

# Forty years ago: How Canada's Indigenous Peoples rallied for constitutional recognition

Saturday 13 August 2022, by [COULTHARD Glen](#), [FELTES Emma](#), [FIDLER Richard](#) (Date first published: 30 March 2022).

**It is now 40 years since the Trudeau Sr. government “patriated” Canada's constitution, ending Britain's vestigial control over changes in the country's founding document, the *British North America Act*.**

Much of the critical analysis at the time focused on how the 1982 *Constitution Act* marginalized Quebec's status within the federation through explicit limitations on French-language rights in Quebec, denial of Quebec recognition as a distinct nation, and an amending formula that omitted a Quebec veto, etc. Above all, through the adoption of a “Charter of Rights” that recognized individual rights but failed to recognize the collective rights that would acknowledge the country's plurinational reality. A valuable critique of what was involved in the “patriation” process and its result is contained in the late Michael Mandel's book, [The Charter of Rights and the Legalization of Politics in Canada](#).

Also marginalized in the new constitution were the Indigenous Peoples, despite a massive mobilization by their communities, in Canada and abroad, for recognition of their sovereign rights as First Nations. All they got, in the end, was a section of the constitution that formally recognized their “existing aboriginal and treaty rights” – it being left to the courts to define what that meant – and a promise of subsequent constitutional talks in which Ottawa and the provinces would determine “the identification and definition of the rights of those peoples.” Three such conferences in later years ended in failure, and there is still no constitutional recognition of the sovereign status and rights of Canada's Indigenous Peoples.

A groundbreaking study of how and why the Indigenous Peoples mobilized in the early 1980s has been published in the current issue of *BC Studies, the British Columbia Quarterly*. Edited by Emma Feltes and Glen Coulthard, it is a retrospective account of the Constitution Express, the massive effort mounted by Indigenous leaders in the western provinces to fight Trudeau's attempt to exclude from the new constitution any mention of their rights, treaties or the Crown's obligation to them.

Emma Feltes is a legal and political anthropologist, writer, and organizer, now at Columbia University. Glen Coulthard is an associate professor in the Institute for Critical Indigenous Studies at the University of British Columbia; among his works is an important Marxist study [Red Skin, White Masks: Rejecting the Colonial Politics of Recognition](#).

Published below are extensive excerpts from the introductory essay by the editors of this volume. (The full text is online.) Readers are strongly urged to purchase their own copies of [this issue of BC Studies](#).

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***Introduction, The Constitution Express Revisited (excerpts)***

## By Emma Feltes and Glen Coulthard

"Today at long last, Canada is acquiring full and complete national sovereignty," began Prime Minister Pierre Elliott Trudeau at the rainy ceremony marking the end of patriation on 17 April 1982 – exactly forty years ago this spring. He continued:

"We became an independent country for all practical purposes in 1931, with the passage of the Statute of Westminster. But by our own choice, because of our inability to agree upon an amending formula at that time, we told the British Parliament that we were not ready to break this last colonial link."

On that day, he, along with Queen Elizabeth II and Minister of Justice Jean Chrétien, sat down at a desk set up on Parliament Hill to sign the proclamation that would bring the Constitution Act, 1982, into effect, formally transferring the Constitution from the United Kingdom to Canada. [...]

For Trudeau, a personal ambition had been fulfilled. The Constitution belonged to Canada now.

Among Indigenous Peoples, however, the mood was a little different. The National Indian Brotherhood declared 17 April a day of mourning. In British Columbia, the *Vancouver Sun* quoted then Union of BC Indian Chiefs (UBCIC) President Robert (Bobby) Manuel as saying that anyone who participated in the celebration of patriation would be committing a "treasonous act against the Indian nations and their citizens." All the way along, Indigenous Peoples from across the province had been fighting to stop patriation from happening without Indigenous consent. As Herman Thomas wrote in an editorial for UBCIC's newspaper, *Indian World*:

"The fight has been a long tedious one and shall not end here, the Indian people are presently planning how to further continue the fight not only nationally but internationally. Indian people have found no reason to celebrate patriation; in fact Indians are demonstrating across Canada stating that the Constitution is unconstitutional. If Canada's version of democracy means stripping Indian people of their pride, dignity and depriving them of self-determination and self-government, then I shall not stand for thee O Canada, but continue to fight for democracy and freedom as we see it."

The "fight" to which he was referring had begun in earnest about eighteen months earlier (though the seeds were laid long before), when UBCIC declared Canada's plans to patriate the Constitution to be a "state of emergency" for Indigenous Peoples. Within five short weeks from this declaration, UBCIC would charter two full passenger trains from Vancouver to Ottawa, determined to derail patriation until it gained Indigenous consent. Thus launched a movement that would come to be known as the Constitution Express.

When Trudeau began pushing for patriation in the late 1970s, he touted it as a decolonial move – one that promised to rid Canada of any "residual colonialism." Yet, at the same time, his 1978 proposal, "A Time for Action," excluded any mention of Indigenous Peoples' rights, treaties, or the Crown's obligations to them. Meanwhile, his process for achieving patriation was equally exclusionary, relegating Indigenous Peoples to observer status. "Patriation," a made-up word, perfectly captured this revisionist appropriation of decolonial sentiment – a bringing home of something that had never been here in the first place, while absolving Canada of any responsibility to the peoples whose lands and authority it had dispossessed. In addition, Trudeau promised to add a new *Charter of Rights and Freedoms* to the package – one whose liberal equality provisions, many worried, would have a kind of levelling effect, achieving the goals of the 1969 White Paper by effectively wiping away Indigenous Peoples' collective rights and status. It was a tactic Canada had

deployed repeatedly in the postwar period, weaponizing “equality” against Indigenous nationhood.

So, Indigenous Peoples across the country mobilized to stop this from happening. The Constitution Express, a movement led predominantly (though not exclusively) by Indigenous people from British Columbia, was a massive grassroots expression of this mobilization.

The train ride itself, from which the movement got its name, was a mammoth operation. Though initiated by then UBCIC President Grand Chief George Manuel, and coordinated by UBCIC, it was powered by community. For example, Tk’emlúpsenc historian Sarah A. Nickel writes in this issue about the incredible feats of fundraising – led mostly by women – that were performed to pull it off, as every community across the province was asked to support at least one representative to go on the journey (some, however, sent dozens). By the time of the trains’ departure from Vancouver Pacific Central Station on 24 November 1980, their passengers included Elders, community leaders, women, and children (lots of them, as they travelled for free). Further, the advantage of having two train routes meant that it would be easier for passengers from northern, and not just southern, communities to join in the ride. When the northern train stopped in such places as Clearwater, Vavenby, Avola, and Jasper, it gathered travellers from as far as Williams Lake, Bella Coola, and Kitimat before carrying on through Edmonton and Saskatoon. Meanwhile, the southern train stopped in Salmon Arm, Sicamous, Revelstoke, Golden, Banff, Calgary, and Regina. As they travelled, the movement’s spokespeople and UBCIC staff held roving workshops in each train car, discussing and honing their aims. In these meetings Elders began to bring forward oral history, deepening the discussion of their nationhood and law. The trains conjoined in Winnipeg, where, after a raucous night of rallying hosted by the Four Nations Confederacy of Manitoba, they carried on to the capital. Upon their arrival, they immediately delivered a petition to Governor General Ed Schreyer before joining the All Chiefs Meeting on the Constitution being hosted by the National Indian Brotherhood.

The message of the Constitution Express was clear: patriation could only proceed with Indigenous consent. To get to consent, the movement proposed an internationally supervised trilateral conference, at which Indigenous Peoples, Canada, and the United Kingdom would sit down together to work out their respective realms of authority, “define the terms for political existence” between them, and create the “conditions necessary to enable the Indian Nations of Canada to achieve self-determination within the Canadian Federation.” It was a proposal that would shake up the patriation process fundamentally, while remodelling the very Constitution being patriated. If Canada was unwilling to partake, they promised to seek other remedies:

“As the last recourse, we propose to take whatever other measures are necessary to separate Indian Nations permanently from the jurisdiction and control of the Government of Canada, if its intentions remain hostile to our peoples, while insisting the fulfillment of the obligations owed to us by Her Majesty the Queen.”

Predictably, Canada declined the invitation.

Over the next eighteen months, what began as a train ride grew to be a broad political movement with both local and international inflections. In fact, as this issue of *BC Studies* demonstrates, these facets were entirely intertwined. Court cases were launched in both Canadian and British courts. A smaller delegation went on from Ottawa to New York, where the movement’s proposals were put before the United Nations. A submission was made before the Fourth Russell Tribunal on the Rights of the Indians of the Americas, held in Rotterdam, Netherlands. A series of at least eight “Constitution Express Potlaches” was held in communities across British Columbia. And a second journey, dubbed the “Constitution Express II,” was made through Western Europe, where it initiated a massive popular education campaign on Indigenous self-determination in the heartland of former

empires. Finally, the movement ended up in London, joining a major Indigenous political and legal lobby already under way.

By the time the Canada Bill came before British Parliament, Indigenous Peoples' concerns dominated the debate, with new clauses being proposed by British MPs that reflected the kind of consent and self-government for which they had been lobbying. But ultimately, when the bill finally passed, what they got was section 35, a concession by the Canadian government that "recognized and affirmed" the "existing aboriginal and treaty rights of the aboriginal peoples of Canada." What this section meant, and what it would do for Indigenous Peoples, was shrouded in mystery, yet to be defined.

Over the four decades since, the mystery of section 35 has taken on a kind of life of its own, evolving incrementally in law and policy in Canada (an evolution Kent McNeil expounds beautifully in his contribution to this issue). Yet the movements that brought it about – and that aimed for much more – seem to have receded from view, at least in scholarship, where they've received stunningly little academic attention.

The thinking behind this special issue on the Constitution Express was to create a kind of retrospective of the movement, and one that would look at two things simultaneously: what the movement did then and its significance now, forty years on. To achieve this, we set out to bring Indigenous scholars and community organizers who were directly involved in the movement together with other prominent and emerging scholars who might bring a unique perspective to it. In the end, through a combination of five academic articles and two personal reflection pieces, both of which foreground the voices of those who were there, we came away with a powerful collection – one that moves through the movement's varied aims, the methods and theories it deployed to achieve them, and its resonant effect today, including its political, legal, intellectual, and inter-generational legacy. [...]

### **Indigenous Internationalism and the BC Land Question**

One of the things so keenly interesting about the Constitution Express – and something this issue tries explicitly to represent – was its interplay between national and international action. It was a movement grounded in the resurgence of Indigenous legal and political authority in Indigenous lands. It was a movement committed to upholding the kinds of international relationships, particularly jurisdictional relationships, that Indigenous Peoples had historically sought to establish with colonial polities through treaty and other political arrangements. And it was also a movement informed by anticolonial thought exchanged between the postcolonial "Third" and Indigenous "Fourth" Worlds on what decolonization – and constitution making – might look like. In this, it built upon a resurgent Indigenous internationalism that had been accelerating throughout the 1960s and 1970s, in which Secwépemc leader George Manuel was at the forefront. But Indigenous nations in what is now known as British Columbia have a rich history of international activism and diplomacy stretching back much longer than this. While it is beyond the scope of this introduction to delve into this history of Indigenous internationalism in detail, we felt it might be useful to hit on few of its touchpoints, grounding the movement in what came before it as a way to provide context for and intellectual continuity with the articles to come.

It is important to note that one of the core determinants of this activism was always the refusal of the BC government to satisfactorily resolve the "Indian land question" in the province. Unlike many other regions in Canada, very few historic treaties were signed between Indigenous Peoples and the Crown in British Columbia (save the Douglas Treaties on Vancouver Island and Treaty 8 in the northeastern corner of the province). From the perspective of the federal government, the purpose of signing historic treaties with Indigenous nations was to secure state sovereignty over what were

previously the self-governed territories of Indigenous nations through a process called “extinguishment” – thought to be the most expedient way to eliminate Indigenous Land Title for the twin purposes of colonial settlement and capitalist development on Indigenous land. In most of British Columbia and many places across northern Canada, these mechanisms of legalized land theft were not historically implemented, thus leaving a black hole of legal and economic uncertainty over the unceded territories in question. Who owns the land in such circumstances? What are the rules that guide settlement and economic development in these places? Developers tend to like answers to these questions before they invest too heavily in infrastructure and extraction projects, especially in liberal democracies like Canada, so that Indigenous communities have no legal recourse when they disrupt profit margins by blocking flows of resource capital hemorrhaging from their traditional territories.

Treaties, of course, hold a radically different meaning for Indigenous Peoples – even for those communities that never entered into negotiations over them, such as many of those involved in the Constitution Express. Generally speaking, most of the historical treaties signed between Indigenous Peoples and the Crown describe exchanges whereby Indigenous Peoples agree to share some of their lands in exchange for payments and promises made by officials representing the Crown. They are often understood as sacred commitments to maintain a relationship of reciprocity that respects the way of life and relative autonomy of each partner over time, while sharing certain obligations to each other and to the land. As such, treaties are agreements that affirm Indigenous Rights and Title, not extinguish them. Seen in this light, treaties provide an international framework for ensuring “nation-to-nation” relations with Canada, and Indigenous Peoples have defended them as such. It seems to be this understanding that the movement deployed, for example, when it called for treaty, to “fulfill covenants and commitments made.”

Without an acceptable mechanism in place to secure their Rights and Title, the default position of Indigenous Peoples in the province and across Canada has been that the land remains theirs and, as such, still falls under their sovereign jurisdiction. Over the last century and a half, Indigenous Peoples in British Columbia have defended this stance, legally and politically, through numerous venues, including the sending of formal petitions and/or delegations to Victoria, Ottawa, and London to defend their case. [...]

Though in each case they were turned away – with the British Crown insisting that their concerns regarding land title were a strictly domestic affair – these delegations demonstrate the persistence of Indigenous political organizing over the last century and also hint at the international character of such efforts. However, the federal government would soon make sure that these types of claims against the state would not happen without punitive consequence. To this end, in 1927, the government made it illegal, via amendments to its already racist and sexist *Indian Act, 1876*, to formally organize for political purposes or to solicit legal representation (or raise money to do so) to pursue claims against the state, thus undermining to a significant degree the foundation of Indigenous organizing during this period.

While the 1927 amendment to the *Indian Act* outlawing Indigenous legal and political activism had the expected consequence of significantly curtailing this work – it effectively destroyed the Allied Tribes of British Columbia, for instance – it did not stamp it out entirely. Indigenous Peoples continued to press their concerns through the 1930s, 1940s, and 1950s, although often concealed or under different guises, via organizations like the Native Brotherhood of British Columbia (a First Nations fishing organization established in 1931), the Nisga’a Land Committee (which managed to carry on with its work in a truncated manner), and a variety of BC Native women’s “Homemaker Clubs” (which would eventually amalgamate in the formation of the British Columbia Indian Homemakers Society and the BC Native Women’s Society in 1968). In terms of the latter organizations, Indigenous women were able to effectively use openly patriarchal assumptions of the

day regarding the domestic and apolitical nature of women's labour in the home to discuss, formulate, and pursue their individual and collective political interests under the radar of an increasingly repressive settler-state surveillance apparatus. This latter point is beautifully expounded upon in Sarah Nickel's contribution to this special issue.

For similar reasons, the politics of Indigenous labour organizing in early-twentieth-century British Columbia is also worth briefly noting here. As the work of labour historian Andy Parnaby demonstrates, this history has a long lineage of Native radicalism, especially on the shores of Burrard Inlet in North Vancouver, where Squamish longshore workers not only dominated lumber-related work on the docks but were also "pioneers of industrial unionism." Essentially, the seasonal wage labour offered by "working the lumber" on the waterfront served as a temporary buffer for the Squamish as two distinct and asymmetrical modes of production were starting to come into violent conflict with each other: industrial capitalism, on the one hand, and the subsistence economy of the Squamish/Coast Salish, on the other. "Squamish men and women were important, if unequal, actors in this new industrial context," writes Parnaby. "That all the occupational pursuits undertaken by Aboriginal workers were seasonal is important," he continues, as it "hint[s] at the ways in which the temporal and spatial rhythms of a customary, kin-ordered way of life articulated with the logic of a burgeoning capitalist labour market." At a time when it was becoming increasingly difficult to organize as Indigenous people, doing so as workers allowed Squamish men and women to selectively deploy their labour power through the seasonal wage to protect that which was most important to them: access to a life on the land and waters determined by customary law and tradition, not to a life dictated solely by the demands of colonial capital.

Protecting the fragile articulation of these modes of production by defending seasonal wage work became the focus of early Indigenous union activity on the coast. By our estimation, the most fascinating union to do so at the time was Local 526 of the Industrial Workers of the World (IWW), established in 1906 by primarily Squamish and Tsleil-Watuth log handlers. The local, formed a year after the Wobblies formed in Chicago in 1905, became known fondly by its approximately fifty to sixty Indigenous members as the "Bows and Arrows" chapter. As far as defending the type of people and labour in question, the IWW was a natural choice, given its progressive racial politics for the time as well as its reputation for serving "workers who did not fit well into the established craft union structures: the unskilled, the migratory, and the marginal." While the local only lasted for two years, many of the Squamish workers involved in the Bows and Arrows went on to form the - again, largely Indigenous - Local 38-57 of the International Longshoremen's Association (ILA). ILA 38-57, it turned out, would emerge as a launching pad for the next generation of Indigenous Rights advocates in the province, of which the most prominent was Squamish Chief Andrew (Andy) Paull.

Paull emerged out of his union days as a tireless Native Rights activist, fighting for the betterment of Indigenous people, land, and communities in British Columbia, Canada, and the United States through organizations like the previously mentioned Allied Tribes of British Columbia (he was a founding member) and then, after the latter's demise, the North American Indian Brotherhood (NIAB), which he co-founded in 1944. During his tenure as president of the NIAB, Paull would serve as a friend and mentor to George Manuel, another emerging Indigenous political force in the province. Manuel would take over the presidency of the NAIB following the death of his mentor in 1959 and serve in this capacity until 1963, after which he moved on to serve in numerous other critically important provincial, national, and international political organizations, including as Chief of the National Indian Brotherhood between 1971 and 1976 (now the Assembly of First Nations), the founder and chair of the World Council of Indigenous Peoples (WCIP) from 1975 to 1981, and as president of UBCIC between 1979 and 1981, during which time he led the Constitution Express.

Manuel's foundational 1974 book, *The Fourth World: An Indian Reality* (cowritten with Michael Posluns), details his life of Indigenous activism and leadership during this period. Republished in

2019 for the first time since 1974, *The Fourth World* is unquestionably one of the core texts in the wave of Native literature that emerged out of the tumultuous politics of the global 1960s and 1970s. The text lays out the political and cultural foundation of Indigenous resistance to colonial domination over the last four centuries. He argues that colonization set in motion a Manichean struggle between the colonizer and Indigenous Peoples propelled by two fundamentally incommensurable “ideas of land”: land as a commodity – as something that can be “speculated, bought, sold, mortgaged, claimed by one state, surrendered or counter-claimed by another” – and land as a relationship, “The land as our Mother Earth.” Indigenous Peoples’ struggle to defend the latter against the violent globalization of the former is at its core the struggle of what Manuel calls the “Fourth World.” [...]

Manuel’s international travels would eventually culminate in the historic October 1975 founding of the World Council of Indigenous Peoples in Port Alberni, British Columbia, which hosted Indigenous participants from nineteen different countries across four continents. The WCIP would go on to champion the Rights of Indigenous Peoples across the planet, with its advocacy work being instrumental to the eventual development of the UN Working Group on Indigenous Populations in 1982 and the *UN Declaration on the Rights of Indigenous Peoples* in 2007. Meanwhile, through the very same period Indigenous nations in British Columbia were fighting for their Title and self-determination at the local and regional levels. Though in 1951 the federal government repealed many of the most repressive legislative features of the Indian Act, decriminalizing Native People’s legal advocacy and political work, by 1969 it would launch another major assimilative offensive in the form of the White Paper. But instead of serving as a mechanism for accelerated assimilation and land theft, as intended, the failed 1969 White Paper helped to spawn a renewed national unity among Indigenous Peoples from coast to coast to coast. [...]

While the 1970s were a hotbed for political action, influenced, of course, by Red Power and the American Indian Movement (AIM), the resurgence of jurisdiction at the community level in British Columbia is a lesser-known part of the story. For example, there was a string of road-blocks in the summer of 1975, including the six-week St’uxwtews blockade in Cache Creek, armed and backed by AIM. Fishing then became a “lightning rod,” spurring more blockades as well as an astounding legal winning streak as UBCIC lawyer Louise Mandell won sixty-four fishing rights cases in 1977 alone. But, as George Manuel reflected, “the real signs of the renaissance” could also be seen “in the resurgence of our languages, in the growth of political institutions both old and new ... in the growing number of young people seeking out the wisdom of the grandfathers and finding ways to apply it in their own lives.” Against this backdrop, Trudeau initiated the patriation process, thus beginning his “constitutional offensive” against Indigenous Peoples.

This is all to say that, by the time of the Constitution Express, Indigenous people in British Columbia had already established themselves as skilled organizers, having defended their land and sovereignty in both national and international forums for decades. As Louise Mandell would later write for *Socialist Studies*, by the time the movement landed in London, and submitted a reference to the Privy Council, it “continued a process for the BC Chiefs which had begun in 1906,” referring, of course, to those early delegations. Indeed, it was this long history of expansive pan-Indigenous activism in British Columbia and beyond that ultimately contributed to the power and momentum of the movement, felt strongly across the set of articles and reflections contained here. What this collection shows is that, more than solely a movement for domestic constitutional recognition, it was also a movement for Fourth World self-determination and decolonization. By the same token, it might be said that the creation of section 35 was not entirely successful in domesticating its aims. The BC “land question” is still very much an active one – and one that Constitution Express participants, and the next generation of Indigenous activists, have continued to pursue from the local to the international level.

## **Outline of the special issue**

With all of these preliminary remarks made, we now provide a breakdown of the structure and contributions to this special issue. Here we draw together five academic articles with two firsthand reflections, both of which feature the voices of those directly involved in the movement. The articles and reflections are more thematic than chronological, approaching the story of the movement from different angles and perspectives: its gendered dynamics, its internationalism, its legal arguments and implications, and so on. Some look at one facet of the movement. For example, the article by Emma Feltes and Sharon Venne homes in on its submissions to the Fourth Russell Tribunal on the Rights of the Indians of the Americas, while others, like those by Kent McNeil and Louise Mandell, take a more retrospective look at developments within policy, law, and political organizing. Meanwhile, the personal reflections link these together, providing small yet powerful vignettes inviting readers to imagine what it was like to be there and to be in on the action.

We begin with a powerful reflection by Mildred Poplar, a Vuntut Gwitchin Elder and central protagonist of the Constitution Express. Recounting her experience of the Express as one of its main organizers, she drives home not only the profound feeling of accomplishment – organizing, as they did, at breakneck speed – but also the stakes involved: this was a struggle for nationhood and self-determination, not for the inclusion of a truncated set of rights in a colonially imposed constitution. The history that Poplar retells also sheds important light on the character of the labour that went into the material and intellectual life of the movement, most notably that of Indigenous women.

The question of whose labour was central, yet too often buried or overlooked, is taken up explicitly in the contribution by Tk'emlúpsenc historian Sarah A. Nickel. Although Indigenous women were deeply committed to the struggle represented by the Constitution Express, their work also departed from its efforts through the creation of the Concerned Aboriginal Women splinter group (or CAW). According to Nickel, the “CAW used its own brand of grassroots and kinship-based activism to critique not only the relentless barrage of colonial violence Indigenous Peoples faced daily but also, at times, the patriarchal underpinnings and practices of Indigenous leadership and the settler state.” Nickel’s piece is crucial to understanding the gendered dynamics of settler-colonial violence and dispossession, which place Indigenous women on a necessarily dual-track struggle: that against the externally created structure of colonial rule and that against the nefarious ways in which the character of this structure can and has influenced Indigenous communities.

The next two articles and one reflection move from Canada into the various international venues, where the movement carried on its fight against patriation. First, a co-authored article by legal anthropologist Emma Feltes and Cree legal expert Sharon Venne (masko nohcikwesiw manitokan) delves into UBCIC’s submission to the Fourth Russell Tribunal on the Rights of the Indians of the Americas. Venne, a young articling student at the time of the Constitution Express, presented this submission at the tribunal, having produced the novel legal analysis upon which it relied. Recontextualizing the British Crown’s historic legal obligation to obtain and uphold Indigenous consent within international and Indigenous law, Venne argued before the tribunal that Indigenous Peoples should have access to the United Nations’ decolonization mechanisms – mechanisms normally held out to overseas or “Third World” colonies alone. Featuring Venne’s voice in a dynamic and layered analysis that transpires between the two authors, the article looks back at the Constitution Express’s deeply decolonial aspirations and, in particular, at the influence of Third World anti-colonialism on the movement.

Rudolph Rýser’s article does an excellent job of unpacking the longer historical arch within which the Constitution Express formed, from the perspective of a key strategist in the movement. Here we see the patriation process as merely one attempt among three centuries of attempts at Indigenous dispossession and genocide. It then follows closely the movement’s multi-pronged political strategy directed simultaneously at the Government of Canada, the governor general, and the Queen, before picking up where Feltes and Venne left off: at the United Nations. Here the article elaborates on the



movement's diplomatic actions at the UN, drawing the under-secretary general for political affairs, trusteeship and decolonization; the under-secretary general for human rights; and twelve UN member state missions "into the political confrontation." Ultimately, Rýser's piece offers a novel firsthand account of the movement's local and international politics.

The reflection to follow, by Lorna Wanosts'a7 Williams, also speaks of local and international politics. But it speaks intimately, as the story of "establishing the protest and assertion of Indigenous Rights in one community": Mount Currie of the Lil'wat/St'at'yem'c Nation. Having sent a great number of people on both the original Constitution Express to Ottawa, and the second Constitution Express to Europe, Mount Currie was a hub of action, and Williams weaves beautifully between these international and community-based contexts as she remembers the movement with the help of other family and community members. With a feeling of being almost transported back to 1981, recollections about the importance of ceremony and song, about the teaching and learning that took place, and about relationships forged with media and other allies in Europe unfold.

The next two articles move the issue from its more historical and retrospective points of view up to the present moment. First, Kent McNeil's article leads the reader through four decades of jurisprudence, asking, point-blank, from the legal perspective: "Has constitutionalizing Aboriginal and Treaty Rights made a difference?" With his trademark clarity and in succinct prose, McNeil compares Indigenous Peoples' pre-section 35 treatment in the eyes of the law to post-1982 developments and the presumed "gains" since. McNeil casts his careful eye over almost the entire body of Aboriginal law in Canada, reflecting on what it does and doesn't do for Indigenous Rights, Title, and Treaties. The result is one of the most lucid and methodical narratives of this body of law we have seen to date, concluding with some thoughts about the confounding contradiction between a rights clause that clearly falls short of what the Constitution Express lobbied for yet, at the same time, is an undeniable victory against unilateral extinguishment.

Finally, the issue comes to a close with an article by Louise Mandell, an in-house lawyer for the Union of BC Indian Chiefs at the time of the Constitution Express, and one of the movement's key legal strategists. This piece draws on a previous chapter, written by Mandell alongside Mandell's long-time legal partner, Leslie Pinder, another of the movement's original legal team, who sadly died this spring. In her updated contribution here, Mandell delves deeply into her memories of the movement - from navigating the British legal and political system for the first time, and the intricacies of Imperial legal history, to her simultaneous introduction to Indigenous law over the course of the movement. But this article does more than detail these intersections of law: it is a profoundly personal story too, and one that moves back and forth to the present day. Mandell finds threads of hope in and among her many experiences in the field since - something that speaks both subtly and directly to the movement's achievements and ongoing relevance.

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**P.S.**

Life on the Left

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