

# Cross-Canada protests after acquittal of Saskatchewan rancher in fatal shooting of Indigenous youth

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Protests swept across Canada last weekend following the acquittal of Gerald Stanley, a Saskatchewan rancher, in the fatal shooting of 22-year-old Colten Boushie, a member of the Red Pheasant First Nation. The outcry over the verdict has been fuelled not just by the blatantly discriminatory character of Canada's justice system, but also by a growing recognition that the Trudeau Liberal government's pledges to bring about "reconciliation" with the native people are a sham.

Boushie was killed when Stanley fired a single shot to the back of his head in August 2016. The 22-year-old had been spending the day with friends, with whom he drove onto Stanley's farm near Battleford, Saskatchewan after their vehicle suffered a puncture. Stanley, who alleged the group tried to steal one of his vehicles, retrieved a semiautomatic weapon from his shed and fired a series of warning shots.

Stanley then proceeded to confront the group. Making his way over to the vehicle, he fired the fatal shot that killed Boushie at point-blank range. He later claimed he was trying to reach through the car window to turn off the ignition when the gun accidentally went off. Stanley also claimed that he thought he had already fired all the shells he had put into his weapon.

Although Stanley pulled the trigger, the authorities responded as if Boushie were the murderer. Police officers, arms drawn, raided his mother's home, asking her if she had been drinking and searching the house without permission. Police failed to secure the vehicle in which Boushie was shot, meaning they were unable to obtain blood swabs that could have contained crucial evidence about his death.

Only after lengthy delays and much pressure from First Nations' people were charges laid against Stanley in Boushie's death.

In the months after the 2016 shooting, the province's right-wing Saskatchewan Party government spent \$6 million deploying armed police to the rural area around Battleford. This was justified in the name of combatting "rural crime," a pretext that has been used time and again to whip up anti-Native sentiment in western Canada. It was also the very same argument Stanley used to justify his resort to a firearm, even though Boushie and his friends were unarmed.

At trial, Stanley's defence attorney advanced the absurd argument that the fatal shot resulted from "hang fire"—a delay between the trigger being pulled on a weapon and the bullet being

fired. Experts dismissed this suggestion, pointing out that such incidents generally delay the shot being fired by only a second and, in any case, are extremely rare.

In spite of this and many other holes and contradictions in Stanley's testimony, the jury not only found him innocent of murder. They also acquitted him of the lesser charge of manslaughter.

The broad public disgust at such a clear case of injustice stands in stark contrast to the cynical and hypocritical handwringing over the Boushie case by the Liberal government and the political establishment as a whole.

Prime Minister Justin Trudeau took time out of his latest trip to the US to state, "I know Indigenous and non-Indigenous Canadians alike know that we have to do better." Both Trudeau and Justice Minister Jody Wilson-Raybould, herself a former First Nations chief, expressed their condolences to the Boushie family and have vowed to do more to promote "reconciliation," among other things via a "reform" of the justice system.

Responding to criticisms that the jury contained no Indigenous people although they make up a quarter of the population in the Battleford area, Wilson-Raybould announced a plan to do away with the practice known as "peremptory challenges," which allows Crown or defence attorneys to exclude a possible jury member without explanation. Even commentators in the mainstream media have pointed out that this measure in itself would do little to improve Native representation on juries, since other factors, such as the cost of travel to courts, represent prohibitive barriers for many Indigenous people serving on juries.

Yet even accepting for the sake of argument the possibility that an increase in Indigenous jury members could be brought about, this would do nothing to change the fundamental character of the capitalist criminal justice system. Wilson-Raybould herself provides a devastating refutation of such fraudulent claims, since her presence as the highest legal official in the land has failed to alter the justice system's callous disregard for the concerns of Native people.

While Indigenous people comprise barely 5 percent of Canada's population, more than 25 percent of all men in federal prisons are Indigenous and 36 percent of all female inmates are Indigenous.

The Liberals' empty promises are aimed at covering up the reality of their leading role in carrying out and perpetuating the

brutal oppression of Canada's Indigenous population. As the ruling elite's preferred party of government, the Liberals are implicated in all of the horrific crimes perpetrated by Canadian capitalism against Indigenous people, going all the way back to the foundation of the Canadian capitalist state in the mid-19th century. These include a deliberate policy of exterminating the Native population with the goal of "clearing the plains" for European settlement, the terrible abuses associated with the residential school system, the apartheid-style "pass system" on Indian reservations, and the denial of citizenship rights until well into the second half of the twentieth century.

Justin Trudeau and his Liberal government are perpetuating this legacy. During the 2015 election campaign, Trudeau spouted rhetoric about "change" and moving forward with Native "reconciliation." Much was made of the appointment of Wilson-Raybould as the first Native Justice Minister, and the convening of a national inquiry into the thousands of missing and murdered Indigenous women (MMIW) whose cases remain unsolved.

Yet more than two years after coming to power, the Trudeau government has fulfilled none of its bogus promises. It has not even managed to increase per capita funding for healthcare and education in Indigenous communities to match what the provinces provide to other Canadians.

Conditions on many Native reserves resemble those in the developing world rather than in one of capitalism's most advanced societies, with frequent absence of drinking water, chronic housing shortages, few public services, and a lack of job opportunities. Things are little better for those Indigenous people who have moved into urban areas, where rates of homelessness, drug addiction and other social ills are far above those in the overall population.

On the other hand, a thin layer of wealthy Indigenous businessmen and chiefs, of whom Wilson-Raybould is the most prominent example, have been promoted as part of the efforts of successive Canadian governments to "reconcile" the Native population to capitalism, by cultivating a thin petty-bourgeois layer of Indigenous professionals and entrepreneurs. The Trudeau government hopes to leverage support from these privileged strata to suppress growing opposition among Native people and to provide "social license" for lucrative resource exploitation projects on traditional First Nations' lands.

The outrage over the Boushie case has come at an inopportune time for the Liberals in this regard, since they are under mounting pressure from big business to make good on their promises to push through the expansion of the Kinder Morgan pipeline over widespread popular opposition, including from many First Nations people.

The response from broad sections of the corporate-controlled media to the Boushie case has been as dishonest as that of the government, with *Maclean's* magazine, the *Toronto Star* and others endeavouring to portray the verdict purely in racial terms. *Maclean's* observed in an article on the outcome that the "white justice system" and an "all-white jury" brought about Stanley's acquittal, while a piece by David MacDonald in the *National Post* spoke of the "settler-based Canadian legal system."

Of the jury's decision to acquit Stanley, *Star* columnist Tim

Harper wrote, "[T]hey live in a white world, as do I, and we would all be incapable of knowledge of an Indigenous upbringing in this country."

These deeply misguided conceptions are aimed at concealing the truth about who is responsible for the discrimination experienced by the Native population at the hands of the criminal justice system and the social and economic misery that underlies it. By proclaiming the existence of an unbridgeable gulf between "white people" or "settlers" and "Natives," these bourgeois pundits are attempting to foist responsibility for the crimes of their own class onto the entire population.

Racism undoubtedly played a role in the Boushie case, from the police's disgraceful treatment of Boushie's mother, to their inexplicable delay in charging Stanley, and the brutal law-and-order crackdown launched by the Saskatchewan provincial government.

Saskatchewan has been the site of other racist killings. In 1991, Carney Nerland, a member of the Ku Klux Klan, fatally shot Cree trapper Leo LaChance. Like Stanley, at his trial he used the defence that he did not know how many bullets were in his gun. He was acquitted.

However, racism does not emerge organically from the genes of "white people" or "settlers," but has been cultivated and employed persistently for over a century and a half by Canada's ruling class and its capitalist state. In order to consolidate bourgeois rule, Canadian capitalism had to dispossess the Indigenous population and destroy their communal forms of property.

The only way to achieve justice for Boushie and deal with the pervasive oppression of the Native population is for Indigenous people to link their struggles with the fight of the working class of all racial, ethnic or linguistic backgrounds to put an end to capitalism. Only on the basis of a socialist program will it be possible to right the historic wrongs done to Canada's Native population, including through the abolition of the capitalist "justice" system, and to secure basic rights and social equality for all.



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