



EUGENE KUNG



“The Time of the Lone Wolf is Over”

My name is Eugene Kung. I was born in Vancouver BC, Unceded Coast Salish territories in 1979. I am a graduate of Next Up BC 5, and am currently the chair of the Board of Directors for Next Up’s host organization, genius (the global youth education network society).

More about me in a moment, but first, some context.

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My family first came to Canada in the early 1900s, when my great grandfather, Kuan Loy (Sam Kuan) arrived in Vancouver by boat from a village in Hoiping (Kaiping) county, Guandong Province in southern China. The village loaned Kuan Loy money to learn to cook, and he worked as a houseboy for a family in Vancouver when he first arrived.

My great grandfather was subject to the Chinese Head Tax, which was introduced in the *Chinese Immigration Act, 1885* at \$50, and then increased in *Chinese Immigration Act 1900* to \$100, then to \$500 in 1903. In 1903, \$500 was about the cost of a new house in Vancouver.

By 1923, anti-Chinese sentiment in white Canada was so high that the head tax was replaced by the *Chinese Immigration Act, 1923*, AKA the “Chinese Exclusion Act” which effectively made Chinese immigration to Canada illegal. Knowing that the Exclusion Act would come

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into force on July 1, 1923, Kuan Loy sent for his young son, my grandfather (my 'Goong Goong') Kuan Moon Mann (Mann Kuan).



Moon Mann arrived on May 31, 1923, at the age of 13, just one month before the Exclusion Act came into force. He was sent to Govan, Saskatchewan to work as a houseboy, like his father had before him.

Sam remained in Vancouver, where he was the part owner of a laundry — one of the few vocations available to Chinese workers following the boycott of Chinese labour and business by the Asiatic Exclusion League, supported by the Knights of Labour.

The exclusion of Chinese migrants lasted 24 years, before it was lifted in 1947. Shortly after that, my grandfather was able to bring over my grandmother and their two year old daughter, my mom, Quin.

My father's family came to Canada from Hong Kong in the late 1960, and my parents met while studying at the University of British Columbia.



Family circa 1988, From L-R: My brother Kevin, mom Quin Hong Kung née Kuan, grandfather (Goong Goong) Moon Mann, me, grandmother (Poh Poh) Kew Fong Kuan née Woo & brother Nathan. In the background, portraits of great-grandfather Sam Loy Kuan and great-grandmother Yat Sheung Kuan née Seto. (Dad, James Wing Kung behind camera.)

I tell the story of my ancestors' arrival in Canada often for a few reasons. First, it grounds and situates me, and preempts the question "where are you really from." This form of introduction is common amongst Indigenous cultures and for good reason, as it recognizes

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that none of us are where we are today on our own steam alone. For too long, my own internalized racism and colonization caused me to underappreciate the importance of my ancestors. I also tell their story to recognize that, despite having come to Canada under an incredibly racist regime, my family has still benefited tremendously from colonization.



My family history is also an important reminder for me that the law is more often a tool of oppression than one of liberation. As a lawyer trying to use the law as a tool for social change and environmental justice, it is important to understand that the same tool can and has been used for oppression. And it's not a silver bullet even when it's being used as a tool for change.

Finally, while re-discovering this history, I learned that my grandfather's full name was Moon Mann, and I just think that's cool.

So, back to 1979. By the time I came along, things were pretty good. I grew up in a working class immigrant neighbourhood in Burnaby, a suburb of Vancouver. I played ball hockey on the streets with my neighbours and wore knock-off '99' pajamas. I learned to canoe and fish in the Burrard Inlet and Fraser River. I watched Rick Hansen complete his *Man In Motion* tour with my elementary school classmates. I remember the joy (and later, heartbreak) of Ben Johnson's world record sprint in 1988, which I watched from my grandparent's couch. The next year, from that same couch, I watched the 'tank man' from the Tiananmen Square Massacre.

I developed a deep connection to the natural beauty of Vancouver: the Salish Sea, the mountains, the rain, the ocean, the smell of wet Cedar trees. Even today, just looking at the ocean and mountains calms me.

I grew up understanding Canada as my home, and as a place of justice, peace, democracy and fairness. We were proud to be leaders in environmental protection and we were proud to be peacekeepers.

I attended UBC in the late 1990 and early 2000s and ended up studying Political Science. Within my first few years, the APEC Summit and Battle in Seattle opened my eyes to the threat of globalized consumer capitalism but also the power of mass mobilizations and resistance. At the same time, the signing of the Kyoto Protocol gave some hope for a global solution to humankind's greatest existential challenge. Also around that time, the Supreme Court of Canada was releasing landmark decisions, grounded in the Charter of Rights and Freedoms, like the *Reference re: Same Sex Marriage* [2004] 3 S.C.R. 689, which opened my mind to the intersection of law, politics and social change.

Over the next few years, I wandered the earth, (like Cain in *Kung Fu*). I worked as a cook and as a treeplanter, and was fortunate to travel, work, study and live in Europe, Asia and Oceania. These experiences in the global community gave me a greater perspective about intercultural dynamics, wealth distribution (and its seemingly inverse relationship with happiness), identity, belonging, and connection to the natural world. This shift in perspective both reaffirmed my identity as a Canadian, and broadened my scope to place that identity within a larger global and temporal context.

My path to law school was an extension of my wandering spirit. I studied for my LSAT in a broken down van, parked in a trailer park at the foot of a ski mountain in Wanaka, New Zealand/Aotearoa. I wrote the test in Sydney, Australia and applied for law schools from Fiji. I only applied for law schools outside of Vancouver because I wanted to use the opportunity to live and travel in Canada. In the end, I ended up as far away as possible, at Dalhousie University in Halifax, Nova Scotia, Mi'kmaq territory.

I began my time at Dal Law with the intention of completing their Marine and Environmental Law Program. However, after taking a few prerequisites, I realized that the magnitude and speed of change required to deal effectively with the issues that I cared about did not match the slow and incremental pace of litigation. Further, the conservation message of mainstream environmental NGOs did not totally resonate with me (although I didn't fully understand why at the time). In the end, I took a few interesting classes, but was more focused on human rights and anti-poverty issues.

My first job after law school was as a letter carrier for Canada Post. After about a year, I took a pay cut to article at the BC Public Inter-

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est Advocacy Centre (BCPIAC), where I practiced poverty law, human rights law and energy regulation. That may sound like a strange combination, and in some ways, it is. However, it proved to be the perfect intersection of my own passion for human rights and environmental issues. At BCPIAC, we were able to bring an environmental justice analysis to the regulators of BC Hydro and Fortis Gas, and helped them to better understand the concept of energy poverty.

After four years at BCPIAC, changes to legislation (specifically the exempting of Site C and smart meters from regulatory oversight) meant reductions in staff, and as the most junior lawyer, I was laid off. I was accepted into a Canadian Bar Association program that sent young lawyers abroad, and ended up working in Durban, South Africa at the Legal Resources Centre.

Canadian lawyers are seen as particularly useful in South Africa because their Bill of Rights was modeled on the Charter, though it goes much farther in terms of substantive and positive rights, such as the right to education, water, and a healthy environment for future generations. I suppose it was the least we could do after they also modeled Apartheid on our reserve system and residential schools.

I experienced a lot more than I can describe here while in Southern Africa; I learned more about race, colonization and the ideology of white supremacy. About reconciliation, struggle and community, and about power and resistance. Part of my heart will always be there, but I was called to come home.

It was a few months after my re-entry to Canada that Next Up came into my life. I was struggling, as many do after traveling, with reverse culture shock upon returning home. In retrospect, I was in a deep and dark depression that left me feeling isolated, antisocial and hopeless. Next Up was a weekly oasis of young, enthusiastic, brilliant people who believed that a better world is possible, and were doing something to create that world. By zooming in through deep introspection and then zooming out and looking at big picture issues (and how they intersect), Next Up allowed for me to clarify my own purpose, strengths and passion. It also allowed for me to see and connect with a network of activists, organizers and change makers working in multiple areas, where lawyers and the law were understood as one tool of many in the social change tool belt.

In the legal profession, the activist lawyer is often a lone wolf, working tirelessly on their cases, often at the expense of family and friend-

ship. I am grateful to those lone wolves, and the real change that many have accomplished — but I am not a lone wolf. I prefer to travel and work in a pack. I didn't really understand that until I heard the following passage during our Next Up orientation: *"The time of the lone wolf is over. Gather yourselves! [...] We are the ones we've been waiting for."*¹

Another direct result of my time in Next Up was a deliberate shift to my current job, as staff counsel for West Coast Environmental Law, where I work with the Aboriginal and Natural Resources Law team. In particular, I am privileged to work with the Tsleil-Waututh First Nation on stopping the Kinder Morgan Trans Mountain Pipeline and Tanker Expansion project. In doing so, we will slow the expansion of the Alberta Tar Sands and its associated GHG emissions. I get to work with many Next Up alumni from across the country in this work.



Image provided by author

I still believe that Canada can be a place of justice, fairness and equality, but that that cannot happen without first acknowledging, reconciling, and dismantling some of our country's founding principles, namely colonization and the ideology of white supremacy. This difficult process can also allow for us to shift from a worldview that says that humans are separate from the natural world, and it is there only for our exploitation, to one that understands that we are part of that world, and that we are borrowing it from future generations. It

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will allow us to shift from understanding the environment as an issue, towards understanding that it is inextricably linked to *everything*: the economy, health, safety, and so on.

I am honoured to serve as chair of the Board of Directors for genius, Next Up's parent organization. We have experienced steady growth, expanding the program to six cities, and running intensive programs for Indigenous youth. We continue to support projects of Next Up graduates and now have two graduates in elected offices. And all of this with a small dedicated staff, many of them Next Up grads themselves.

I am proud of the work we are doing and excited for the work to come in our programs, and within our grad network which grows each year. Happy 10th anniversary Next Up!

EUGENE KUNG is a Vancouver-based lawyer working towards environmental, social and climate justice.

ENDNOTES

1. This passage is from a poem (sometimes called a prophecy or story) from the Elders of the Hopi Nation, in Oraibi, Arizona.