

AGAINST THE ODDS

THE INDIGENOUS RIGHTS CASES OF THOMAS R. BERGER

BY DREW ANN WAKE

Foreword, Hamar Foster, KC



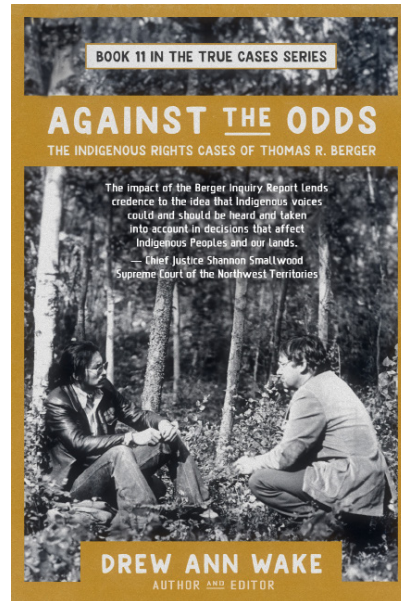
Against the Odds documents the remarkable achievements of Thomas R. Berger in the legal field, including his pioneering work in advocating for Indigenous rights that courts in Canada and the US had previously overlooked. Mid-career, Justice Thomas Berger accepted the challenge of leading the Mackenzie Valley Pipeline Inquiry in Canada's Northwest Territories. He organized the Inquiry to give northern First Nations an equal voice in the proceedings by holding thirty community hearings in which all were invited to participate. Berger's careful, reasoned arguments prevailed time and time again. Later in his career, Justice Berger led public hearings into the *Alaska Native Claims Settlement Act* (ANCSA), focusing on its impacts on Native Alaskans. *Against the Odds* also features an exceptional gallery of full-colour, previously unpublished photographs of the Dene and Inuvialuit, taken by Michael Jackson KC, Special Counsel for the Berger Inquiry, and portrait photographer Linda MacCannell.

ABOUT DREW ANN WAKE



Drew Ann Wake is a filmmaker and new media producer who began her career with CBC North and the National Film Board in Yellowknife. She covered the Berger Inquiry from 1975-1977 and then worked on the independent documentary, *The Inquiry Film*, which won the Canadian Film Festival award for Best Documentary. Drew

Ann also works as a museum designer, developing exhibitions in Canada as well as in the US and the UK.



“For many, the impact of *The Berger Inquiry Report*, *Northern Frontier*, *Northern Homeland* lent credence to the idea that Indigenous voices could and should be heard and taken into account in decisions that affect Indigenous Peoples and their lands. More than 40 years later, development on Indigenous lands continues to be a challenging issue facing Canada, and Indigenous People are regularly consulted throughout the process.

—Chief Justice Shannon Smallwood
from *Indigenous Justice*

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Drew Ann Wake lives in Vancouver, British Columbia.

For media contact:

Lorene Shyba | 403 818-4808 | lorene.shyba@durville.com

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