

Like a Brick Through the Overton Window

Reorienting Our Politics, from the House of Commons to the Tiny House

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It's difficult to know where to begin telling a story that, fundamentally, is about relationships cultivated and nurtured over millennia. This is especially true when, as that story catches up to present-day realities, the gnashing maw of empire too easily consumes all attention. In this chapter I focus on the struggles around and against the proposed expansion of the Trans Mountain Pipeline (TMX). But the political strife on which these events open a window is built on decades of contestation over the extractive processes and material flows of a globally sprawling fossil fuel industry that is the primary catalyst of a truly epochal reckoning for life as we – those enduring the last days of the Holocene – know it. More to the point, this decades-old battle against fossil capital has been brought to a head by the Canadian state's belligerent and monomaniacal commitment to propping-up a national fossil fuel industry – Canada being itself a contested political project (re)produced, in part, through a centuries-old and ongoing imperialist effort to conquer Indigenous peoples and to dispossess them of their territories.

In both popular and academic discourses, land/water defenders continue to be represented as “protestors.”¹ Framing Indigenous-led anti-imperialist struggles in this way is premised on the assumption that the state is *the*

¹ In the absence of further specification, I intend for this term to encompass both the Indigenous people(s) who are leading the defense of their nations' territories *and* the non-Indigenous allies who are working in solidarity with them in that struggle. See Adam Barker and Russell Myers Ross, “Reoccupation and Resurgence: Indigenous Protest Camps in Canada,” in *Protest Camps in International Context: Spaces, Infrastructures and Media of Resistance*, ed. Gavin Brown et al. (Bristol: Policy Press, 2018); Jeff Brady, “2 Years After Standing Rock Protests, Tensions Remain But Oil Business Booms,” *NPR*, November 29, 2018, www.npr.org/2018/11/29/671701019/2-years-after-standing-rock-protests-north-dakota-oil-business-is-booming; Omar Mosleh, “‘They Came to Destroy and Create Fear’: Indigenous Protester Says Men Attacked Trans Mountain Protest Champ,” *The Star*, April 22, 2020; Lisa Polewski, “Protesters Arrested at Residential Development in Caledonia: OPP,” *Global News*, August 5, 2020.

constituted and singular political authority. As John Borrows notes, the ascription of ‘protestor’ or of ‘civil disobedience’ erases the presence of other sources of law that are being upheld and defended, an erasure that works to solidify the hegemony of state authority.² The grassroots land/water defenders who take center stage in the latter portion of this chapter are examples of ‘democratic practices of *contestation*’ only insofar as one chooses to politicize their actions while accepting the supposed neutrality of imperial institutions and processes. Manu Karuka helpfully displaces imperialism’s presumption of neutrality – its effort at disappearance – by naming empire’s governing logic as “countersovereignty,” making the violence of everyday life lived through empire cognizable.³ This reframing begins from the observation that empire rests on “*reactive* anxiety, [and] *fragile* modes of power that can take overwhelmingly violent form” in their efforts to deny and displace the existing and persisting political authority of Indigenous nations.⁴

Karuka’s formulation is helpful not only for noting that the empire has no clothes, but also for insisting on the central importance of Indigenous modes of social relations that govern in place prior to and endure through the colonial present.⁵ The politics central to this chapter emerge from and are driven by a staunch commitment to the defense and integrity of modes of social relations and systems of governance that sustain and enhance life. These politics are not principally about contesting or resisting, even as that language is easiest for discussion; instead, these politics are about upholding Indigenous political authority. In much of what passes for the canon of Euro-American political theory, Indigenous peoples are positioned between two poles of racist misrepresentation. On one side are the false Lockean presumptions about Indigenous peoples’ prepolitical, pre-agricultural societies and, on the other, are the equally fictitious Rousseauian narratives about noble, ecologically pure, and therefore vestigial “savage” communities.⁶ Other contributors to this volume expertly deconstruct this constitutive exclusion at the heart of Euro-American thought by highlighting the intelligence, the fecundity, and the durability of Indigenous governance systems (see Part IV on “Indigenous Democracies” in this volume; especially Swain (Chapter 13), as there is

² John Borrows, *Freedom and Indigenous Constitutionalism* (Toronto: University of Toronto Press, 2016), 52–55; Warren Magnusson, “Decentering the State, Or Looking for Politics,” in *Organizing Dissent: Contemporary Social Movements in Theory and Practice*, ed. William Carroll (Toronto: Garamond, 1992), 69–80; Vicky Osterweil, *In Defense of Looting: A Riotous History of Uncivil Action* (New York: Bold Type Books, 2020), 1–20.

³ Manu Karuka, *Empire’s Tracks: Indigenous Nations, Chinese Workers, and the Transcontinental Railroad* (Oakland, CA: University of California Press, 2019), 1–2.

⁴ *Ibid.*, xii (emphasis added).

⁵ *Ibid.*, 20–37; Soren C. Larsen and Jay T. Johnson, *Being Together in Place: Indigenous Coexistence in a More than Human World* (Minneapolis: University of Minnesota Press, 2017).

⁶ James Tully, *Strange Multiplicity: Constitutionalism in an Age of Diversity* (Cambridge: Cambridge University Press, 1995), 71–78, 80.

considerable cross-pollination in our thinking), and a much wider body of Indigenous thought and scholarship exists with which political theorists should familiarize themselves.⁷ In my discussion of the struggles against TMX, I take the vitality and the vital importance of Indigenous sovereignties as my political starting place. I do this foremost because Indigenous peoples have a right to govern themselves, their territories, and their relations unencumbered by imperial regimes. But I also suggest that, inasmuch as it necessitates a confrontation with the cannibalistic urges of empire and the increasingly unlivable ecology those drives are producing, the resurgence of Indigenous sovereignties is a struggle in defense of life itself.⁸ As James Tully says, in this struggle “[n]o one is offsite or not responsible. The choice is change or self-destruction.”⁹

This chapter is structured in three parts. In the first, I provide a history of the struggle against TMX, up to the Canadian federal government’s reappraisal of the project on June 18, 2019. In the second section I examine the federal government’s press conference reapproving TMX in juxtaposition to a press conference held minutes later by a coalition of First Nations and municipal governments opposed to the project. Here, I consider both the logic and the limitations of strategies of hegemony and counterhegemony. The third section moves to the level of grassroots politics, focusing on the week-long project to build a Tiny House and the 20 km march up the Saanich Peninsula to send it on its way to Secwépemcū’ecw, where the Tiny House Warriors now use the House in the resurgence of Secwépemc governance and in their fight to halt the construction of TMX through their territories. Drawing on my own engagement with the Tiny House project, as well as on local reporting and editorials, I am particularly interested in reflecting on a more expansive view of the political, one in which power and authority are not mediated through logics

⁷ Umeek E. Richard Atleo, *Tsawalk: A Nuu-chah-nulth Worldview* (Vancouver: UBC Press, 2004); John Borrows, *Drawing Out Law: Spirit’s Guide* (Toronto: University of Toronto Press, 2010); Nick Estes, *Our History Is the Future: Standing Rock versus the Dakota Access Pipeline, the Long Tradition of Indigenous Resistance* (London: Verso, 2019); Jerry Fontaine, *Our Hearts Are as One Fire: An Ojibway-Anishinabe Vision for the Future* (Vancouver: UBC Press, 2020); Carwyn Jones, “A Māori Constitutional Tradition,” *New Zealand Journal of Public and International Law* 12, no. 1 (2014): 187–203; Robin Wall Kimmerer, *Braiding Sweetgrass: Indigenous Wisdom, Scientific Knowledge, and the Teachings of Plants* (Minneapolis: Milkweed Editions, 2013); and Kayanesenh Paul Williams, *Kayanerenkó:wa: The Great Law of Peace* (Winnipeg: University of Manitoba Press, 2018).

⁸ Umeek E. Richard Atleo, *Principles of Tsawalk: An Indigenous Approach to Global Crisis* (Vancouver: UBC Press, 2011); Jack D. Forbes, *Columbus and Other Cannibals: The Wétiko Disease of Exploitation, Imperialism, and Terrorism* (New York: Seven Stories Press, 2008); Winona LaDuke, *To Be a Water Protector: The Rise of the Windigo Slayers* (Halifax: Fernwood Publishing, 2020); and Boyce Richardson, *Strangers Devour the Land* (White River Junction, VT: Chelsea Green Publishing, 1991).

⁹ James Tully, “Foreword: A Canadian Tragedy,” in Sarah Marie Wiebe, *Everyday Exposure: Indigenous Mobilization and Environmental Justice in Canada’s Chemical Valley* (Vancouver: UBC Press, 2016), xiii

of hegemony/counterhegemony. While engaging this ethic of turning away from the state as *the* site of political activity, I also nevertheless want to avoid overly reductive or easy answers by considering the very serious problem that the state continues to pose for anti-imperialist struggles today. Throughout this I am informed by Karuka's problematique for anti-imperialists in the twenty-first century, which has echoes of both Tully and Rosa Luxemburg: that today we face a choice between "[d]ecolonization, or mass extinction."¹⁰ This is the lens through which I consider what the resurgence of Indigenous sovereignties means in an era of ongoing climate catastrophe from my own positionality as a settler – a non-Indigenous person, interpellated as a citizen by an occupying colonial state.

TRANSMOUNTAIN, A HISTORY OF EXPANDING STRUGGLE

In this section I reconstruct the pertinent history of TMX. Unless noted otherwise, in detailing the history of Trans Mountain's engagement with the National Energy Board (NEB) and various stakeholders up until mid-2018, I rely predominantly on Justice Dawson's decision in *Tsleil-Waututh Nation v. Canada* (2018) – the Federal Court of Appeals decision that "quashed" the initial Cabinet approval of TMX. For details subsequent to 2018 or outside of the realm of official record, I rely primarily on news reporting, excepting in circumstances – such as the Protect the Inlet March and Tiny House builds – where I participated in the demonstrations or direct actions.

In December 2013 the Trans Mountain Corporation, which at the time was owned by Kinder Morgan, applied to the NEB for a certificate of public convenience and necessity authorizing the Trans Mountain Expansion Project (TMX). The project primarily entailed: (1) construction of roughly 987 km of new pipeline 'twinning' to the 1,147 km of existing line; (2) construction or modification of pumping stations and tanks, with a doubling of the Burnaby Mountain tank farm from thirteen to twenty-six storage tanks; (3) expansion of the Westridge dock facility; and (4) construction of two wholly new pipelines from the Burnaby storage facility to the Westridge docks. While the language of 'twinning' evokes a sense of parity, upon completion TMX is actually intended to increase the pipeline's transportation capacity nearly threefold: from 300,000 barrels per day to 890,000 per day. Furthermore, as the project is meant primarily to facilitate an export pivot from America to Asian and Pacific Rim states, the so-called 'downstream' impacts of the project on shipping are of an even greater order of magnitude. Filings with the NEB estimate tanker shipping jumping from roughly five tankers per month to thirty-four tankers per month – an increase of nearly 700 percent as a consequence of TMX.

Between December 2013 and November 2016, the NEB pursued a three-phase process to review TMX's social, economic, and ecological impacts in

¹⁰ Karuka, *Empire's Tracks*, 200.

consultation with Indigenous peoples and First Nations. The bulk of meetings occurred between April 2014 and February 2016, during which time, Justice Dawson notes, many Indigenous participants raised serious concerns not only about the project itself but also about how their participation in consultations was confined to relatively narrow post hoc issues of mitigation and revenue sharing. Higher-order questions about sovereignty, jurisdiction, and their right under the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) to offer/withhold their free, prior, and informed consent for the project as a whole were not on the table during these consultations. As such, the NEB's recommendation in May 2016 – prior to completing Phase III of consultations – that the Cabinet approve TMX was met with severe consternation from many Indigenous peoples; the assertion that the project is in the “public interest,” clarified just how fundamental Canada's exclusion of Indigenous governance is.

Despite the NEB's recommendation, many who opposed TMX remained inordinately hopeful that the project would be cancelled. Their hope was a consequence of their sense that, in spite of the failings of the state's regulatory arms, a major victory seemed to have been secured in the legislative and executive branch of government with the recent election of Justin Trudeau. Moreover, this hope was not based merely on projection. As Martin Lukacs details, Trudeau's 2015 campaign was peppered with rhetoric wholly novel to Canada's partisan landscape. The promise of “nation-to-nation” relationships with Indigenous peoples, and even of “decolonization,” that Trudeau offered on the campaign trail seemed to fulfill the vision of UNDRIP.¹¹ Moreover, cancellation of such hotly contested infrastructure as TMX seemed assured given that one of Trudeau's constant refrains throughout the campaign and beyond was that while governments “may be able to issue permits ... only communities can grant permission” – a sentiment he delivered to the Calgary Petroleum Club as long ago as 2013.¹² Many were therefore dismayed when Trudeau announced his Cabinet's approval of TMX on November 29, 2016, following completion of Phase III of the review process. Without any apparent sense of contradiction, this approval came at the same press conference in which Trudeau cancelled the Northern Gateway and Energy East pipelines, citing both Indigenous objections and climate concerns.

Following the approval of TMX a series of legal challenges were launched, the most successful of which was brought by səl'ilwətaʔ (Tsleil-Waututh) and Sk̓w̓x̓wú7mesh Úxwumixw (Squamish) First Nations, endorsed by both Vancouver and Burnaby alongside a number of other interveners. As opposition

¹¹ Martin Lukacs, *The Trudeau Formula: Seduction and Betrayal in an Age of Discontent* (Montreal: Black Rose Books, 2019), 136.

¹² Justin Trudeau, “Speech to the Calgary Petroleum Club,” October 30, 2013, Liberal Party of Canada, transcript, <https://liberal.ca/liberal-party-canada-leader-justin-trudeaus-speech-calgary-petroleum-club>.

was being partly channeled through state judicial apparatuses, a number of grassroots groups also coalesced around campaigns of both public outreach and direct action. While much of the grassroots organizing against TMX took expected forms (marches, petitions, and other demonstrations of collective opposition), Lukacs details how surprising the opposition to the project was in both its breadth and depth, with thousands of people indicating their preparedness to risk arrest.¹³ At the gates of the Burnaby storage tank facility, a soft blockade slowed work on the site. Day after day new people came forward, defying an injunction issued in 2018, standing in front of the facility gate, snarling construction and operations traffic. Hundreds – including prominent local and national figures – have been arrested as a consequence of their dissent.¹⁴

As alluded to in the introduction, much of this dissent refuses to travel under the title of civil disobedience. Dissidents position themselves instead as *proponents* or *defenders* of the lands and waters under threat, as well as of the Indigenous governance systems that are at the heart of organizing – both materially and conceptually – this resistance.¹⁵ This is perhaps clearest in the *Women's Declaration Against the Trans Mountain Man Camps*, issued from Secwépemcū'ecw in November of 2017.¹⁶ As the Declaration makes clear, Secwépemc sovereignty over “the land, waters, and resources” within their territories remains fully intact. They effectively tie together the threats that TMX poses to their sovereignty as a political body, to their territories, and to their own bodies through the degradation/toxification of land and the threat of gendered and sexualized violence that accompanies heavy industry: “We, as Secwépemc women, declare that we do no [sic] consent! We do not consent to the desecration of our sacred land; we do not consent to the transgressions on our sacred bodies!” However, rather than channeling their dissent toward the courts or appeals to elected officials, this Declaration announces their intention to construct “ten solarized Tiny Houses on our land,” an act that they note is just as much about “housing . . . Secwépemc families, re-establishing our village sites, and asserting our Secwépemc responsibility to our lands and waters” as it is about blocking TMX. I return to the Tiny House Warriors in the third section of this chapter, but want to note here how radically they shift the terms and location of the struggle over TMX. To call the Declaration a “refusal” of the state and its legal apparatuses seems to imply a degree of priority that those institutions clearly do not command. This Declaration embodies a compelling theory of power, in which the space of the political was never confined within

¹³ Lukacs, *Trudeau Formula*, 95–101.

¹⁴ Lauren Boothby, “More Than 200 People Arrested at Pipeline Protests in Burnaby,” *Burnaby Now*, May 30, 2018.

¹⁵ See Swain, Chapter 13, this volume for a striking example.

¹⁶ “Women’s Declaration Against Trans Mountain Man Camps,” Secwépemcū'ecw Assembly, Secwépemc Women’s Warrior Society and Tiny House Warriors, November 2017, www.secwepemculecw.org/women-s-declaration.

the limestone buildings of state capitals – nor even in opposition directed at those presumed ‘centers of power’ – but is produced through collectivities and is always already located in and responsible to the living relations of the territories in which those collectivities persist.

One of the broadest demonstrations of grassroots opposition to TMX came on March 10, 2018, when 20,000 people joined the Protect the Inlet March to Burnaby Mountain. Headed by Indigenous leaders from along the proposed pipeline route, but primarily from local nations like *səl'ílwətaʔl*, *Skw̓xwú7mesh* *Úxwumíxw* and *xʷməθkʷəyəm* (Musqueam), the show of immense collective power and solidarity was also the strategically chosen moment in which members of *səl'ílwətaʔl* revealed a project to both assert their governance *and* strengthen their on-the-ground opposition to TMX. As thousands demonstrated their collective power by marching past the gates of the storage tank facility in defiance of the court orders, just a stone's throw from the injunction zone a crew under the leadership of Will George busily constructed *Kwekwecnewtxw*, or “a place to watch from.”¹⁷ Built in the style of Salish watch houses, *Kwekwecnewtxw* evokes and actualizes Salish jurisdiction. A millennia-long practice of governance meant to ensure community safety, today the threat *Kwekwecnewtxw* guards against is posed by an infrastructure project that is facilitated through, and itself serves to further facilitate, colonial dispossession.¹⁸ Since March 2018, *Kwekwecnewtxw* has acted not only as an assertion of Indigenous governance, and as a hub and home for the grassroots resistance to TMX, it has also been an invaluable bridge spanning Indigenous and settler communities. That *Kwekwecnewtxw* has sustained itself over such a long duration is enormously educative: both in its direct efforts at community engagement, but also as an example of the capacity that grassroots coalitions have to create and sustain frontlines against the imperial nexus of the state and industry.

Faced with an entrenched and expanding resistance, the responses from the state and industry are perhaps not surprising, even though their brashness should never fail to be shocking. As Lukacs details, faced with a popular upswell against this project, the fossil fuel industry leaned heavily on the state, calling upon politicians to impose a “law and order” regime that advances and protects their infrastructure.¹⁹ In 2018 David Dodge, former Governor of the Bank of Canada, told a crowd in Edmonton that as opposition “fanaticism” grew, it made certain that people “are going to die in protesting construction of this pipeline.”²⁰ Though he later walked back his statement, in the days following TMX's approval the then Minister of Natural Resources, Jim Carr, threatened that his government was prepared to advance construction against public dissent

¹⁷ “Visit the spiritual resistance to #StopKM at *Kwekwecnewtxw*,” Protect the Inlet, 2019, <http://web.archive.org/web/20210124185559/https://protecttheinlet.ca/structure/>.

¹⁸ Robert Nichols, *Theft Is Property! Dispossession and Critical Theory* (Durham, NC: Duke University Press, 2020).

¹⁹ Lukacs, *Trudeau Formula*, 95–130. ²⁰ *Ibid.*, 97.

“through [the Canadian state’s] defence forces, through its police forces.”²¹ In spite of these assurances, however, the confidence that capital had in the project eroded rapidly. In April 2018, barely a month after the Protect the Inlet March, Kinder Morgan announced that it was halting all “non-essential activities and related spending” on TMX in order to consult shareholders, setting May 31 as a deadline by which to determine the viability of the project.²² Faced with the imminent collapse of their cornerstone infrastructure project, the Trudeau Cabinet announced on May 29 that the federal government was purchasing Trans Mountain from Kinder Morgan for \$4.5 billion dollars – a sum that includes only existing infrastructure and not the immense, outstanding construction costs.²³ The government affirmed its commitment to financing the completion of TMX, in the hopes of later finding a private investor to buy the expanded pipeline.

It was likely because of this increasingly apparent integration of the state and fossil fuel industry that many opponents of TMX responded to the federal Court of Appeals’ August 30 ruling in *Tsleil-Waututh v. Canada* (2018) so jubilantly. In Metulia/Victoria, BC, hundreds poured into the downtown core that evening in an impromptu celebration of the decision to “quash” Cabinet’s approval of TMX. The possibility that TMX could be defeated so cleanly, and without the need for an even more protracted or escalated struggle, overawed the fact that the Court’s decision was, in fact, quite technical and narrow in scope. Far from a decision to “quash” TMX itself, *Tsleil-Waututh* merely remitted approval of the project back to Cabinet for further consideration on two points: (1) a more thorough assessment of the ecological impact on the Salish Sea caused by marine traffic associated with TMX, and (2) to more adequately “explore possible accommodation of those concerns” raised by Indigenous peoples and First Nations. Indeed, the Court even went so far as to affirm that Canada had “acted in good faith” in its consultations, even if they had come up somewhat short. No doubt the Court’s rosy portrayal was due, in part, to the overly constrained scope of the issues under consideration. For instance, the fact that TMX would significantly contribute to accelerating the climate catastrophe, increasing Canada’s overall greenhouse gas emissions by as much as 2 percent, was only obliquely noted in the Court’s reference to an Environment Canada report, but the consequences of this were never directly considered by the Court.

More directly pertinent to participants in the *Tsleil-Waututh* case itself, however, was the fact that the Court confined the scope of its proceedings to

²¹ *Ibid.*, 96; Catharine Tunney, “Jim Carr Says Military Comments Not a Threat to Pipeline Protesters,” *CBC News*, December 2, 2016, www.cbc.ca/news/politics/jim-carr-protests-pipeline-military-1.3878258.

²² Stephanie Ip and Patrick Johnston, “Kinder Morgan Halts Non-Essential Work on Trans Mountain Pipeline and Sets Drop-Dead Deadline,” *Vancouver Sun*, April 9, 2018, <https://vancouver.sun.com/news/local-news/kinder-morgan-to-halt-its-spending-on-trans-mountain-pipeline-due-to-b-c-opposition>.

²³ “Our History,” Trans Mountain, www.transmountain.com/history.

reviewing the process initiated by the NEB in 2013. Drawing on industry-wide trends, Kinder Morgan had deliberately minimized TMX's review process by relying on the logic of "pipe in the ground." The potential impact of the project was minimized because it was portrayed as *merely* expanding *existing* infrastructure, rather than establishing *new* corridors.²⁴ Not only does this conceal the enormity of TMX's ecological impact, it also serves to fully elide Canada's historic failure to live up to its own – already highly constrained – duty to consult with Indigenous peoples in the initial construction of Trans Mountain. By choosing to start the clock on the duty to consult only in 2013, and thereby ignoring the reality that Trans Mountain was constructed in 1951 as the wave of Canada's apartheid laws was only just beginning to break, the Court's review of TMX legitimates the lack of historic consultations – much less consent – with Indigenous peoples all along the route. Furthermore, as this approach actualized the returns on Kinder Morgan's investment in a "pipe in the ground" strategy, it makes clear how the Canadian state works toward the erasure of Indigenous nations' jurisdictions in a way that "augments and reinforces the intracapitalist coalition supporting and advocating for pipelines and oil infrastructure."²⁵

Importantly, TMX is not novel in terms of the Courts' using the existence of private property to retroactively legitimate the dispossession/displacement of Indigenous peoples.²⁶ Nor is the state's intervention to salvage and complete a floundering infrastructure project – in order to potentiate its sell-off into private hands – wholly unexpected to students of Canadian history. As Reg Whittaker notes, "the basic engine of development in Canada" has been "*private enterprise at public expense.*"²⁷ Pithier commentators have remarked that Canada is simply "three mining companies in a trench coat, wearing a stupid hat and carrying a gun."²⁸

HEGEMONY . . .

While intense, the excitement about the *Tsleil-Waututh* decision was short-lived, as the government announced almost immediately that it intended to fulfill the Court's skeletal outline of the steps necessary to discharge its

²⁴ Shiri Pasternak, Katie Mazer, and D. T. Cochrane, "The Financing Problem of Colonialism: How Indigenous Jurisdiction is Valued in Pipeline Politics," in *Standing with Standing Rock: Voices from the #NODAPL Movement*, ed. Nick Estes and Jaskiran Dhillon (Minneapolis: University of Minnesota Press, 2019), 226.

²⁵ *Ibid.*, 224.

²⁶ See *Chippewas of Sarnia Band v. Attorney General of Canada* [2000] 51 OR (3d) 641; and, for discussion of the case, Deanne Aline Marie LeBlanc, "Identifying the Settler Denizen Within Settler Colonialism" (unpublished MA thesis, University of Victoria, 2014), 24–25.

²⁷ Reg Whittaker, *A Sovereign Idea: Essays on Canada as a Democratic Community* (Montreal: McGill-Queen's University Press, 1992), 20 (emphasis in original).

²⁸ Alex V. Green, "Canada Is Fake: What Americans Think of as Their Friendly Neighbor to the North, If They Think of It at All, Is a Scam," *The Outline*, February 19, 2020, <https://theoutline.com/post/8686/canada-is-fake>.

obligations. It came as little surprise, then, nine and a half months later on June 18, 2019, when the government announced with all the false contrition in the world that it had listened to the Court's calls to "do better" and was now prepared to reapprove TMX.²⁹ Flanked by Ministers Morneau (Finance), McKenna (Environment), MacAulay (Agriculture), and Sohi (Natural Resources), Trudeau's press conference attempted to execute a major pivot in the conversation around TMX. The strategic reason for the absence of the Ministers of both Crown-Indigenous Relations and Indigenous Services was apparent throughout the press conference in which Trudeau portrayed his critics as mired in false choices between 'the economy' and 'the environment.' Throughout this conference Trudeau strenuously avoided reckoning with the fact that TMX is contested primarily and most stridently on the grounds that it violates the jurisdictions and sovereignties of numerous Indigenous nations.

The promised nation-to-nation relationships with Indigenous peoples – which Trudeau continually says are the country's "most important relationship" – were not mentioned.³⁰ Instead, Trudeau opened this press conference by asserting that his government was elected in 2015 on paired commitments of "growing the middle class" and to "protect our environment and fight climate change." Implicit in this assertion is the suggestion that he would be seeking re-election only months later in the fall of 2019 on those same priorities. Alleging that his partisan challengers believe these objectives are irreconcilable, Trudeau insisted that they were not only "complementary" to one another but that TMX is preternaturally capable of threading them together. In spite of the apparent ease with which his government appropriated billions of dollars to purchase fossil fuel infrastructure only a year prior, Trudeau repeatedly emphasized that while he viewed it as absolutely vital, a transition away from fossil fuels would be costly. Trudeau estimated that the tax revenue from TMX "could be around \$500 million per year" – at which rate the government would recoup the cost of its impulse purchase in a mere decade. He went on to outline that the construction and operation of the pipeline will not only create opportunities for people to "earn a good living," but that all revenue earned from the completed TMX would be earmarked to be "invested in Canada's clean energy transition" –including "any profits from the sale of the pipeline." In one of the few unprompted references to Indigenous peoples in his press conference, Trudeau indicated that his

²⁹ CBC News, "Ministers Answer Questions on Trans Mountain Expansion Approval," streamed live on June 18, 2019, YouTube video, 26:24, <https://www.youtube.com/watch?v=nQjdlxxtPzE>; CBC News, "Trudeau Cabinet Approves Trans Mountain Pipeline Expansion Project," streamed live on June 18, 2019, YouTube video, 20:17, www.youtube.com/watch?v=MFot-hZRhEk.

³⁰ Susana Mas, "Trudeau Lays Out Plan for New Relationship with Indigenous People," *CBC News*, December 5, 2015, www.cbc.ca/news/politics/justin-trudeau-afn-indigenous-aboriginal-people-1.3354747.

government is encouraging possible Indigenous buyers. Seemingly, the only way Indigenous nations can have a say over fossil fuel infrastructure in their territories is if they are prepared to bankroll it.

Trudeau sought to deepen his case for TMX by further asserting that the project – increasingly treated as a panacea for all woes – would solve a “core economic problem” facing the fossil fuel industry in Canada. Overlooking the mere externality of the climate catastrophe, Trudeau noted that the single biggest crisis facing Canadian fossil fuel exports is that they are beholden to a monopoly buyer. As Trudeau suggested, the fact that nearly all fossil fuels extracted in the territories claimed by Canada are bound for American refineries means that the price of Canadian oil is dictated south of the 49th Parallel. Never mind that fossil fuel exports are sold in private markets – not primarily to states – or that global commodities trading in crude oil was already in sharp decline, Trudeau was effectively stitching together a case for TMX grounded in an overt petronationalism.³¹ This was made apparent as Trudeau paired a rather obtuse invocation of Trump and the growing fear Canadians have that “anything can happen with our neighbours to the south” with his strident assertion that “Canadians are our own people, and we make our own choices.” Given not only the evident fractures that exist around just TMX but also the well-noted historic failings of the Canadian state-building project to constitute a coherent “people” for itself, Trudeau’s struggle to leverage TMX in the cause of maintaining hegemony could hardly be more apparent.³²

The political left in Canada has its own long and twisting relationship with economic nationalism, typically grounded in anti-Americanism, but which has recently aligned itself with petronationalism.³³ The political and ideological work that Trudeau’s press conference did, however, is of a different species than even those troubled projects. It is a near-perfect embodiment of what Lukacs calls “the Trudeau formula,” which he distills as a political program advancing the promise of “changeless change.”³⁴ As Trudeau appropriates the rhetoric and affects of more progressive, at times even radical, political movements, his

³¹ James M. Griffin, “Petro-Nationalism: The Futile Search for Oil Security,” *The Energy Journal* 36, no. 1 (2015): 25–41; Andreas Malm and the Zetkin Collective, *White Skin, Black Fuel: On the Danger of Fossil Fascism* (London: Random House, 2021).

³² Peter H. Russell, *Canada’s Constitutional Odyssey: A Country Based on Incomplete Conquests* (Toronto: University Press, 2017); Peter H. Russell, *Constitutional Odyssey: Can Canadians Become a Sovereign Peoples?* (Toronto: University of Toronto Press, 1992); and Whittaker, *Sovereign Idea*; see also Jacques Rancière, *Staging the People: The Proletarian and His Double* (London: Verso Books, 2011).

³³ Irving Martin Abella, *Nationalism, Communism, and Canadian Labour: The CIO, the Communist Party, and the Canadian Congress of Labour 1935–1956* (Toronto: University of Toronto Press, 1973); Kari Levitt, *Silent Surrender: The Multinational Corporation in Canada* (Montreal: McGill-Queen’s University Press, 1970); and Jason Markusoff, “The Rise of Alberta’s Unapologetic Petro-Patriots,” *Maclean’s Magazine*, July 15, 2019, www.macleans.ca/news/canada/the-rise-of-albertas-unapologetic-petro-patriots.

³⁴ Lukacs, *Trudeau Formula*, 11.

policies make clear that “his goal was not to transform the status quo but to smoothly defend it.”³⁵ What is more, while Trudeau maintains this rhetoric while in office and in flagrant contradiction of the actual consequences of his policies, the Trudeau formula is in fact a striking development in the classic Liberal Party playbook of ‘campaigning from the left, governing from the right.’³⁶

Despite the vigor of Lukacs’ analysis, he underemphasizes the enormity of what the Trudeau formula achieves. Far from being merely a cynical electoral strategy, I want to suggest that by maintaining adherence to a rhetoric of social/economic/environmental justice while pursuing policies directly antagonistic to those goals, Trudeau has stumbled upon a major ideological project that is causing a massive reduction in the horizon of the politically possible – the so-called “Overton window.”³⁷ To suggest that Trudeau is merely appropriating, misusing, and denuding more transformative or radical political discourses is to identify only one half of the ideological work being done. More troublingly, the deeper consequence of the Trudeau formula is that it actually *transmutes* the public understanding of the content and meaning behind the discourses that he appropriates. Put more plainly: for the vast majority of casual observers of national politics, there is no necessary contradiction between Trudeau’s appropriation of transformative rhetoric and his status quo politics. Rather, many come, wholly understandably, to associate that otherwise transformative rhetoric with the continuity of the material conditions under which a sizable majority of them continue to struggle. By pairing the rhetoric of transformation with the actual continuity of the status quo, the Trudeau formula makes concrete the Thatcherite declaration that ‘there is no alternative.’ This is perhaps nowhere more apparent than in the case of Trudeau’s pursuit of “reconciliation” with Indigenous peoples – a project whose meaning is so perverted as to be somehow congruent with the invasion of untreated lands by paramilitary police in order to remove Indigenous land/water defenders from their territories. Such is the toxic vacuity of the Trudeau formula that grassroots leaders such as Freda Huson of the Wet’suwet’en nation and director of the Unist’ot’en Camp declared “reconciliation” to be dead in light of the very real violence that her nation continues to face.³⁸

³⁵ Lukacs, *Trudeau Formula*, 12.

³⁶ Stephen Clarkson, *The Big Red Machine: How the Liberal Party Dominates Canadian Politics* (Vancouver: UBC Press, 2005).

³⁷ “A Brief Explanation of the Overton Window,” Mackinac Centre for Public Policy, www.mackinac.org/OvertonWindow.

³⁸ Charlie Smith, “RCMP Arrest Unist’ot’en Matriarchs During Ceremony to Honour Missing and Murdered Indigenous Women and Girls,” *The Georgia Straight*, February 10, 2020, www.straight.com/news/1358106/rcmp-arrest-unistoten-matriarchs-during-ceremony-honour-missing-and-murdered-indigenous; tawinikay, “Reconciliation Is Dead: A Strategic Proposal,” *It’s Going Down* (blog), February 15, 2020, <https://itsgoingdown.org/reconciliation-is-dead-a-strategic-proposal>.

I should note that part of the Trudeau formula's success is contingent on the contemporary partisan landscape in which Trudeau operates. Briefly stated, this is one in which an increasingly verbose and outwardly reactionary Conservative Party and its surrogates have been only too ready to denigrate Trudeau as some sort of rabid "social justice warrior."³⁹ This charge serves to reify Trudeau's false claims of pursuing a transformative politics. At the same time, the ostensible parliamentary left, embodied predominantly by the New Democratic Party (NDP), has – by the admission of many of its own supporters – abandoned positions that are even marginally oppositional to such dominant social formations as capitalism, settler colonialism, white supremacy, and cisheteropatriarchy.⁴⁰ The Trudeau formula dramatically curtails the horizon of political possibility largely because – on the partisan landscape – it is unchallenged from the left and is perversely validated in its self-presentation from the right. Given this, the emergence of a project of counterhegemony in rebuttal to Trudeau's June 18 reapproval of TMX is all the more remarkable.

... AND ANTICOLONIAL STRATEGY

As Trudeau wrapped up in Ottawa, across the continent another press conference hosted at sə'l'ilwətaʔl was beginning.⁴¹ This press conference was remarkable not only in that it modeled a different relationship to place – the abstracted distance of the state-eye view from Ottawa was displaced by systems of governance firmly rooted in the territories threatened by TMX – it also displayed a strikingly more dispersed theory of power and authority.⁴² Contrasting the singular authority of the prime minister and his Cabinet, on stage in this second press conference were representatives from sə'l'ilwətaʔl, S̓k̓w̓x̓wú7mesh Úxwumixw, and xʷməθkʷəy̓əm, alongside other Indigenous leadership from Sumas First Nation, Tsartlip First Nation, the Neskonlith

³⁹ Jonathan Kay, "The Rise and (Possible) Fall of Justin Trudeau Show the Perils of Woke Governance," *Quillette*, March 7, 2019, <https://quillette.com/2019/03/07/the-rise-and-possible-fall-of-justin-trudeau-show-the-perils-of-woke-governance>; Postmedia Editorial, "Trudeau Needs to Leave His Social Justice Warrior Cape at Home," *Toronto Sun*, May 22, 2018, <https://torontosun.com/opinion/editorials/editorial-trudeau-needs-to-leave-his-social-justice-warrior-cape-at-home>.

⁴⁰ Avi Lewis, "Social Democracy and the Left in Canada: Past, Present, and Future," in *Party of Conscience: The CCF, The NDP, and Social Democracy in Canada*, ed. Roberta Lexier et al. (Toronto: Between the Lines, 2018), 197–214; Abdul Malik, "Jack Layton is the NDP's Third Rail," *Canadian Dimension*, September 1, 2020, <https://canadiandimension.com/articles/view/jack-layton-is-the-ndps-third-rail>; see also Ralph Miliband, *Parliamentary Socialism: A Study in the Politics of Labour* (London: Merlin Press, 1961).

⁴¹ Tseil-Waututh Nation Sacred Trust, "Live at the Trans Mountain Pipeline Announcement Press Conference," Facebook, June 18, 2019, www.facebook.com/630937800297791/videos/612471812592081.

⁴² James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Failed* (New Haven: Yale University Press, 1998).

Indian Band, and Stewart Phillip, the Grand Chief of the Union of BC Indian Chiefs, also on stage were Vancouver Mayor Kennedy Stewart and Councilor Jean Swanson – both of whom had been arrested on Burnaby Mountain. Embodying a commitment to polyvocality and inter-nationalism, this press conference centered on the imminent and very material threat that TMX poses. As Rueben George (səl'iwətaʔl) stated in his introductory comments, those gathered on the stage were there because Trudeau's actions in reapproving TMX "are hurting Canadians." This necessitates the formation of a coalition prepared to "protect what we love" in a way that is grounded in Indigenous governance systems that teach the necessity "to protect all the human being on our lands and waters, that's *our* law." Chief Leah George-Wilson (səl'iwətaʔl) affirmed this sentiment. She asserts that her "obligation is not to oil. Our obligation is to the land, the water, to our people, to the whales" and that none of the prime minister's comments or consultation processes had adequately addressed those concerns or the risks that his Cabinet is imposing on her nation.

Chief Dalton Silver (Sumas First Nation) noted that what this boils down to is a shared responsibility to protect the Salish Sea from harm. This responsibility exists far beyond the shoreline of the Sea itself, Silver continued: it begins hundreds of miles inland from the Sea at the headwaters and flows downstream through the territories of his own nation. Radically distinct from the abstracted, Cartesian thinking of the Cabinet and the NEB – the excesses of which had treated the Salish Sea as somehow separable from the overland route of the pipeline, resulting in the *Tsleil-Waututh* decision forcing a temporary delay of TMX so that the project's impacts on the Salish Sea could be considered – Silver articulates his nation's theory of responsible governance as one that is produced through the actual material relationships of the territories in which it is situated. Sumas is not connected to the nations and communities around the Salish Sea merely as a consequence of the inevitable destruction that TMX represents; they are primarily connected through the life-sustaining relationships embodied in flows of water, runs of salmon, and the political alliances that are embedded within and have enhanced those relationships since time immemorial. This is as concrete a realization of how Trudeau's pursuit of TMX manifests the countersovereignty of imperial regimes as one is likely to find. Grand Chief Phillip made this all the more clear by noting that his sense of *déjà vu* at the Cabinet's announcement is a consequence of the fact that, for Indigenous peoples, persisting in their governance under direct threat by the colonial state is very much "another day at the office," even as he staunchly asserts that "Indigenous peoples walking . . . in solidarity with their friends and neighbours and their allies" is the pathway toward victory over this project.

To at least some degree, this coalition can be helpfully understood as an effort to build and to make visible a *counterhegemonic* formation that challenges the ongoing accomplishment of a petronationalist hegemony

forwarded by the Canadian federal government. As William Carroll notes, the “deep transformation” portended by counterhegemonic struggles “gets its start on, and draws much of its vitality from, the immediate field of the conjunctural, in resistance to the agenda of the dominant hegemony.”⁴³ Put more simply, while they often appear as both primarily *responsive* to the actions of the constituted authority and confined to relatively *particular* issues or interests, the deeper undercurrents of counterhegemonic struggles envision a truly radical uprooting of the dominant order. Importantly, the strategic terrain of counterhegemony is also embedded in struggles that are of immediate and material consequence to the communities with/in whom solidarity and affinity are being built, rather than persisting predominantly in the realm of ideals. Struggling toward this deep transformation, counterhegemonic formations seek to draw “together subaltern social forces around an alternative ethico-political conception of the world, constructing a common interest.”⁴⁴ The shared threat that TMX represents to these communities has contributed to the stitching together of an alliance between First Nations and municipalities. Moreover, inasmuch as Indigenous-led decolonization struggles are always local in character, requiring alliances or ententes with neighboring communities, and insomuch as TMX is a particular struggle in the much wider battle against climate catastrophe, the coalition stepping forward to challenge Trudeau embodies a transformational critique of the dominant order.

This coalition against TMX is similar to Carroll’s account of counterhegemonic struggles in another important way. Carroll writes that, for a counterhegemonic movement to “walk on both legs,” it is “elemental” that it engage in a struggle that aims at “reclaiming the state.” While Carroll insists that this is a matter of strategic – rather than normative – importance and that the state need not be “privileged” as *the* site of struggle, a concerted effort toward “democratizing state practices” must be “understood as one part of broader transformations.”⁴⁵ Put plainly, the state’s ability to martial both considerable violence but also enormous capacity means that it must be taken seriously as a location of political struggle – a point which is likely all too apparent to those responding to Trudeau’s press conference, given the deprivation forced on First Nations by the Indian Act and the strain endured by municipal governments under neoliberalization.

Chief George-Wilson’s promise that Tsleil-Waututh will continue the fight against TMX using “all legal tools” should, I think, be read in this vein as being one part of a counterhegemonic struggle. Far from an effort to seek recognition from the colonial government, the strategy that Tsleil-Waututh and its allies are pursuing is one that leverages the internal contradictions of the Canadian state to their own – anticolonial – purposes. Whereas many persist in presenting the state as a unified and homogeneous thing, the strategy being pursued against TMX is premised on the political utility found in the contradictions between the

⁴³ William K. Carroll, “Hegemony, Counter-Hegemony, Anti-Hegemony,” *Journal of the Society for Socialist Studies* 3 (2006): 20.

⁴⁴ *Ibid.*, 21. ⁴⁵ *Ibid.*

governing logics of various state apparatuses.⁴⁶ The relatively immediate logics that capture the legislative and executive branches, directing their commitment toward a market-logic that necessitates the diminution of Indigenous political authority, run into contradiction when they confront the courts' commitment to stabilizing colonization over the *longue durée*, a project that can accommodate the relatively capacious conception of Aboriginal rights outlined by the Canadian judiciary. Leveraging the space of contradiction between the multiple logics contained within the state is an effective strategy that, since the *Calder* decision (1973), has used the judicial elements of the state to significantly curtail many of Canada's most egregious colonial excesses.

Importantly, this is *not* pointing to the existence of so-called checks and balances; rather, it reveals the existence within the state of multiple colonial logics that can both articulate, but also contradict, with one another. In spite of the potential that struggles within the judicial sphere have unlocked, the foundational commitment of the judiciary to colonization is widely understood. Long noted by grassroots Indigenous leaders and scholars, the courts themselves freely admit it when they acknowledge that it is beyond the scope of their powers to interrogate the Canadian Crown's assertion of allodial title.⁴⁷

SENDING OUT GRASSROOTS IN AN EXTINCTION EVENT

It is, in part, because the multiple apparatuses constituting the state share a foundational commitment to maintaining colonization that Indigenous peoples have always pursued a variety of anti-imperialist strategies. While strategies of counterhegemony – engaging anti-imperialist struggles within/against the terrain of existing state apparatuses – have yielded crucial victories, many Indigenous leaders and scholars assert that, ultimately, liberation cannot be achieved through state avenues. Rather, they emphasize the importance of Indigenous governance systems' resurgent cultural practices as an embodiment of their nations' jurisdictions throughout their territories.⁴⁸

⁴⁶ Emma Battell Lowman and Adam J. Barker, *Settler: Identity and Colonialism in 21st Century Canada* (Halifax: Fernwood Publishing, 2015); Lorenzo Veracini, *Settler Colonialism: A Theoretical Overview* (Springer: New York, 2010); see also Jaskiran Dhillon, *Prairie Rising: Indigenous Youth, Decolonization, and the Politics of Intervention* (Toronto: University of Toronto Press, 2017).

⁴⁷ Gordon Christie, *Canadian Law and Indigenous Self-Determination: A Naturalist Analysis* (Toronto: University of Toronto Press, 2019), 342–83; Arthur Manuel, *Unsettling Canada: A National Wake-Up Call* (Toronto: Between the Lines, 2015), 107–24; see also *Delgamuukw v. British Columbia* [1997] 3 SCR 1010; *Reference re Secession of Quebec* [1998] 2 SCR 217.

⁴⁸ Glen Sean Coulthard, *Red Skin, White Mask: Rejecting the Colonial Politics of Recognition* (Minneapolis: University of Minnesota Press, 2014); Estes, *Our History*, 2019; Manuel, *Unsettling Canada*, 2015; Audra Simpson, *Mohawk Interruptus: Political Life Across the Borders of Settler States* (Durham: Duke University Press, 2014); Leanne Betasamosake Simpson, *As We Have Always Done: Indigenous Freedom Through Radical Resistance* (Minneapolis: University of Minnesota Press, 2017).

Moreover, as I stated in the introduction, Indigenous governance systems exist both prior to and without any necessary reference to the processes of imperialism through which they persist. Leanne Betasamosake Simpson describes this precisely when she writes that the processes of resurgence are, in many ways, “just Indigenous life as it has always unfolded.”⁴⁹ This is striking in its resonance with how Chief Silver characterized Sumas First Nation’s sovereignty as being about an obligation to defend the land and waters that sustain his nation and all those who live in the territories. As Chief Silver is engaged in a vital counterhegemonic struggle by which to leverage the state’s internal contradictions, creating space for those obligations to be pursued without threat of colonial violence, those who are focused on *grassroots* strategies for resurgence pursue those obligations without making them cognizable within colonial structures. By being inattentive to these dynamics, to the primacy of Indigenous sovereignties on the ground, many non-Indigenous commentators continue to miss some of the most transformative anti-imperialist work; the grassroots resistance to TMX is no different.

Before discussing the Tiny House build and the accompanying march, it feels necessary to make a few clear delineations. Given the preceding discussion and some of the literature with which I am engaged, some may equate the following discussion with political movements that scholars such as Carroll (disparagingly) and Richard Day (approvingly) describe as being committed to antihegemonic strategies.⁵⁰ “Antihegemonic” does *not*, however, properly describe the relationships I discuss as they are at work on the ground, because the very question of hegemony (and whether it is to be retained, resisted, or rejected) gives undue priority to the state as *the* space of politics. At once fully recognizing the importance of movement and dynamism *within* and *between* Indigenous governance systems – both in terms of actual geographic mobility and in terms of cultural movements – I nevertheless ask that the reader take the sovereignties of Indigenous nations as their lodestar in understanding what I describe as politics at the “grassroots.”⁵¹ This framing is, importantly, *not*

⁴⁹ Simpson, *As We Have Always Done*, 247.

⁵⁰ Carroll, “Hegemony,” 2006; Richard Day, *Gramsci Is Dead: Anarchist Currents in the Newest Social Movements* (London: Pluto Press, 2005).

⁵¹ On geographic mobility, see Borrows, *Indigenous Constitutionalism*, 19–49; David A. Chang, *The World and All the Things Upon It: Native Hawaiian Geographies of Exploration* (Minneapolis: University of Minnesota, 2016); Susan M. Hill, *The Clay We Are Made Of: Haudenosaunee Land Tenure on the Grand River* (Winnipeg: University of Manitoba Press, 2017). On cultural mobility see Robert Alexander Innes, *Elder Brother and the Law of the People: Contemporary Kinship and Cowessess First Nation* (Winnipeg: University of Manitoba, 2013); Scott Richard Lyons, *X-Marks: Native Signatures of Assent* (Minneapolis: University of Minnesota Press, 2010); Lee Maracle, *Memory Serves: Oratories*, ed. Smaro Kamboureli (Edmonton: NeWest Press, 2015); Paige Raibmon, *Authentic Indians: Episodes of Encounter from the Late-Nineteenth-Century Northwest Coast* (Durham, NC: Duke University Press, 2005); Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples*, 2nd ed. (London: ZED Books, 2012).

my own creation, but rather comes out of the vernacular of the very organizing communities that it describes.

Delineating further, while the image of the “grassroots” seems tailor-made to evoke the notion of a politics “from below,” I also want to resist that characterization. While I share many of the political and intellectual commitments that scholars like Jakeet Singh expertly describe as part of their method of seeing the space of politics “from below,” its presentation of a hierarchical relationship is inapt for the context in which I am thinking here.⁵² This is because, even as it seeks to describe suppressed but still extant agency within actually existing relations of domination and exploitation, the framing of above/below – inadvertently – recapitulates the erasure of Indigenous political authority by subordinating it to the presumed priority of imperial systems.⁵³ The sovereignties of Indigenous nations are better understood as neither *below*, nor as necessarily vying *against* empire through counter-/antihegemonic strategies, but rather as fully constituted and extant orders of political authority *in their own right*.

As the coalition assembled at səl'iwətaʔl announced their continued commitment to the fight against TMX, across the Salish Sea in the territories of the Lkwungen and WSÁNEĆ peoples, volunteers tidied up a lot just outside of the downtown core of Metulia/Victoria. Over the preceding ten days, this space had been a flurry of activity around construction of a mobile Tiny House in solidarity with the Tiny House Warriors of the Secwépemc nation. As noted, the Tiny House Warriors announced in 2017 that they intended to use a fleet of tiny houses to assert their jurisdiction as Secwépemc women and that, as a consequence, TMX could not pass through Secwépemcul'ecw. This was their fourth Tiny House overall, and the third one built in Metulia/Victoria.

While imperfect and uncertain in the same ways as any political project, the Tiny House build is remarkable for the ways in which it draws upon, thickens, and generates relationships within the various communities that surround the build. Volunteers working on the House are supported by the socially reproductive labor of others as lunches are provided by individuals and affinity-based community groups like Food Not Bombs and the Community Cabbage meal program. Leftovers make their way to community-houses or else are dropped off at nearby food programs. Artists are also pivotal in this build: visual artists donate designs and studios produce screen-printed t-shirts sold on a pay-what-you-can basis to cover build costs; likewise, musicians host

⁵² Jakeet Singh, “Recognition and Self-Determination: Approaches from Above and Below,” in *Recognition Versus Self-Determination: Dilemmas in Emancipatory Politics*, ed. Avigail Eisenberg et al. (Vancouver: UBC Press, 2014), 47–74; see also Peter Linebaugh and Marcus Rediker, *The Many Headed Hydra: The Hidden History of the Revolutionary Atlantic* (London: Verso Books, 2012); Scott Neigh, *Resisting the State: Canadian History through the Stories of Activists* (Halifax: Fernwood Publishing, 2012).

⁵³ See *St. Catharine's Milling and Lumber Co. v. R.* [1888] UKPC 70, 14 App Cas 46; *The Cherokee Nation v. The State of Georgia*, 30 US 1, 5 Pet. 1, 8 L Ed 25 (1831).

a fundraising dance-party with an accompanying silent auction. Members of the Fearless Collective host a workshop on the build site for Indigenous and racialized community members, out of which comes the creative vision for a mural that accompanies the House to Secwépemcul'ecw, celebrating the Indigenous women, matriarchs, and femmes who are "Protecting What Heals Us" in the face of the threat posed by TMX.

A series of "Tiny House Talks" are held on the build site most nights after construction wraps, with the explicit aim of broadening and deepening the community's intellectual tools. Workshops link the struggle against imperialism in Canada to struggles in the Middle East, the South Pacific, and Latin America; think tactically about the tools of direct action; and interrogate how we carry the logics of empire within our daily, intimate lives. It was out of these Tiny House Talks that a vision for the future work of this community was brought forward by Tsastilqualus Umbas, an Indigenous matriarch; several months later, that vision culminated in the Little Big House build, a crucial step forward in the struggle to evict fish-farming operations from Kwakwaka'wakw waters in the Broughton Archipelago and to rematriate Ma'amtagila territories. Likewise, these relationships became a vital resource months later as the community was mobilized in solidarity with the uprisings that occurred following Canada's re-invasion of Wet'suwet'en territory.

In spite of the vibrancy of the political space created through this flurry of activity, and despite the enormity of the TMX debate at the time, the Tiny House received almost no media attention during construction. The sole exception was a lone cameraperson from local news, who showed up to the build site after being tipped-off that the street-entrenched community may be congregating in order to establish a tent city. Media coverage only turned toward the Tiny House as a consequence of the 20 km march on June 22 that sent the House up the Saanich Peninsula to govern and defend Secwépemcul'ecw. The march itself was truly stunning: as the sun rose over the Salish Sea, hundreds of supporters gathered in Centennial Square, where they were welcomed by local elders. Within the hour a stream of people poured into the streets, led by representatives of the Tiny House Warriors, as well as of Protect the Inlet and of Kwekwecnewtxw, and tailed by the Tiny House itself—adorned with a banner that read "decolonization or mass extinction." The incredible reach of the inter-nationalist grassroots coalition opposed to TMX and the terms of the struggle were in full evidence. Winding through the streets, drum circles and round dances were set up at various intersections and bridges, temporarily reclaiming city infrastructure, declaring an anti-imperialist future. As it moved up the Peninsula, members of local nations came out to greet the march, welcoming their relations to the territories with food, stories, drums, and company. Nearly 12 hours and just over 20kms later, the Tiny House pulled into Island View Park, where a feast was held to celebrate this resurgence of Indigenous governance.

Unsurprisingly, sustained media attention arrived only as a consequence of the march that closed the entirety of the northbound traffic on a major arterial highway for several hours. Despite the entirely predictable nature of this turn of events, it is nevertheless worth analyzing some of the leading commentary, as I consider it a revealing window into how the space of the political is dominantly constructed. Particularly revealing in this vein was a piece authored by the *Victoria Times Colonist's* editorial board on June 25, originally entitled "Highway March a Plodding Farce" – though the online version was later retitled as "Effective Protests can be Difficult. Just Look at Saturday's Effort."⁵⁴ In the editorial, as in Trudeau's press conference, the march and the resistance to TMX that it is a part of were reduced to an environmentalist protest which had made a "mockery" of its own cause – there was no mention about the assertion of Indigenous sovereignties, despite it being core to everything. Primarily, the authors took umbrage at the idea that the march may have inconvenienced motorists – a charge which led them to assert that for every extra ounce of gasoline burned because of traffic delays, the march was an effort "that reeked of hypocrisy."

Setting aside the impossibly zero-sum calculation that this editorial wants to hold environmentalist movements to, I think it is even more striking for the theory of power and political authority that it evidences. The authors write that, confronted by the "life and death" reality of the climate catastrophe, "[w]e need answers and we need solutions." As such, they implore their readers, and especially those who participated in the march, to "become part of the solution" by making an effort to "talk to decision-makers." The editorial continues: "we need to convince those in power, around the world, that something must be done quickly." While this is simply presented as common sense, the authors are in fact reifying a conception of power and authority as necessarily 'power-over': the power to command or direct. They specifically treat that power-over as also being simultaneously power wielded at a distance, to which one must make an appeal, a supplication, or – in the most extreme cases – a protest. Moreover, given the presence of numerous Indigenous leaders, First Nations, and municipal representatives in the march, clearly only *certain* (read: colonial) institutional positions are deemed to have been imbued with power. In short, power here is presumed as the property of those who hold state offices.

Coincidentally, on the very day that the *Colonist* published its editorial, the United Nations (UN) Human Rights Council's Special Rapporteur on Extreme Poverty and Human Rights released a report on "Climate Change and Poverty."⁵⁵

⁵⁴ "Effective Protests Can Be Difficult. Just Look at Saturday's Effort," *Times Colonist*, June 25, 2019, www.timescolonist.com/opinion/editorials/editorial-effective-protests-can-be-difficult-just-look-at-saturday-s-effort-1.23866187.

⁵⁵ Special Rapporteur on Extreme Poverty and Human Rights, *Climate Change and Poverty: Report of the Special Rapporteur on Extreme Poverty and Human Rights* (Geneva: United Nations, 2019), <https://undocs.org/A/HRC/41/39>.

In a truly daunting assessment of the ecological crisis, the Special Rapporteur warns of the “climate apartheid” that is emerging globally (12). Those with means are already isolating themselves against the impacts of the climate catastrophe which they are instrumental in causing, while the poor and marginalized are left to fend for themselves. The report warns that “the best-case outcome is widespread death and suffering by the end of this century”; the worst, humanity on “the brink of extinction” (14). Clearly, then, it shares the sense that climate change generally, but also specific projects like TMX that expand fossil fuel extraction and consumption, are matters of life and death. Interestingly, however, whereas the *Colonist* critiqued the Indigenous-led grassroots resistance to TMX as missing an opportunity to engage with “those in power,” the Special Rapporteur concludes that because states are power structures that “overwhelmingly stand for the status quo and are thus unlikely to take a strong lead when radical change is needed,” the “real driving force for progress can only come from community mobilization” (16). This report lays bare the necessity of coming to grips with the fact that, inasmuch as it is composed of those who are most directly affected by the consequences – especially the ecological consequences – of empire, the space of grassroots politics is *the leading* space of transformative struggle

Most generously, the *Colonist* editorial is read as a form of realpolitik; however, their understanding of power – which is widely shared – as an object of state offices erases the reality of power as produced through processes of collective action. Realizing how tightly the *Colonist* hews to this rigidly statist theory of power reveals the bleak irony of their crescendoing coda that “[w]e need answers and we need solutions. We should not expect to get them from those souls who are easily led.” Far from being easily led, I think of those who participated in the Tiny House Build, the march, and who are defending Secwépemcul’ecw and all the territories downstream from TMX as remarkable for the degree to which they understand themselves and their comrades as historically situated, collectively empowered, and therefore responsible actors. Rather than seeking anyone’s advice on what constitutes ‘effective protest,’ these grassroots strategies set aside the logic of offering *protestations* to those ‘in power.’ Instead, they participate in the (re)assertion of Indigenous governance systems in ways that eschew appeals to the hegemonic order entirely. This collectively produced, grassroots politics does not appeal to or protest those *with* power, because it is a site of power itself. As media responses to the march reveal, most often that power is made legible when it is read as being asserted against the constituted authority of the state and industry through blockades, the withdrawing of labor, or riotous acts. But the true strength of this grassroots politics is not in what it seeks to *abolish* – the actually existing infrastructure and institutions of empire – but in what it *defends* and what it *produces*: That is, the territories that support the flourishing of life itself, and the systems of governance that have learned over millennia how to accommodate themselves to the places in which they have grown.

CONCLUSION

Original construction of the Trans Mountain pipeline in 1951 was motivated, in part, as a response by the imperial core to the globally rising tide of anticolonial struggles. Most acutely, Mohammad Mosaddegh's ascendancy to the premiership of Iran, on a platform of popular reforms including the nationalization of oil resources hitherto dominated by British Petroleum, provided the rhetorical backdrop against which Canadian investors and politicians accelerated the Trans Mountain project. As detailed by Laura Gray, the supposed threat posed to the imperial core by the Iranian people securing for themselves control over natural resources was to be counterposed by Canada's entrenchment of fossil fuel extraction from, and transport through, the territories of numerous unconsenting Indigenous nations for export to global markets.⁵⁶ Karuka's observation that empire works through logics of countersovereignty – constantly reshaping itself in response to resistance movements – is made abundantly clear here, as the success of anticolonial struggles elsewhere is used as a perverse justification to further entrench the dispossession of, and environmental threats to, Indigenous peoples within the territories claimed by Canada. Trans Mountain was birthed and is being reborn as a stop-gap in the faltering circuitry of imperial domination. But a world linked through imperial circuits is also a world linked in struggles for liberation.

To focus solely on the circuits of imperialism is to persist in a mode of scholarship that assumes a states-eye view as *the* lens on the political.⁵⁷ Rather than continuing in political science's oldest traditions of seeing like a state, in this chapter I have attempted to understand the struggle against TMX as an Indigenous-led project of anti-imperialist internationalism, which has manifestations that orient themselves to the space of politics in ways that are informed by logics of both counterhegemony and grassroots coalition-building. More to the point, in accounting for these struggles I have attempted to show the primacy of Indigenous sovereignties as modes of governing social relations that build on the intergenerational production and transference of knowledges that emerge in and with the places in which they are situated.

To displace the centrality of the state in this account is not to deny its importance; indeed, such displacement is in fact necessary in order to see how these anti-imperialist struggles have and continue to (re)politicize the state in ways that very often outstrip the tools of critique and analysis available to political scientists. As the horizon of political possibilities provided within the confines of liberal democracy continues shrinking or transforming into more authoritarian and reactionary versions of itself, these struggles – linked with countless others – are reminders not only of our collective power to build, unbuild, and rebuild our relations, but also of our fundamental obligation to do so.

⁵⁶ Laura Gray, "Trans Mountain 1953: Public Response in Alberta and British Columbia" (unpublished MA thesis, University of Victoria, 2019), 19–21.

⁵⁷ Magnusson, "Decentring the State"; Scott, *Like a State*.