

The Indigenous Struggles in Canada

Case study on the Gustafsen Lake Standoff & the Sun Peaks Protest

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November 6, 2023

BC First Peoples 12 Part 2

Unit 4 Summative Assessment

Introduction

There have been numerous powerful direct-action campaigns in the history of the struggle for Indigenous rights in Canada, as First Nations people have long used direct action as they have sought justice and self-determination. Among these reverberating events are the Gustafsen Lake Standoff and the Sun Peaks Protest. These two nonidentical yet interconnected protests serve as examples of brave Indigenous activists defending their traditional territories and challenging their current situation. The struggle for Indigenous rights in Canada has witnessed numerous movements. The Gustafsen Lake Standoff of 1995 was a tense confrontation located in British Columbia. This event was often referred to as the “largest paramilitary operation in Canadian history,” with paramilitary meaning an unofficial force organized similarly to a military force. This standoff was rooted in the declaration of sovereignty (jurisdiction) by the Ts’Peten Defenders over the unceded land of the Secwepemc territory.

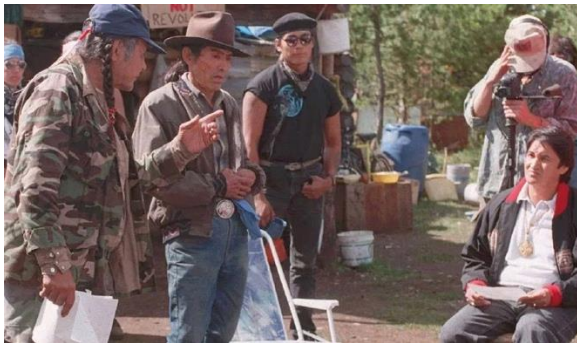


Fig 1. Gustafsen Lake Standoff.

The Gustafsen Lake Standoff became one of the most violent and explosive incidents of Indigenous resistance in Canada’s history, involving armed confrontation and substantial law enforcement response. By contrast, the activists at the Sun Peaks Protest in the early 2000s took a different approach—the Secwepemc people and some other supporters engaged in protests against the *unethical* expansion of the Sun Peaks ski resort onto their

traditional land, with some claiming that it infringed on their ancestral rights and environmental stewardship. Both of these two events, the Gustafsen Lake Standoff and the Sun Peaks Protest highlight the complexities and intensities of Indigenous struggles for land and sovereignty/jurisdiction, with each representing a unique aspect of the broader movement for Indigenous self-determination in Canada.

Gustafsen Lake

Background Information & The Summer of 1995

It has been almost **28 years** since the first report on the Gustafsen Lake Standoff was published. The Indigenous name for Gustafsen Lake was “Ts’Peten” (“The 1995 Armed 31-Day Standoff over Aboriginal Title at B.C.’s Gustafsen Lake”). The Ts’Peten conflict was a month-long dispute from **August 18 to September 17, 1995**, between a small group of First Nations Sundancers¹ and the Royal Canadian Mountain Police (RCMP). Sundance was a religious ceremony which people from the region participated in and gathered for each **July** at Gustafsen Lake (*Ts’Peten* to the Secwepemc people) on the land controlled by American rancher **Lyle James**.



Fig 2. Picture of Sundance.

¹ “A sacred ritual practiced by some Native American tribes in the United States and Indigenous Peoples in Canada, primarily those of the Plains cultures. The

ceremony is traditionally held once a year in the late spring or early summer when the buffalo congregated after the long winters on the Plains.” (News · CBC)



Fig 3. Picture of a Sundance, generated by DALL-E 3 from OpenAI.

Lyle James hired Indigenous people to work on his property, and the relationship between him and the Secwepemc Sundancers were largely amicable. Lyle James agreed to allow the Sundancers yearly access to the pastureland for the **10-day ceremony** of Sundance only if they did not construct or demolish any permanent structures. Prior to the standoff, neither James nor the Sundancers had been completely happy with the terms of the land use, and there were attempts at legal negotiations and public advocacy to resolve the land claim issues. However, these did not present a solution that satisfied both the Indigenous group and Lyle James' family. The Canadian Encyclopedia says that "during the preparation of the Sundance in the **summer of 1995**, the group of Sundancers led by the elder leader **Percy Rosette** constructed a small structure and fence to keep Lyle James' cattle out of the sacred site without Lyle James' permission." This construction clearly violated their agreement and angered him, ultimately prompting him to deliver an eviction notice in the middle of June, demanding that the Indigenous camp of about **20 participants** leave before the month-long Sundance was complete.

² BC politics disregard UN Convention on Indigenous Rights.



Fig 4. Picture of Percy Rosette.

As one contemporary article noted, "Tensions are high between the rancher and the campers at this time of the event" (The Indigenous Foundations of BC). The government called frequent meetings between the RCMP, CTC (which was the **Cariboo Tribal Council**), and the James family in an attempt to negotiate peace, but each side saw the others as **illegal occupiers**. The Sundancers eventually stayed on the land through August, where fights between armed campers, ranch hands, and undercover RCMP officers **escalated**.

The conflict and The Violence

The Ts'Peten Defenders of the Gustafsen Lake Standoff argued that the Secwepemc people maintained ruler rights to the land that were **never surrendered** and asserted that the Indigenous peoples must protect their exclusive jurisdiction and rights to the disputed land. As the conflict intensified, the RCMP brought in force equipment such as helicopters and several armoured personnel carriers from the Canadian Military to surround the site. As the tensions escalated, the Defenders "sought to bring international attention to their cause, appealing to the United Nations² and other countries for support" (William John Ignace | **RED POWER MEDIA**). The direct action at the heart of the standoff was the occupation of the land by the Secwepemc, which led to an armed confrontation with law enforcement. Alongside government officials, the RCMP responded with a significant police action that garnered national attention. On **September 11, 1995**, a firefight between the RCMP and the activists lasted for

45 minutes, and involved **thousands of rounds** of ammunition. Though no serious injuries were sustained by the Ts'Peten Defenders or the police, there was one fatality, as dog owned by one of the defenders died (*Gustafsen Lake Standoff*). After one non-Indigenous supporter was shot in the arm, many original campers agreed to leave. On **September 18**, the remaining Ts'Peten Defenders surrendered to the police after advice from an Indigenous spiritual advisor. This dispute costed the government an estimated **\$5.5 million** and involved at least **400 RCMP officers**.



Fig 5. Picture of Jones William Ignace.

The Aftermath

“There were **fourteen** First Nations people and **four** non-Indigenous supporters who were charged with a total of **60 offences**” (The Canadian Encyclopedia), including two counts of **attempted murder**. In the summer of 1996, a complex trial commenced in **Surrey, BC**, lasting for one year. Surprisingly, the jury dismissed the two gravest charges of attempted murder and instead delivered **21 convictions** against a group of **15 individuals** implicated in the standoff. Their jail sentences ranged from six months to **eight years**.

Sun Peaks Protest

Background Information

The Sun Peaks Protest arose from a dispute over land development for a ski resort (Sun Peaks Ski Resort) which involved expansion onto what the Secwepemc people claimed to be their ancestral lands. The core issue was the encroachment of the ski resort on these lands **without adequate**

consultation with, or consent from, the Indigenous community, which the Secwepemc took as a violation of their inherent rights. Prior to the direct-action campaign, there had been efforts through dialogue, legal challenges, and appeals to governmental bodies to address the grievances of the Secwepemc people. However, these measures **did not halt the resort's expansion** plans.



Fig 6. The Protest.

This direct-action campaign involved organized protests, blockades, and media campaigns to draw public attention to the issue. Key figures in the protest included members of the **Secwepemc tribe**, local activists, and supporters from various organizations. The government and local community's response included legal action against the protesters and a controversial debate in the media regarding the rights of the Indigenous community versus economic development interests. As a consequence of this direct-action campaign, some protestors faced legal consequences. While the resort expansion continued, the protest **did raise awareness and triggered discussions** about the rights of Indigenous peoples and the need for more respectful and inclusive decision-making processes in land development projects in Canada.

What happened?

On **December 18, 2001**, a group of young native people, some “dressed” in army fatigues, stopped traffic for more than **three hours** on a highway leading to the Sun Peaks Ski Resort.

The police arrived shortly and threatened the native protestors with arrest. **18 native people** had started a bonfire in the middle of the road leading to the resort, which prevented tourists, residents, and workers from entering the four-season village about **thirty kilometers north of Kamloops**. Blocked cars lined the highway for about **one kilometer south of the blockade**, which began at 7:30 am and ended just after 10:30 am. Protesters placed wooden crates around the fire and sang **traditional Indian songs** before the police broke up the gathering. The mountain is the site of a **\$70 million** development plan by the resort. Currently³, the land is being clear-cut to make new ski runs.



Fig 7. Picture of the Sun Peaks Protest.

The **Neskonlith band** is just one of a dozen in the British Columbia interior that have refused to join the B.C. treaty process that has been setup to negotiate **land claims**. Later, the Neskonlith band made a claim on the region that surrounded the ski resort and village. This claim was **rejected in 1998**.

The Cause and The Aftermath

This direct-action campaign was caused by the protestors believing that the Sun Peaks was building ski runs on their **traditional Indian territory**. After being threatened by the RCMP, the protestors chose to march through the village, accompanied by RCMP officers. In June 2001, a sit-in grew violent when some of the protestors marched into the village and got into a fight with a non-native man, sending both the

man and the female protester to the **hospital**. A few days later, a cabin that the **Neskonlith band built** on a road near the resort was burned. Though police believe it was arson (the criminal act of deliberately setting fire to property), **no arrests** were made.

Evaluating the Gustafsen Lake Standoff

The standoff at Gustafsen Lake raised many complex legal and moral controversies. When the traditional legal path and the public opinion fail to advocate for and acknowledge the Ts'Peten Defender's claims, the shift to direct action could be viewed as desperation and the perceived need for drastic measures might therefore be heard. The effectiveness of this standoff cannot only be measured by its immediate outcomes (i.e. arrests and continued litigation), but also in its enduring impact on the society given the discourse around land rights negotiations with Indigenous peoples. Unlike the peaceful protests at the Sun Peaks Resort, Gustafsen Lake's standoff "escalated quickly to violence, firefights, reflecting an enormous difference in government and law enforcement responses" (The Canadian Encyclopedia). However, both direct-action campaigns shared common goals—self-determination and attracting national attention to help resolve the issues behind land claims. This standoff, while controversial, contributed to the evolving response to Indigenous rights in Canada, and highlighted the urgency of addressing the historical complaints from the Indigenous people's perspective. The direct action taken, despite leading to legal repercussions for the participants, continued the challenge and shaped the narratives around Indigenous self-determination and the importance of the government negotiating with the Indigenous populations.

³ Last updated as of August 25, 2001



Fig 8. "Protesters renew calls for an inquiry"
(News · CBC). [Click here to view.](#)

Evaluating the Sun Peaks Protest

On the other hand, the Sun Peaks Protest initiated by the Secwepemc people is very different from the standoff at Gustafsen Lake. The protest was caused by opposition to the expansion of the ski resort on ancestral lands. As previous attempts at resolution through protests and legal action did not yield the desired recognition of land rights for the Secwepemc people, the escalation to blockades and encampments represented a strategic, non-violent articulation of their anger and desire. The effectiveness of the Sun Peaks Protest can be measured by its impact on public awareness and the partial concessions made by the government. The peaceful nature of this protest also helped maintain a positive dialogue. In contrast to the heavily-armed standoff at Gustafsen lake, the Sun Peaks Protest remained non-violent, and thus represents a different approach to activism and direct action. While both campaigns aimed to declare Indigenous land rights, the Sun Peaks Protest did not result in the same level of confrontation with law enforcement compared to the Gustafsen Lake Standoff. The Sun Peaks Protest contributed positively to the broader struggle for Indigenous self-determination by showcasing the power of peaceful protest and sustained resistance. It served as a model for other Indigenous communities to assert their rights while maintaining a commitment to non-violent principles, thereby influencing public perception and future approaches to resolving conflicts.

Conclusion

The Gustafsen Lake Standoff and the Sun Peaks Protest represent "two pivotal movements in the

ongoing struggle for Indigenous rights and self-determination" (News · CBC) in Canada. Each campaign had its unique tactics and outcomes, highlighting the complexities of Indigenous land claims and the responses from the government and law enforcement agencies. The Gustafsen Lake Standoff stands as a testimony to the extremity to which the Indigenous groups are pushed in the fight for their recognition and rights. In contrast, the Sun Peaks Protest declared collective anger to the public through peaceful direct action, emphasizing the power of non-violent protest and the importance of communication and dialogue. Both movements have played significant roles in raising awareness about Indigenous issues and influencing public policy and discourse. This history "underscores the persistent challenges faced by Indigenous peoples in keeping their land rights and the diverse strategies employed to achieve their goals" (William Jones "Wolvering" *Ignace: 1932-2016 | Real People's Media*). As Canada continues to grapple with its colonial past and present, the lessons that we learned from these campaigns remain crucial for understanding the path towards reconciliation and the full recognition of Indigenous communities.

Works Cited

First Nations - Land Rights and Environmentalism in British Columbia.

<http://www.firstnations.de/development/secwepemc-skwelkwekwelt.htm>. Accessed 31 Oct. 2023.

---. <http://www.firstnations.de/development/secwepemc-skwelkwekwelt.htm>. Accessed 31 Oct. 2023.

Gustafsen Lake. https://indigenousfoundations.arts.ubc.ca/gustafsen_lake/. Accessed 30 Oct. 2023.

“Gustafsen Lake Standoff.” *Wikipedia*, 15 Sept. 2023. *Wikipedia*, https://en.wikipedia.org/w/index.php?title=Gustafsen_Lake_standoff&oldid=1175478537.

Gustafsen Lake Standoff. <https://www.thecanadianencyclopedia.ca/en/article/gustafsen-lake-standoff>. Accessed 30 Oct. 2023.

Gustafsen Lake Standoff - British Columbia - An Untold History.

<https://bcanuntoldhistory.knowledge.ca/1990/gustafsen-lake-standoff>. Accessed 6 Nov. 2023.

Idlenomore.ca – Indigenous Revolution. <https://idlenomore.ca/>. Accessed 6 Nov. 2023.

“Native Protesters Blockade B.C. Road for 3 Hours.” *The Globe and Mail*, 25 Aug. 2001.

www.theglobeandmail.com, <https://www.theglobeandmail.com/news/national/native-protesters-blockade-bc-road-for-3-hours/article4152161/>.

News ; C. B. C. “Leader from Gustafsen Lake Standoff Dead at 82 | CBC News.” *CBC*, 23 Mar.

2016, <https://www.cbc.ca/news/indigenous/william-jones-ignace-a-k-a-wolverine-dies-at-82-1.3504396>.

News ; Daybreak Kamloops ; CBC. “Protesters from Gustafsen Lake Standoff Renew Calls for National Inquiry | CBC News.” *CBC*, 18 Jan. 2016,

<https://www.cbc.ca/news/canada/british-columbia/lead-protester-at-gustafsen-lake-armed-standoff-renews-calls-for-a-national-inquiry-1.3407876>.

“No Evidence Sounds Were Shots at B.C. Resort Site, Police Say.” *The Globe and Mail*, 14 Sept.

2001. *www.theglobeandmail.com*, <https://www.theglobeandmail.com/news/national/no-evidence-sounds-were-shots-at-bc-resort-site-police-say/article4152938/>.

Some Imprisoned, Some Released – BC Courts Look at Neskonlith Protesters Against Sun Peaks

Ski Resort Expansion. <http://www.nationnewsarchives.ca/article/some-imprisoned-some-released-bc-courts-look-at-neskonlith-protesters-against-sun-peaks-ski-resort-expansion/>.

Accessed 31 Oct. 2023.

Source of Resistance #3: Interview with Wolverine.

<http://sisis.nativeweb.org/gustlake/souwolv.html>. Accessed 6 Nov. 2023.

“The 1995 Armed 31-Day Standoff over Aboriginal Title at B.C.’s Gustafsen Lake.” *The Globe and Mail*, 17 Sept. 2010, <https://www.theglobeandmail.com/news/british-columbia/the-1995-armed-31-day-standoff-over-aboriginal-title-at-bcs-gustafsen-lake/article4326231/>.

William John Ignace | RED POWER MEDIA.

<https://redpowermedia.wordpress.com/tag/william-john-ignace/>. Accessed 6 Nov. 2023.

William Jones “Wolvering” Ignace: 1932-2016 | Real People’s Media.

<https://realpeoples.media/william-jones-wolvering-ignace-1932-2016/>. Accessed 6 Nov. 2023.