

Testimonials  
by Eagleridge Bluffs protesters  
Press Conference for Harriet Nahanee  
1 March 2007

**Sue Rowan:** "I was one of the demonstrators arrested at Eagleridge Bluffs with Harriet Nahanee last May. I am here to lend support to the aboriginal community as they seek answers from the government over Harriet Nahanee's passing.

At the outset, I want to remind those present that the demonstrations at Eagleridge Bluffs were at all times peaceful, non-violent acts of passive resistance. Harriet was there to deliver a message to the government, and she did so in a peaceful, respectful way. She came to the Bluffs armed with the Proclamation of 1763 to say to the government "NO, you can't destroy this land because it isn't yours to destroy. It is unceded Indian land owned by the Squamish Nation."

I don't think any of us non-aboriginals recognized at the time how much courage it took Harriet to stand up there that day. Not only was she saying 'NO' to a government who had treated her very badly in the past, but she was also causing strife in her own community by saying 'NO, don't let this happen to our land and our children's future'.

In court, Harriet was dealt with separately from the rest of the protesters. I naively assumed that this was done in order to deal with Harriet's claim of sovereign immunity, that somewhere along the road, the judge would provide some direction as to how the courts would deal with Harriets' concerns. But that never happened. Why was Harriet Nahanee dealt with separately? If the judicial system was not going to respond to her constitutional issue, why was she not told that at the outset, and dealt with in the same manner as everyone else?

Saying 'no' in Canada is NOT a crime. Harriet's 'crime' if you will, was that she used her small body to physically obstruct the destruction of Eagleridge Bluffs in an attempt to preserve it for her grandchildren and great grandchildren. Without an injunction in place, Harriet might still have been arrested. But she would have been charged under the Criminal Code. She would have been able to defend her actions in court. She would have been able to share her reasons for refusing to leave Eagleridge Bluffs last May. In short, she would have been given a fair trial.

But because an injunction was in place, she was left with one option and one option only . . . apologize to the Court, or face its wrath. And she could not find it in her heart to apologize for trying to protect her grandchildren's future.

**Mary Ann Code:** "I witnessed Harriet Nahanee stating to Madam Justice Brown that she did not recognize the authority of the Court over the land and animals at the Bluffs - and Ms. Nahanee's walking without permission from the Court. I felt a profound respect for the bravery of her stance, while she knew what the consequences might be for her personally. She gave her all for what she believed to be true in the depths of her heart and mind -- something for the wider community to ponder, indeed. It is my belief that if Harriet had had the protection of the Criminal Code, she would not have been incarcerated, and none of us would be mourning her loss today.

Injunctions are powerful tools of the court. In Madam Justice Quijano's reasons for judgment in an injunction application at Cathedral Grove in March 2004, she states "BC Supreme Court recognizes that an injunction is a powerful remedy which may transform a dispute between a citizen and the government into a dispute between the citizen and the court, and it is NOT to be used as a first choice remedy except in extraordinary circumstances."

So ask yourself, why was an injunction granted at Eagleridge Bluffs when statutory remedies were never attempted . . . where there was no violence . . . no public safety issues . . . in short no extraordinary circumstances? This to me is a crucial question as I believe it is the injunction process itself which magnifies the intensity of sentencing, including that of Harriet Nahanee. It does so because the violation of court orders are seen by the judiciary as a direct attack on their authority, and protecting their authority becomes paramount above all else.

Deterrents are seen as a simple cure for civil disobedience by the courts. PENALIZE the perpetrators ... HAND DOWN progressively HARSHER sentences to deter others from following the same path. But does it work? Has it worked with Betty Krawczyk? Did it work with Harriet? One thing is certain; it doesn't create greater respect for the courts.

Can there be any justification for sentencing a peaceful 71 year old protester to jail for not apologizing to the courts? I wish to read a very powerful statement by Dr. Carlene Faith, a Professor at Simon Fraser University's School of Criminology. Dr. Faith wrote to us as a member of an international advocacy group protesting health conditions in prisons: "the evidence is undisputed that prisons KILL. There is no civilized excuse for incarcerating an elderly woman whose health was already compromised. Justice failed Harriet Nahanee when the court hastened her death."

My greatest concern is that the profound disrespect shown for Harriet Nahanee by our system may be the result of an abuse of power. That her death might have been accelerated by that abuse of power. There are many unanswered questions that the friends and family of Harriet Nahanee need answered.

**Liz Byrd** (former Councillor of West Vancouver): "Harriet Nahanee was an inspiration to all of us who battled for the Bluffs. She was a tower of strength to us, and would sit for hours at the Bluffs talking to people about her experiences in life. We will miss her and will carry on steadfastly her mission to save the magnificent forests of British Columbia".

**Liz Bannister**: "I am in such awe of Harriet's courage. Even though in her childhood she experienced the horrors of the Residential School System she continued all her life to put herself in harm's way and to stand up for what she believed in. Harriet's stance to save Eagleridge Bluffs brought about a jail sentence and ultimately her untimely death; but the message she leaves grows stronger daily. We all must sacrifice to protect the earth, it is our life force."