quebec) have suffered at least one serious famine at the turn of the century due to beaver pelt over hunting, have resisted and then endured the construction of a hydro-electric dam in 1971 (for Quebec) have then Treated again in 1975 (JBNQA).¹³ It was at that time that Mathew Coon-Come argued, "Under this Agreement... [we were] promised compensation,

schools, social services, health care, sanitation, housing, employment and training. We were also assured that our hunters and trappers would be able to continue their traditional way of life. As with other Indian treaties, many important commitments have not been honoured.”¹⁴ What appeared to be an exorbitant payment for their water at that time was actually paltry – as they cannot fish because of methylmercury poisoning, suffer obesity because of the sedentarization required of their forced relocation and reservationization, and then had to contest with every bit of energy imaginable, with a Public Relations firm in tow, a second hydroelectric project “Great Whale” (in 1992), which was to provide energy to sell to the United States.

Theresa Spence’s people and community are literally, cousins to all this,¹⁵ and seem to suffer even more, outside of recent Treaty and Provincial payments, it is as if they are outside of time, they suffered the same famines as their kin in Quebec, and live in what all accounts, sounds like a surreal, federally recognized zone of simultaneous emergency and abandonment. Spence has been on Council since 2010, there have been *three* states of emergency declared since 2009 because of flooding, because the houses are in such disrepair they are uninhabitable, because of sewage back up, because these conditions are not survivable anywhere but especially so in subzero temperatures. Here from Indian Affairs: “only 46 of Attawapiskat’s 316 housing units are considered adequate, while another 146 need major work and 122 are placement.”¹⁶ Further to this, Aboriginal and Northern Affairs representative revealed that of the 316 homes, 85 percent are “unfit for human habitation”¹⁷ The Canadian Press – where they have alighted upon Attawapiskat – have zoned in on federal transfers to the community, totaling in every year, 31 million dollars, and requiring forensic auditing on where the money has gone – transfers in the shadow of a De Beers Victor diamond mine that starting extracting from the land next to

Attawapiskat in 2009 – something they have since protested vigorously, pointing to problems with a community consultation process and the signing a 2005 Impact Benefit Agreement (IBA), negotiated in secrecy, that did not result in housing, better health care services, jobs and improved recreation facilities for the youth.¹⁸ Shiri Pasternak has argued in her meticulous analysis of the fiscal warfare against First Nations people and the case of Attawapiskat that these Impact Benefit Agreements are another strategy to gain access to Indigenous lands because they “sanitize a regime of accumulation” in new “frontiers like Attawapiskat (2015: 14). She elaborates, “[w]hile IBAs technically constitute a consultation process, since they imply consent from First Nations, these agreements contain confidential and non-compliance clauses that scholars refer to as a hostage situation of “indentured servants, who promise to work a certain number of years in exchange for their freedom, no matter how bad the working conditions” (Pasternak 2015: 21).¹⁹ According to a 2013 APTN article, this problematic Impact Benefit Agreement provides Attawapiskat with roughly \$2 million a year (1.5 percent) of their annual revenue and De Beers has transferred \$10.5 million into a trust fund for Attawapiskat as of January 2011. The mine also generated \$448.8 million in gross revenues by the same date.²⁰

It is in this context as well that Theresa Spence, out of what some may say is desperation or deep strategy, stopped declaring states of emergency from the North and, while down south in their nation’s capital – Ottawa, for an Assembly of First Nations General Meeting, decided to declare her own body an exception. In this, she declared her own body a space for the pronouncement of need, of sovereignty, the site of the decision *not* to eat. And to *not* eat solid food until the Prime Minister, Stephen Harper would meet with her to talk about the indifference his Conservative government had shown to Attawapiskat, but also to all communities in the North, to the land, to

the people on the land. She then started her fast in a traditional dwelling constructed parallel to Parliament and her body, her action became a piece with the “Idle No More” movement – what may be largest, broad based, grass roots social and political movement to unfold in Canadian history.²¹ Its goals are literally and directly to (and I quote) “stop the [Stephen] Harper government from passing more laws and legislation that will further erode treaty and indigenous rights and the rights of all Canadians.”²² Further it stated “Idle No More calls on all people to join in a revolution which honors and fulfills Indigenous sovereignty which protects the land and water.”²³

With those objectives the movement has taken the form of “actions”: flash mobs and round dances in public spaces that were peopled by at times, hundreds and thousands of participants who drummed and danced peaceably, as well peaceful road blockages. Although Spence’s action was separate from the four women in Saskatchewan who first brought the serious implications of the government’s Omnibus Bill C-45 to public attention²⁴ their actions drew strength from each other and shared similar concerns. The Omnibus Bill was a budget bill that would do many things but of most interest to native people and the environment, would amend the Indian Act so that reserve lands could be leased without a majority consent of the voting membership, amend the Navigational Protection Act so that major pipeline and power line projects did not have to prove their project won't damage or destroy a navigable waterway it crosses, unless the waterway is on a list prepared by the transportation minister and the Environmental Assessment Act, which in this Omnibus bill reduces further the number of projects that would require impact assessment under the old provisions. “Idle No More” describes itself as an ongoing movement that took and probably still takes exception to the lack of consultation that marked the passage of these acts, as

well as the way in which they over-rode existing treaty agreements and the Indian Act itself, not to mention fundamental issues of consent, as well as the abusive indifference of the Federal government to the lives and lands of Indigenous peoples. According to estimates by Idle No More, those amendments removed environmental protection for 72 to 99.9 percent of lakes and rivers in Canada.²⁵ It is because of this removal of legal protections (and probably other very good reasons) that the movement joined forces with those who want to simply end the prospect of tar sands extraction in Northern Alberta in order to transport and sell oil elsewhere – treating the land like a dead body to be extracted from. It is of no irony that, in that political moment and in the historical context that structures Canada, Theresa Spence’s body would be treated with the callous indifference if not the ire that it was.

Flesh and Sovereignty

I want to explain why and to do so with recourse to her body and its relationship not so much with this movement but with death and its failure to die. Spence fasted for six weeks, drinking one cup of fish broth in the morning, one at night. During that time The Sarah Palin of electoral politics in Canada, then Conservative (Algonquin) Senator Patrick Brazeau declared at a fundraising dinner that he had the flu and lost more weight in one week than she did in six weeks. This prompted a heckler to chime in, (and be reported in the Press repeatedly), “I think she gained weight!”²⁶ Spence’s fleshy body was not seen as a sign of resurgent Indigenous life to white Canada, it was not seen as a stubborn, resolute, and sovereign refusal to die, staying alive to *have that conversation* about Crown obligations, about housing and about historical obligations -- it was read as a failure to do what it was supposed to do – perish. Not only do

Conservative, neoliberal governments require extractive relationships to territory at all times, focusing upon surplus rather than social welfare or care of its supposed citizens (even if they are differently citizenized, as Indigenous peoples are),²⁷ those that are Conservative settler regimes require a double move, to extract from land and kill land if necessary – it is metaphorically a resource that gives itself to you for this purpose. Harper’s regime is most open about this way of viewing territory. Now all settler colonial regimes, some would argue (here I am thinking of Patrick Wolfe’s work and those on his tail or trail) have territory as its irreducible element, a desire for territory, not labor, or exclusively labor for example. But Theresa Spence’s two bodies, her Chiefly one and her Womanly one were especially untenable because they were both Indian bodies. An Indian woman’s body in settler regimes such as the US, in Canada is loaded with meaning – signifying other political orders, land itself, of the dangerous possibility of reproducing Indian life and most dangerously, other political orders. *Other* life forms, other sovereignties, other forms of political will. Indian women in the aforementioned example of the Haudenosaunee Confederacy transmit the clan, and with that: family, responsibility, relatedness to territory. Feminist scholars have argued that Native women’s bodies were to the settler eye, like land, and as such in the settler mind, the Native woman is rendered “unrapeable” (or, highly rapeable”)²⁸ because she was like land, matter to be extracted from, used, sullied, taken from, over and over again, something that is already violated and violatable in a great march to accumulate surplus, to so called “production.”

This helps us to understand the so-called “phenomenon” of the disappeared women, the murdered and missing Native women and girls in Canada. When we account for this way of looking at Indian women it is not a mystery, is not without explanation, their so called “disappearances” are consistent with this ongoing project of dispossession. And we can see that

this *is* sociology and this *is* criminal. Sherene Razack (2002), Andrea Smith (2005), Beverly Jacobs and Amnesty International (2004, 2009), the film-makers Christine Welsh (2006) and Sharmeen Chinoy (2006),²⁹ as well as countless activists and heartbroken, devastated family members who have marched and petitioned who have stayed on the police have all documented, theorized, and written about these deaths, these disappearances, which are explained not only by police ineptitude, by police racism, by gendered indifference, but by Canada's dispossession of Indian people from land. This dispossession is raced and gendered, and its violence is still born by the living, the dead, and the disappeared corporealities of Native women. The disappearance of Indian women now takes on a sturdy sociological appearance: "missing" in the past decade, gone from their homes, murdered on the now-legendary "Highway of Tears"³⁰ in Northern British Columbia, off streets or reservations. Indian women "disappear" because they have been deemed killable, rapeable, expendable. Their bodies have *historically* been rendered less valuable because of what they are taken to represent: land, reproduction, Indigenous kinship and governance, an alternative to heteropatriarchal and Victorian rules of descent. As such, they suffer disproportionately to other women. Their lives are shorter, they are poorer, less educated, sicker, raped more frequently, and they "disappear." Their disappearance thus is not an unexplainable phenomenon; like the so called "Oka Crisis" of 1990 in Mohawk territory, these not-so-mysterious disappearances are symptomatic of what administrators have called in Canada (and sometimes in the United States) "the Indian Problem." And the Indian's problem": dispossession and settler governance are not up for examination and scrutiny, as they were with INM and the pushbacks such as Oka, Ipperwash, Elsipogtog. Theresa Spence's fleshy life, disciplined in a spectacular declaration to not eat in order to effect a political end was a sovereign exception to the exception that Indian people find themselves in settler states of

occupation, Indigenous dispossession and right now, what may be qualified as neoliberal indifference and aggression to corporeal life. The Chief's two bodies signaled too much for a settler eye and imagination to hear let alone act upon, and were she to have died, her body would have been in fact, the eliminatory logic of the state laid bare, and made all too real. And in these times when the drive to death is apparent, when we are sent the memo repeatedly on the relationship between ideological degradation, gender, dispossession and governance, rendered in the bodies of the murdered and missing women, when Indigenous people are rising up all over, holding hands with settlers in absolute concern, grief and outrage, the language normatively should not be "reconciliation" since the historical violence of colonialism is not over, it is ongoing (Coulthard 2014).

Grief

I now want to turn now to a recent death, which was a grief filled, nerve ending in this. Loretta Saunders was a young Inuk woman who was killed in February 2014. I will unpack some of the details of her passing shortly but will say for now that this violent murder, which is actually unexceptional when considered against the larger corpus that I have been talking about: the sociological fact, the crime of "Murdered and Missing Indigenous Women in Canada" is one that was exceptional in that it that actually seemed to matter, it seemed to shock Canada. It was saturated with grievability and managed to rouse the murdered and missing women to settler (and Indigenous) consciousness in ways perhaps that it had not before.³¹ But before talking of the specifics of her passing so I want to think first with the writing Darryl Leroux, her thesis

advisor, who attempted upon her death, to puncture common understandings of the murders and deaths of Indigenous women in order to offer historical and political context to these deaths.

After Saunders' death was confirmed and it was in fact, a "fact" that she was gone, Daryl Leroux made a careful, and simultaneously impassioned plea in the Huffington Post for white Canadians to think about the history that they inhabit, the benefits that they incur from Indigenous dispossession – as Indigenous dispossession is as I have just argued, foundational for Canada (and of course, the United States). And Indigenous women's vulnerability to harm, to violence is symptomatic of this dispossession. Before I get further into the crux of his argument I will just rehearse a few points. When we speak of dispossession we are speaking of the materiality of land. The land that Indigenous peoples own, care for, are related to and are moved from, by force or by fiat for settlement. Thus when we think about dispossession we have to think about it as an ongoing activity that the US and Canada are very involved in as these governmental projects also move Indigeneity – as a living thing, a corporeal thing and also a system of ideas and practices out of the way. These states have to be involved in this ongoing "moving away" because they fundamentally need this land and its resources to fuel themselves and keep producing themselves of course, as a political order but as systems that are attached to people who are not but who can invoke Indigeneity in different ways to suppose themselves, to construct themselves, as civil, as lawful, as the "not-that" (savage and prior other). This may seem a crude construction from various literatures but I want to ground my analysis though in the need for not only land, but also selfhood and statecraft to legitimate claims to governance. When we talk about dispossession, when we talk about settler colonialism or imperial colonialism we are not talking about prior events, or even just events, we are talking about ongoing processes,

and what the comparative historian Patrick Wolfe has called a sturdy, enduring “structure” and in this, not only an event.³² Alyosha Goldstein has recently called for a nuancing of this further, as assemblage,³³ but the feature of a discernable will to eliminate over time and is born out in the Canadian case and especially so in relation to gender. Structures move through time and place and if you pay close attention, you can actually *see* structural activity.

The evidence for this, some of which was in Leroux’s articles on the Saunders’s murder, is a “termination plan” put forth by Harper’s regime in September of 2013,³⁴ the ongoing tar sands³⁵ project in Northern Alberta, which strips the top soil of Northern Cree and Ojibway communities in order to extract oil from the stripped earth to pipeline through the United States and ship through, literally through, other Indigenous communities, and white communities through the trick of “eminent domain” – a legal manoeuvre that Indians in the states are very familiar with because it was one of ways in which land was expropriated from them through an argument that targeted it as necessary “for the public good.” The four phase Keystone Pipeline³⁶ in particular is a compact between big oil, (TransCanada Corporation based in Calgary) and local and federal Canadian and US governments, as state permits were required to start construction. Starting in 2008 private industry worked with public law to expropriate private and Indian land to route crude oil from Hardisty Alberta to Regina, Saskatchewan across the border down to Nebraska and on to Illinois. Later phases extended the pipelines from Nebraska to Oklahoma Liberty County Texas and “Phases 3 and 3a” onto Houston, Texas. Phase 4, called Keystone XL was rejected by the Obama administration after years of review.³⁷ The 1700 mile pipeline was also to start in Hardistay Alberta and route itself through Nebraska, down to the Gulf of Mexico where the oil would be reworked for domestic consumption and/or sold to markets in China, solely for

the profit of big oil, not the “public good.” Indian land in Northern Alberta is being harvested as well as privately held acreage by white Americans in the Plains. White Farmers that till the earth in perfect, Lockean fashion, are being subjected to the legal concept of “eminent domain” in North Dakota.³⁸ It duplicates in precisely what happened to indigenous peoples whose land they now claim and is being taken from them.

So let me return to this person, the late Loretta Saunders and what her passing means in all of this. For those of you that don’t know who Loretta Saunders is, she was a 26-year old Inuk student from Labrador who was studying at St. Mary’s University in Halifax, Nova Scotia. She was writing her honor’s thesis on the so called “phenomenon” of murdered and missing Native women in Canada, and during the course of her thesis research and writing, in February, 2014 her lifeless body was found in a hockey bag along the Trans-Canada highway in New Brunswick.³⁹ She was pregnant on multiple levels, pregnant with this thesis that she was researching and writing, and quite literally, three months pregnant. According to all accounts, she was a great student, working hard, looking forward to starting these new chapters in her life, and then was killed shockingly, suddenly by a white couple subletting her apartment when she went to collect the overdue rent from them.⁴⁰

Loretta Saunders’ murder really, really upset everyone, registering grievability and forms of action⁴¹ in ways not seen before for reasons that are both predictable and yet, not. One, she was, like all of these Native women, killed in part of what looks like a vaporous crime spree that belongs to not one serial murder, but an entire citizenship. As mentioned earlier 1,060⁴² Native women have disappeared or been killed in the past decade – there have been two Amnesty

International reports, calls for a national public inquiry, reports into police ineptitude, a municipal inquiry followed by an apology by the Vancouver police chief Jim Chu for years of doddering inaction regarding the murdered and missing women in that city and the specificity and particular heinousness of Robert Pickton's perfectly commodifying site of gendered pain and gendered elimination, the "piggy farm." At the so called "piggy farm" 49 women (he confessed to 49 and was charged for six) were murdered and ground, like meat. Like Saunders' body, found in a hockey bag, a container for the sport that seems to condense meaning, and hope, while sublimating white male violence in a civil form, to stand for Canada itself, Pickton's violence does perfectly disgusting, and unambiguous work to tell us, to scream at us, "Native women will be killed by this country and its people."

Yet in spite of these signs that scream, settler governance in those moments could not or would not hear them. In March 2014, one month after the Saunders murder, the conservative-led cabinet refused the call for a national inquiry into these deaths that crash through austere, Canadian silence the in the form of tears, marches, outrage congealing into one discourse of outraged grief, why are these women being targeted, who is the perpetrator, what do we do?⁴³

When history and sensibility is "the perp" a lot has to get done. And the Saunders case agitated all that in ways not seen before. So that is the one way in which this fairly recent murder scrapes at whatever iota of patience Indigenous people have with the state of affairs. But I suspect the other reason is that Loretta Saunders looked like a white girl. She had fair skin, blond hair, light eyes, she could have infiltrated a KKK meeting without notice. Perhaps, and we will find more than likely, perhaps not. It isn't white skin privilege that upset people, in that she is more

precious than the darker ones among us – it is that her death demonstrates that *no one* is safe. Her violent passing is teaching us that one cannot “pass” – this structure, this assemblage, those people that articulate themselves through and for it, will find you, and subject you, it can kill you. You too can be emptied of your familial relations, your relationship to land, your signifying possibility as the ongoing project of Empire transits in Byrd’s parlance, or plows through you. One’s, life, one’s land, sovereignty, one’s body, emptied out, in order for other things to pass through. This includes fleshy bodies, this includes Theresa Spence’s stubborn and life sustaining fat. This is because if you are an indigenous woman your flesh is received differently, you have been subjected differently than others, your life choices have been circumscribed in certain ways, and the violence it seems, and will find you, and choke you, and beat you, and possibly kill you. And Darryl Leroux tried to explain this to Canadians in the *Huffington Post*, where you will find the startling comments of Canadians who argued in the comments section (in various ways) ‘she was not subjected to this violence because she was Inuk, she was subjected to this violence because she is a woman, because these are killers and *they* are wholly responsible.’ Somehow the killers were outside of the state, they were imagined as outside of the history that structures them as well.⁴⁴ My favorite comment to Leroux’s post was and is “You also just helped explain why the numbers for missing/murdered native women are so high. You count any woman with any amount of native blood as native” – completely misapprehending his argument about history and territory, and with that that phenotype. His crucial point being that skin color is not a matter of Indigeneity, that Loretta Saunders was an Inuk that she belonged to her people, she belonged to her family, and that they belong to specific territory. Here he argued that Indigeneity is actually this kind of specificity of place and people, and that in particular this so called “white Inuk” belonged to those people and she was claimed and loved and grieved by them. In the numerous

YouTube videos on this case you can see her distraught family plead the public for information, you can see her sister Delilah Saunders with tear stained cheeks calmly ask for information from the public about her sister, and then wait and ask and then organize a search for her body. When the news comes to the Saunders family, we see them embrace each other with the relief of knowing simply that her body had been found – frozen, in the hockey bag. They were happy simply that she had been *found* because so many of these women have not. And couple their sentiments, which are literally, heartbreaking, her murder enraging, with the cacophony of comments from the Canadian public to Leroux’s blog posts with statements of remorse, because this case is so awful it is inspiring even grief in the trolls.

Pedagogies of Contention

When I first wrote an earlier version of this article I presented it in Austin, Texas for a graduate student conference on ‘Violence and Indigenous Identity.’⁴⁵ This was in April of 2014. Like many other people, I was thinking a lot about Loretta Saunders, about the other women, and Leroux’s piece made me think about my students,⁴⁶ about my job as Professor but specifically as a research Professor that takes teaching very seriously. And as a research Professor, I should not work so hard on my teaching. But nonetheless, I take it seriously and push things to the point of almost total bodily collapse every year when I get a long, painful and relentless bronchitis. I can barely walk to work, let alone lecture, and I work across the street from my apartment. I say this not to dramatize a point about exertion, we all work very hard, but to talk about what I teach and its crucial capacity to exhaust. What I teach: violence, dispossession, Indigenous political life in the face of death, is high stakes and I know it. *Where* I teach is high stakes and I know it – in the

US a site of complete atrophied disavowal of dispossession and ongoing colonialism, disavowal of indigeneity itself. And the courses push up and expose the structures of that dispossession and disavowal to students while providing an historical narrative with analytics to help them along. Repeatedly I hear, and read from them in different ways, “we didn’t know this” and from my Indigenous students, of which there are more than I ever expected, “this helps to put it all together.” From all, “let’s do something!” I don’t seek to make a claim of an extraordinary status for native studies alongside other crucial, non-canonical and subaltern histories, all with their own very serious and searing urgencies, but let me make the modest claim that the material serves as a “surprise” that topples things and so I would say, is crucial. But because of its generally non-curricular nature if I don’t get it right, if I don’t ensnare my students with this information, they may never get it, and they may never get it because they may never even *hear* it. This is because we live in a place, in multiple places, that simply require a disappearance of Indians in order to make the meta claims of the state make sense, “We are a nation of immigrants” – this is not true. And even though Obama then quickly offers the exceptional qualifier “Unless you are one of the Native Americans” he does not explain the violence of settler colonialism, the ongoing violence of this all and how it is still going on and itself explains the minoritized, post-genocidal and yes, exceptional space of indigeneity. So unless people have the data of dispossession, the conceptual and analytical toolkit to work with these statements, they may take it as a fact, they may be compelled by it as something that is true and also virtuous. When they have the material of native studies and Indigenous studies to think with these statements are perceived differently, their own histories are perceived differently, they will have to think more robustly and critically about what is before them. And why is this not a matter for everyone to care about, to teach, to think with, to act upon? Because this

disappearance keeps things in its place, the narratives, the politics, the distributions in power that allow for land to still be taken, for Indigenous identities as well to be violated and stolen because it is presumed that Indigenous peoples are not here to claim each other, to stand up for each other and themselves. I have written about this in my first book, *Mohawk Interruptus* (2014) but you will find other examples of this clarity of Indigenous political will in other works in literary history (Monture 2014) ethnography (Nesper 2002, McCarthy 2016), political analysis and critique (Alfred 1999, 2005, 2008, Coulthard 2014, Bruyneel 2007, Moreton-Robinson 2002, 2007, 2015).⁴⁷

The people I have written about (and belong to), the Haudenosaunee for example, insist on the life of Indigenous nationhood and sovereignty through time and express this in actions that are about *not* being American, *not* being Canadian, and in this it is holding these nation-states in a position of doubt, sometimes interrogation and sometimes refusal. Their political posture is, in short, saying *I am not playing with you. You are not the only political or historical show in town, and I know it.* I think of Loretta Saunders, of her sister's completely devastating blog that documents her love for her sister, the sadness and rage that she wakes up with, her hopes for the safety of other women, of life after her sister's murder,⁴⁸ and I think of the death grip that threatens to seize all of us, the death grip that is very much a part of a settler show. A show of strength, of callous indifference, of an ire that obtains to Indigenous women's bodies and how this attaches even to those of us that might think we are safe. Simultaneously I think of her thesis advisor, who tried to translate the very things he was surely teaching Loretta Saunders, learning from Loretta Saunders, to Canadians in the Huffington Post. Is this the cacophony of discourses that vie for a kind of truth telling? Force qualified as violence moves through us,

trying to empty us out, transiting through moving to the flesh that is the subsurface of “identity” as peoples possessing bodies with living histories of relatedness to territory that is constantly being violated, harmed, ignored – allowing some of us to be devalued to the point where we are denied bodily integrity, denied philosophical integrity, flattened, sometimes killed. The force of this is ongoing, and multileveled. I think now, after writing my first book and thinking through the politics of Kahnawà:ke which are at times extremely difficult but so very alive and vibrant, which resist and refuse this kind of process at every turn, the desire for reconciliation by the Canadian government is a curious one. I am not sure that this is possible or fair to attempt to “reconcile” with something that is so violent, so relentless, unless all people stand fully before the sorts of stories I have just assembled, the stories that circulate in our communities, the loss, the gains, the names, and think then about what peace means. The settler state is asking to forgive and to forget, with no land back, no justice and no peace. I find this request for forgiveness by a killing state with what we now know and continue to know to veer towards the absurd if not insult, in spite of its conciliatory intent. This is because historical, bodily and heuristic violence along with theft are among those things that are really impossible to forgive let alone forget.

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Notes

¹ For the reach of global, imperial and comparative analysis of settler colonialism see Bruno Cornellier and Michael Griffith’s volume of *Settler Colonial Studies* (2016) 6: 4. See also Alyosha Alex Lubins edited volume of *South Atlantic Quarterly* (2008): 107 (4).

² See Paulette Regan *Unsettling the Settler Within: Indian Residential Schools, Truth Telling and Reconciliation* (2011) for an account and analysis of Canadian self perception, especially as international peacekeepers and in relation to the US

³ And over-incarcerating Native men. Please see Sherene Razack’s (2014) *Dying from Improvement: Inquiries and Inquests into Indigenous Deaths in Custody* (Toronto: University of Toronto Press) for a book length analysis of the over preponderance of deaths in custody, most are men.

⁴ Minneapolis: University of Minnesota Press.

⁵ This is argued in various ways by Aileen Moreton-Robinson in *The White Possessive: Property Power and Indigenous Sovereignty* (2014). Minneapolis: University of Minnesota Press.

⁶ See Kevin Bruyneel *The Third Space of Sovereignty* (2007) and Audra Simpson, *Mohawk Interruptus* (2014) for related arguments.

⁷ Trudeau cancelled the controversial Enbridge Northern Gateway project that would transport oil from the Alberta tar sands of the coast of British Columbia, He did so just 9 days after assuming office. He is, however supportive of the pipeline projects “Energy East” and “Trans Mountain” <http://www.canadianbusiness.com/economy/how-the-trudeau-government-tore-up-the-rulebook-on-pipelines/> (last accessed 08/30/2016), because they are thought to offer a “cleaner” solution than pipelines that transport crude and are underway with more process and consultation with First Nations. The younger and presumably innovative and inclusive Trudeau was widely regarded at the point of his election as a departure from the Conservative party leader Stephen Harper’s nine years in office.

⁸ <http://www.cbc.ca/news/canada/manitoba/harper-rebuffs-renewed-calls-for-murdered-missing-women-inquiry-1.2742845> [last accessed 09/20/2015].

⁹ <http://www.cbc.ca/news/politics/full-text-of-peter-mansbridge-s-interview-with-stephen-harper-1.2876934> (last accessed 09/20/2015).

¹⁰ For an excellent summary please see http://www.huffingtonpost.ca/2013/01/31/patrick-brazeau-theresa-spence_n_2589799.html [last accessed 4/7/2013]

¹¹ Please note in his piece Simpson recasts the action of Spence in ceremonial terms, and as simultaneous enactment of the consequences of and critique of *Indian Act* colonialism. Simpson argued, “colonialism

has kept Indigenous Peoples on a fish broth diet for generations...” (2014: 155) “Fish Broth and Fasting” in *The Winter We Danced: Voices from the Past, the Future and the Idle No More Movement* The Kinnda-niimi Collective. Winnipeg: ARP Books. Pp:154-157.

¹² The end of treaty-making for example in the United States (1871) and the imposition of the Indian Act in Canada (1876).

¹³ This is “James Bay Northern Quebec Agreement, which affects Cree in what was once James Bay and is now referred to as “Eeyou Istchee.” (<http://www.gcc.ca/pdf/LEG000000006.pdf> last accessed 09/19/2015)

¹⁴ Mathew Coon Come “Remarks to the Canada Seminar.” Harvard Center for International Affairs and Kennedy School of Government, Harvard University, Cambridge, MA, October 28, 1996. http://www.nativeweb.org/pages/legal/coon_come.html (last accessed 09/19/2015).

¹⁵ This article is rich in its invitation for critical commentary, “Quebec Cree avoided the fate of Attawapiskatt” basically by controlling the process of “economic development” through techniques of political resistance until their terms were met. It is emphasized that they are not “opposed to development” but simply want to control it and to receive revenues from it. Time does not permit me to deconstruct the underlying principles of this discourse but later versions of this project will (<http://www.cbc.ca/news/politics/story/2013/05/14/pol-james-bay-cree-northern-quebec-attawapiskat.html>) (last accessed 09/20/2015).

¹⁶ http://www.huffingtonpost.ca/2013/01/07/attawapiskat-spending-audit-theresa-spence_n_2425725.html (last accessed 09/20/2015)

¹⁷ <http://www.cbc.ca/news/politics/attawapiskat-chief-slams-audit-leak-as-distraction-1.1318113> (last accessed 09/20/2015).

¹⁸ Please see the documentary “The People of the Kattawapiskak River (2011, National Film Board of Canada, Alanis Obomsawin, dir) for a documentary treatment of the housing crisis as well as a crucial account of their independent funding of their hockey rink.

¹⁹ In footnote 101 of her article “The fiscal body of sovereignty: to ‘make live’ in Indian country” Shiri Pasternak (2015) provides a genealogy of IBAS as this accumulative technique and traces them back to *Haida Nation v. British Columbia (Ministry of Forests)* 2004 SCC 73). In a nutshell, there must be consultation with First Nations if Aboriginal Rights will be contravened, the cunning of IBAs is they imply consent and do not require it fully. Pasternak draws on Ken Caine and Naomi Krogman, “Powerful or Just Plain Power-Full? A Power Analysis of Impact and Benefit Sharing Agreements in Canada’s North,” *Organization and Environment* 23:1 (2010). For Pasternak see <http://dx.doi.org/10.1080/2201473X.2015.1090525>

²⁰ <http://aptn.ca/news/2013/02/15/attawapiskat-councillor-accuses-de-beers-of-trickery-as-showdown-looms-on-diamond-mine-ice-road/>

²¹ This admittedly a difficult claim to prove as the INM movement was and perhaps still is amorphous and prone to spontaneous public actions and thus difficult to “calculate.” Other “to the streets” and protests have been significant in demographic scale, notably the Winnipeg workers strikes of 1919. See Craig Heron, ed. (1998) *The Workers Revolt in Canada 1917- 1925*. Toronto: University of Toronto Press and the gendered consumer activism of “the Homemakers” organizations through out the 1930s who organized in vigorous protest against rising milk prices. See Julie Guard (2010) “A Mighty Power Against the Cost of Living: Canadian Housewives organize in the 1930’s.” *International Labor and Working Class History* 77: 27-47). I am grateful to Jarvis Brownlie for pushing me on this claim.

²² <http://www.cbc.ca/news/canada/9-questions-about-idle-no-more-1.1301843> (last accessed 09/20/2015).

²³ <http://www.idlenomore.ca/vision> (last accessed 09/20/2015).

²⁴ The Omnibus Bill was first brought to public attention by four women in Saskatchewan – Jessica Gordon, Sylvia McAdam, Sheelah McLean, Nina Wilson as well the woman that first started the hashtag

“Idle No More” (and thus intensive discussion and actions – Tanya Kappo). Theresa Spence was similarly acting in protest to what she called (and her people call) the “aggression” of the Conservative Government in Canada. In this, their callous indifference to the lives and lands of Native people in the North, in her community housing is abominable and water undrinkable. This is endemic to many reserves in the North. Please see Pasternak for a detailed legal history of Spence’s action, placed within the larger context of Indigenous dispossession and Canadian lawmaking (2016). For a multivocal, edited account of the “Idle No More Movement” please see The Kino-niimi Collective (eds.) *The Winter We Danced: Voices from the Past and the Future, and the Idle No More Movement* (2014).

²⁵ <http://www.cbc.ca/news/canada/9-questions-about-idle-no-more-1.1301843> (last accessed 09/20/2015).

²⁶ The exchange as reported by Huffington Post Canada: "I look at Miss Spence, when she started her hunger strike, and now?" Brazeau asked. A spectator then cried out, "She's fatter," sparking laughter. (http://www.huffingtonpost.ca/2013/01/31/patrick-brazeau-theresa-spence_n_2589799.html) (last accessed 09/20/2015)

²⁷ See *Mohawk Interruptus: Political Life Across the Borders of Settler States* for an ethnographic account of this different citizenship (Simpson: 2014).

²⁸ See Andrea Smith, *Conquest* (2005), Jacki Rand, *Kiowa Humanity and the Invasion of the State*, (2008) specifically chapter 6, which links a degraded status of Kiowa women to settler capitalism. There is reference to sexual violence as well in Ned Blackhawk’s *Violence over the Land* (2006) and James Daschuk’s *Clearing the Plains* (2014) but they do not make the claim regarding gender and territory that Smith and Rand do.

²⁹ Amnesty International (2004) *No More Stolen Sisters: A Human Rights Response to Discrimination and Violence Against Indigenous Women in Canada*. London: Amnesty International.

Amnesty International (2009) *No More Stolen Sisters: The Need for a Comprehensive Response to Violence Against Indigenous Women in Canada*. London: Amnesty International Publications.

See also Sharmeen Obaid Chinoy (dir.) 2006 *Highway of Tears*. DVD. Al Jazeera International 26 mins., Razack, Sherene (2002) “The Murder of Pamela George” in *Race, Space and the Law: Unmapping a White Settler Society* (Sherene Razack, ed). Toronto: Between the Lines Press. Smith, Andrea (2005) *Conquest: Sexual Violence and Native American Genocide*. Boston: South End Press.

Pp: 121-147. Welsh, Christine (dir.) (2006) *Finding Dawn*. Ottawa: National Film Board of Canada.

³⁰ Highway 16 stretches across Northern British Columbia. Eighteen women have been murdered between Prince Rupert and Prince George, rendering that stretch “the Highway of Tears” (Chinoy 2006). On September 12, 2012 it was reported that Bobby Jack Fowler murdered one of these women in British Columbia and died in an Oregon jail in 2006.

³¹ I will explain some of this shortly but let the attention paid to her death, shocking because of what Doenmez calls a “fatal symmetry” (2015), not override the sustained memorialization and activism of the families and other loved ones of the Indigenous women and girls or the grass roots community activism and documentation. Every February 14 is a day of remembrance for the women and girls which sees memorial marches all throughout Canada. Please consult as well <http://www.itstartswithus-mmiw.com/> (last accessed 09/20/2015) for a “No More Silence” database that documents the missing women. This site works in partnership with “Sisters in Spirit” through the Native Women’s Association of Canada. Defunded by the Conservative government, the Sister’s in Spirit initiative documented the root causes of violence and harm in Native women’s lives.

³² The paradigmatic piece is Patrick Wolfe, (2006) *Settler Colonialism and the Elimination of the Native*. *Journal of Genocide Research* 8 (4): 387-409.

³³ Goldstein, Alyosha (2014) “Introduction: Toward a Genealogy of the US Colonial Present” in *Formations of United States Colonialism* (Alyosha Goldstein, ed.). Durham: Duke University Press. Pp: 1-32.

³⁴ See Russell Diabo (2014) “Harper Launches Major First Nations Termination Plan” As Negotiating Tables Legitimize Canada’s Colonialism in *The Winter We Danced* Pp: 51-64.

³⁵ For an excellent summary of the Oil or Tar Sands projects in Northern Alberta, and the “catastrophic climate change that...[Keystone XL] would induce” as well as American lobbying efforts against it please see <http://www.newyorker.com/magazine/2013/09/16/the-president-and-the-pipeline> (last accessed 08/30/2016).

³⁶ The fourth phase was not approved by the American state department in November, 2015.

³⁷ Obama’s November 06, 2015 statement can be found here <https://www.whitehouse.gov/the-press-office/2015/11/06/statement-president-keystone-xl-pipeline> (last accessed 08/31/2016).

³⁸ See the successful opposition in the courts to TransCanada’s attempt to assert eminent domain in Nebraska <http://www.forbes.com/sites/jamesconca/2014/02/24/foreign-company-tries-to-seize-u-s-land-for-keystone-pipeline/#4565e39a64ec> (last accessed 08/30/2016)

³⁹ In her thesis *Already Disappeared: Interrogating the Right to Life of Indigenous Women in Canada* Caroline Doenmez has called the shock of Saunderson’s writing about what would befall her as a “fatal symmetry” in her analysis of the Canadian government’s “failure to protect” in the case of Saunders (along side of analysis of the treatment Cindy Gladue and Tina Fontaine) (2015: 13).

⁴⁰ The details of her murder and the sentencing of Blake Legette and Victoria Henneberry, the couple that killed her may be found here <http://www.cbc.ca/news/canada/nova-scotia/loretta-saunders-murder-was-despicable-horrifying-and-cowardly-1.3052465> (last accessed 08/31/2016).

⁴¹ Hers is the only individual murder that occasioned a march on Parliament <http://www.cbc.ca/news/canada/nova-scotia/loretta-saunders-vigil-draws-hundreds-to-parliament-hill-1.2561062> (last accessed 09/30/2015)

⁴² These numbers are based on Royal Canadian Mounted Police data, which is flawed as it does not include cities where RCMP do not have jurisdiction, like Vancouver and Toronto (Doenmez ibid: 14-15).

⁴³ The Inquiry was launched on August 3, 2016 <https://www.aadnc-aandc.gc.ca/eng/1448633299414/1448633350146> (last accessed 08/30/2016).

⁴⁴ http://www.huffingtonpost.ca/darryl-leroux/loretta-saunders-indigenous-_b_5007672.html (last accessed 9/19/2015).

⁴⁵ *Violence Against Native and Indigenous Identities: Unearthing and Healing Our Communities*, University of Texas – Austin, March 28, 2014.

⁴⁶ It was my former student, Lakota Pochedley who invited to me UT-Austin as she was then a graduate student there and had gone on after completing a thesis under my supervision at Columbia.

⁴⁷ Gerald R. [T'aiiaike] Alfred (1995) *Heeding the Voices of Our Ancestors: Kahnawake Mohawk Politics and the Rise of Native Nationalism*. Toronto: Oxford University Press.

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(2005) *Wasase: Indigenous Pathways of Action and Freedom*. Peterborough: Broadview Press. Kevin Bruyneel (2007) *The Third Space of Sovereignty*. Glen Coulthard (2014) *Red Skin: White Masks: Rejecting the Colonial Politics of Recognition*. Minneapolis: University of Minnesota Press. Theresa McCarthy (in press) *In Divided Unity: Haudenosaunee Reclamation at Grand River* (Tucson: University of Arizona Press). Rick Monture (2014) *We Share our Matters: Two Centuries of Writing and Resistance at Six Nations of the Grand River*. Winnipeg: University of Manitoba Press. Larry Nesper (2002) *The Walleye War: The Struggle for Ojibway Hunting and Fishing Rights*. Lincoln: University of Nebraska Press. Aileen Moreton-Robinson Moreton Robinson, Aileen (2002) *Talkin’ Up To the White Woman: Indigenous Women and Feminism* Queensland: University of Queensland Press. Moreton-Robinson (ed.) (2007) *Sovereign Subjects: Indigenous Sovereignty Matters*. New South Wales: Allen & Unwin. (2014) *The White Possessive*.

⁴⁸ <https://homicidesurvivor.wordpress.com/> (last accessed 09/20/2015).