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Different Peoples, Shared Lands Historical Perspectives on Native – Newcomer Relations Surrounding Resource Use in British Columbia

Ken Coates and Keith Thor Carlson

Newcomers to British Columbia are quickly introduced to the tensions over land, resources, and authority that have divided indigenous peoples and immigrants for more than two hundred years. Conflicts over resources, land rights, commercial and food fisheries, access to timber and recreational lands, demands for attention to Aboriginal self-governance, and debates about federal fiduciary responsibilities to status Indians are only a few of the most publicly debated issues confronting the province. For many years, these struggles were very one-sided, with the colonial, provincial, and dominion governments using the authority and instruments of the state to marginalize indigenous people from their tribal lands and resources. Empowered by a series of major court decisions over the past forty years, and bolstered by statistics showing the reversal of two centuries of demographic decline, Aboriginal peoples have recently secured *de jure* recognition of their rights and title, and growing *de facto* authority over certain economic, legal, financial, and administrative powers and resources. But as the balance of power shifts tensions are not necessarily dissipating.

An historical evaluation of these relationships demonstrates that there is no linear or singular pattern. History is a complex tapestry, and the history of First Nations–newcomer relations over natural resources in British Columbia is an excellent example of the uneven, occasionally circular, nature of the ongoing contact experience.

History Meets the Present

Many people in the province find the current round of confrontations unnerving. Bitter debates over commercial salmon fishing rights in the lower Fraser River basin occasionally turn violent. Roadblocks in the Okanagan and throughout northern British Columbia spark angry words. The demands of Aboriginal political sovereigntists, like the Lil'wat First Nations, infuriate those British Columbians who believe that there is no room for special status for Aboriginal Canadians. The "common sense" arguments of right-wing

political groups advocating “no rights based on race” and “one law for all Canadians” likewise incense Aboriginal leaders who reject attempts to undermine indigenous rights that are derived from history and not skin colour. In Vancouver, the long-standing dispute over residential rents for leased lands on the Musqueam Reserve, resolved in favour of the Musqueam First Nation, elicited demands that the Government of Canada intercede to protect tenants’ rights. Even successful negotiations, like the resolution of the Nisga’a Treaty in 1998 and the Tsawwassen settlement in 2006, generated protests about the unique constitutional position of First Nations. And although the prominent acknowledgment of the leaders of the four First Nations whose territories hosted the 2010 Olympic Games seemed to signal the arrival of the provincial government’s “new relationship,” the associated grassroots Olympic Resistance Network’s 2010 campaign slogan of “No Olympics on Stolen Land” reminded the world that the unresolved state of Aboriginal title in British Columbia continues to have social as well as economic implications. The contemporary situation is a logical outgrowth of more than two centuries of struggle between indigenous peoples and newcomers. Moreover, some of the most innovative solutions to these tensions harken back to earlier expressions of Native–newcomer relations in the era before significant non-Native settlement.

The principal and most public differences and disagreements are so fundamental that they commence with the attempt to understand the initial habitation of the Pacific Northwest. Aboriginal peoples explain the emergence of human beings in this region in terms that are locally anchored. For the lower Fraser River Stó:lō, for example, the commencement of life is explained in terms of both “sky-born” people and the subsequent arrival of the “Transformers.” The resulting landscape thus consists quite literally of people’s relatives and is animated by the presence of human ancestral spirits who continue to reside within objects non-Native newcomers typically classify as “natural resources” (Jenness 1955; Bierwert 1999; Carlson 2010).

Non-Aboriginal Canadians used words like “myth” and “legend” to describe Aboriginal accounts of origins. In their place, Western scholars point to archaeological evidence of a very different explanation. Recent discoveries, typically set in opposition to Aboriginal accounts, point to two separate migrations of new peoples from Asia (Fladmark 1979). Carbon dating indicates continuous indigenous occupation of the west coast for at least nine thousand years (for an overview, see Schaepe, “Village Arrangements and Settlement Patterns,” in Carlson [2001]; Matson et al. 2003), and as Brian Chisholm (this volume) shows, First Nations have long been actively engaged in managing the forest resources. Complementing the scholarly discernment is a popular Judeo-Christian discourse that largely constrains miraculous activities related to human kind’s origins to the Middle Eastern Holy Land.

Debates about the nature and extent of Aboriginal occupation reveal a great deal about the changing place of First Nations people within British Columbia. The first generation of European settlers in British Columbia in the mid-nineteenth century felt that they were creating a new society in opposition to existing indigenous occupants. The second generation regarded newcomer society as something new and even tenuous in a place where Aboriginal people still made up the majority of the population. With the third and subsequent generations came the dominant notion that non-Native people are inheriting a European-style society. No longer do most non-Native British Columbians strongly identify with the notion that they are newcomers. What has been inherited, however, is a social, economic, and political system built on the denial of Aboriginal rights and the silencing of their oppositional voices.

Contact Encounters

Even before the first Europeans arrived, Aboriginal people had knowledge of the newcomers. With the opening of regular communication routes to Europe and Asia over four hundred years ago, imported diseases caused havoc on Aboriginal populations. Once introduced, these diseases passed quickly from one group to another. Continental-wide pandemics likely had reached certain regions of the Northwest before the arrival of Europeans (Boyd 1999). Certainly, sometime in the late eighteenth century, a major smallpox epidemic swept across most of coastal British Columbia and much of the Columbia and Fraser Rivers plateau. Although scholars continue to debate details, there is a substantial consensus that the imported diseases exacted a dramatic toll. If, and to what extent, populations may have initially rebounded in the wake of these diseases has yet to be determined. Other groups often moved into resource zones “widowed” by the epidemics, resulting in a substantial precontact resettlement of British Columbia (Harris 1997; Carlson 2010).

The arrival of newcomers along the Pacific Northwest Coast in the 1770s ushered in a substantial reordering. The Spanish, British, and Russians who were drawn to the region by the imperatives of the so-called Age of Exploration laid claim to all unmarked lands. The Americans, meanwhile, sought to expand an already lucrative circum-global trade. The principally Bostonian and English trading ships that came to trade for sea otter pelts for re-exchange in China for silk affected imperial relations and resulted in the identification of important new trading territories. The short-lived Pacific coast sea otter trade actually dwarfed the beaver trade of Rupert’s Land in terms of both volume and profits.

The arrival of outsiders created opportunities as well as threats for the First Nations. New technologies, in the form of metal goods, rifles, and other

trading items, proved extremely attractive. Initial relations wavered between cooperative trading sessions and violent clashes. Cultural confusion abounded, with the Europeans interpreting the First Nations as a west coast variant of the “heathens” and “barbarians” encountered elsewhere in the New World, and with the Aboriginal people wondering about the motives and ambitions of the newcomers. Both the Spanish and the Nuu-chah-nulth (Nootka) incorrectly assumed the other to be cannibals (Archer 1980). Moreover, in addition to the new diseases, indigenous societies had to cope with issues associated with the sexual advances of lonely sailors toward Aboriginal women.

Aboriginals in an Imperial Order

The advent of imperial rivalries drew First Nations societies into sweeping and complex cross-racial relationships. Beneath this imperial veneer, indigenous politics unfolded. Chiefs Maquinna and Wickaninnish of west Vancouver Island were as quick and keen as any British or American trader to take advantage of all the new opportunities. By the 1790s, both these Native leaders had firmly consolidated economic hegemony over vast expanses of territory. Both had sufficient European-manufactured light and heavy arms to defend their interests against indigenous and European challengers alike.

From the 1770s to 1840s, First Nations people responded as partners and rivals in the changing commercial and political realities. European nations had relatively little presence in the area, and Aboriginal people outnumbered the newcomers by a wide margin. The Spanish, British, and Russians resolved their differences by dividing indigenous territories among themselves, with no Aboriginal input. That the initial establishment of colonial boundaries and authority had little on-the-ground consequence for the First Nations masked the fact that the decisions made in this era would shape Aboriginal–newcomer relations for generations.

Until the middle of the nineteenth century, Aboriginal and newcomer resource use were tightly intertwined. The Europeans counted on the First Nations to harvest or bring in the furs, fish, and trees necessary to sustain the tiny settlements. The Hudson’s Bay Company dominated after the simultaneous collapse of the ocean-based sea otter trade and the expansion of the land-based trade. The Hudson’s Bay Company moved north after the Oregon boundary settlement of 1846 and established several strings of trading posts along the coast and into the Interior (Mackie 1995). There were significant problems at times, particularly relating to trading relations, social contacts, and introduced diseases, but in general Aboriginal peoples and newcomers worked constructively and cooperatively.

The relatively peaceful relationships of the pre-1850 period masked the profound transformations that had occurred in Aboriginal societies. Metal

axes and knives not only cut more effectively than traditional tools, they were easier to sharpen, thereby saving Aboriginal craftsmen hours of labour. However, their introduction also meant that people formerly valued for their stone tool-making abilities found their skills devalued. Opportunities for intergenerational sharing and teaching associated with some traditional activities declined. While harvesting proceeded more expeditiously with the manufactured tools and firearms, the opportunities for individual wealth accumulation threatened the communal nature of west coast tribal society, and the fragile environment. At the same time, the commercialization of certain resources resulted in the rapacious harvesting of coastal sea mammals and inland fur bearers. The newcomers introduced a wide variety of new values and world views, ranging from the production of surpluses for the purpose of accumulating personal wealth and private ownership of land to Christian convictions, particularly those transmitted through the dozens of Catholic and Protestant missionaries who came to the region in pursuit of souls. Alcohol and drugs like opium, meanwhile, tore families apart and destroyed the lives of countless individuals.

Collectively, these new products and ideas created enormous pressures for change within Aboriginal societies. First Nations responded creatively at times, and out of desperation on other occasions. The core values of the indigenous communities appear to have stayed generally intact, with significant adaptations to the new realities (see also Lewis and Sheppard, this volume). In some instances, populations shifted from traditional villages. Inter-tribal warfare accelerated in some regions. Several coastal groups became deeply engaged in commerce. Others, particularly in the Interior, maintained limited contact with the newcomers, preferring their mobile harvesting existence. The Chilcotin are probably the most prominent of those groups that sought to maintain a significant degree of isolation from the newcomer economy (see Lutz 2008).

With the arrival of European traders, cultural activities like the potlatch flourished. Other social practices, meanwhile, sometimes faded into the background. Some scholars have suggested that contact with missionaries precipitated shifts in aspects of Aboriginal epistemology and spirituality. Indigenous people have steadfastly maintained that changes were reflective of responses to the spirit realm. Determining whether the Creator and ancestor spirits provided tools for a rapidly changing world, or if innovative indigenous people adapted to altered circumstances through their own agency, is, perhaps, beyond the scope of what historians can answer. What is certain, however, is that prophet movements swept through much of the province in the early through mid-nineteenth century. Unlike most other areas of North America, the west coast prophets generally did not preach the rejection of European technology and ideas, but rather an inclusive expression of spirituality (Suttles 1957). The resulting spirituality retained

many of the older traditions and expressions while embracing such outward signs of Christianity as the sign of the cross and the preeminent position of the Sagalie Tyee (Lord Above) over the other spirit forces of the animal, ancestral, and natural world. Many of the early prophets, especially in the Coast Salish area, helped usher in a syncretic approach to spirituality that paved the way for such religious expressions as the Indian Shaker Church (Barnett 1957; see also Neylan 2003). All told, Aboriginal peoples and communities exercised considerable selectivity in determining their relationship with the newcomers and set many of the terms and conditions of contact – even if they typically found themselves as responding to newcomer initiatives, rather than initiating change on their own terms.

The intrusion of the colonial system, however, soon limited the flexibility and opportunities of the First Nations people in British Columbia. Until the 1850s, British authorities paid little attention to conditions on the west coast. The Oregon boundary dispute and subsequent British fears of American expansionism in the Pacific Northwest caused the Hudson's Bay Company (HBC) to withdraw north of the forty-ninth parallel. The gathering tensions pushed the British Colonial Office to assert its dominance over the northern region. Aboriginal demands that their land and resource rights be respected attracted little attention, save from James Douglas, the HBC chief factor and later governor of the colonies of Vancouver Island and British Columbia. Under Douglas's leadership, the British acceded to a request for a series of small treaties on Vancouver Island, but they rebuffed suggestions for more comprehensive arrangements for other First Nations in the region. The Colonial Office regarded treaties as desirable, but it was willing to endorse them only if the colony paid for them. For the fledgling colony of British Columbia, infrastructure and security took priority over negotiating Aboriginal rights and interests (Tennant 1990). And besides, in European eyes, Aboriginal people were destined for cultural, if not physical, extinction in the face of Western advance.

The absence of treaties on the BC mainland west of the Rocky Mountains became a critical issue in subsequent years, with British, Canadian, and BC officials arguing that the protection of Aboriginal rights articulated in the Royal Proclamation did not apply to the area west of the Rockies (Ray 1999). Aboriginal peoples generally accepted the arrival of newcomers, the establishment of trading posts, commercial fishing and farming activities, and the presence of government officials and military units. At the same time, however, various Native groups made it clear that they wanted either assured access to resources or compensation for lost lands and rights. In 1922, for example, the Upper Fraser Valley Native leader Dennis S. Peters explained:

Gov. Douglas when he set aside the reserve for the Katzi or the Port Hammond Indians said all inside the lines of the reserve would remain the

real property of the Indians and all outside would become white mans land. The land taken over by the whites would be like a tree, which should blossom and bear fruit for the Indians meaning that the Indians would share in the benefit of the use of their tribal lands by the whites. Later Gov. Seymour called a great meeting of the Stalo and other Indians at Queen's Borough (now New Westminster). There were very many Indians and whites at this meeting. He said (1) The Queen desired the two races to live together peacefully and neither to harm the other. That they would be as brothers, the whites the elder, and the Indian the younger. (2) When Indians worked they would have the same wages as the whites for the same kind of work. (3) Money or revenue would be coming to the Gov. from the lands outside the reserves. This money or revenue would be as in four: $\frac{1}{4}$ would go to the Queen or Crown or Gov. $\frac{1}{4}$ would be used by the BC gov. for the purposes of the country development, road making etc. $\frac{1}{4}$ would go towards education and $\frac{1}{4}$ for the benefit of the Indians, assistance to them etc. The Indians in those days believed the words of those big men in authority (or the chiefs of the whites) and they never thought of asking them for written agreements nor their words in writing. (see Carlson, 2001, 185-86)

From a purely legal and political standpoint, however, the so-called Douglas Treaties on Vancouver Island represented, for more than a century, the end and not the start of the treaty process.

Resources, Labour, and Land

British Columbia's relatively cooperative contact ERA ended when newcomers discovered resources of immediate value. The recognition in the mid-1800s that Fort Rupert and Nanaimo sat on impressive seams of coal sparked a mining rush. Although many Aboriginal people worked in the coal mines, the broader interests of Aboriginal people in the area were quickly brushed aside. The sudden expansion of the gold mining frontier north from California spoke to even more dramatic changes. News that the HBC was buying gold collected by Aboriginal people along the lower Fraser River drew more than thirty thousand outsiders from the United States to the region in the summer of 1858. The initial focus of activity around Hill's Bar and Fort Yale steadily spread up the Fraser River, sparking subsequent rushes in the Interior at places like Quesnel and Barkerville in the early 1860s. Gold drew the attention of prospectors, traders, camp followers, and developers to this previously neglected corner of the globe. Newcomers pushing into the distant corners of New Caledonia/Colony of British Columbia discovered fertile farm lands in the southern Interior and, later, rich deposits of silver, lead, and other ores throughout the colony. The gold frontier pushed steadily north to the Cassiar Mountains and beyond into the Yukon by the 1890s.

The resource bonanzas transformed the newly created colony of British Columbia and ushered in a new era in Aboriginal–newcomer relations. Except for the power they held as workers in a colony where non-Aboriginal labour was scarce, First Nations people had little authority. Although most of the gold miners quickly moved on, thousands of settlers followed in their wake and settled permanently in and around Victoria, New Westminster, and the lower Fraser River, and at smaller centres along the Fraser corridor and into the Interior. Those Aboriginal people who wished to participate in the new regime found themselves shouldered aside by anti-Aboriginal legislation directed at their commercial, land, and resource rights. In 1867, the colonial government unilaterally reduced Indian reserves in the Fraser Valley by over 90 percent; in 1871, the provincial government disenfranchised Aboriginal people; in 1884, the potlatch and Tamanawas (Winter Spirit) Dance was banned; in 1885, Native people were denied the right to sell salmon caught in nontidal (river) waters; in 1913, Natives were prohibited from obtaining “independent” fishing licences to participate in the ocean-based commercial salmon fishery; and, in 1918, Indian Agents were empowered to try potlatchers without a judge. The now-dominant Europeans had little space or time for the dwindling Aboriginal population.

British Columbia entered Confederation in 1871. Developers rushed forward with grand schemes for the opening up of the new province. Subsequent railway projects, followed by settlement, criss-crossed the province. By the turn of the nineteenth century, commercial farms operated on occupied Aboriginal lands in the Lower Fraser Valley and throughout the low lands of the Okanagan. Small farming operations developed on Vancouver Island and in selected areas in the northern Interior. Ranchers opened sizable operations inland. Commercial fishers opened large-scale harvesting and processing plants along the coast, competing with Aboriginal peoples for resources, and hiring them as seasonal labourers. Mining operations drew hundreds of hardrock miners into short-lived boomtowns, like Sandon and Idaho Peak. Loggers capitalized on the commercial promise of the large coastal stands of Douglas fir and cedar trees (Newell 1993; Knight 1996; Lutz 2008).

Governments seconded this province-wide effort. Provincial authorities subsidized various railway and related projects, granting licences and land rights to individuals and companies, and restricted the rights of Aboriginal peoples and immigrants from Asia. James Douglas’s effort to grant treaties or allow Natives to preempt farm lands off reserve evaporated quickly on his retirement from office in 1864. Subsequent officials clearly saw First Nations as an impediment to settlement.

Aboriginal peoples, however, did not sit idly by as others sought their lands. Harvesting activities continued, and not only along the isolated sections of the Pacific coast and in the rugged interior valleys. When opportunities

arose, First Nations people joined in the new economic activities. Just as they had traded furs with coastal traders, Aboriginal people participated actively in the gold rush, commercial farming, and selling of meat and fish to the newcomers, or they worked as loggers. Many others worked seasonally and casually in the transportation and construction industries; on the west coast of Vancouver Island, the entire adult male population of many villages were contracted by Victoria-based schooner captains to work as ship-based hunters in the lucrative four-to-eight-month-long Alaskan pelagic sealing industry. Others sold crafts to the newcomers or provided various services in and around the growing urban areas. By the end of the century, it would have been difficult to find a coastal indigenous person whose family was not seasonally engaged in fishing and processing salmon for the rapidly expanding commercial cannery industry.

Social connections, however, proved more difficult between First Nations and newcomers. The settlers and developers assumed that Aboriginal peoples would remain on reserves and at arm's-length. The churches believed that the First Nations were not "prepared" for survival among nonindigenous peoples and argued that prolonged separation would inculcate Christian teachings and government-sponsored education. At the core, social contact between indigenous peoples and newcomers was conditioned by the racial assumptions and stereotypes of the age (Perry 2001).

The Federal System and the Twentieth Century

The twentieth century saw the solidification and codification of Aboriginal exclusion. Through a variety of measures, governments whittled away at Aboriginal land holdings. Key properties, many near urban and industrial areas, were removed from First Nations' control. The arrival of thousands of Asian migrants following the completion of the construction of the railway further overshadowed the Aboriginal presence in British Columbia (Roy 1989, 2003; Ward 1990). Although Aboriginal peoples remained prominent in the remote regions, they receded further into the background elsewhere – except in the new urban areas' most marginalized and impoverished skid-row neighbourhoods. Jobs they had formerly dominated in the commercial canneries and fishing and sealing fleets were systematically alienated from them. Legal proscriptions on Aboriginal involvement in the economy were less important than informal exclusions and racially discriminatory practices that enjoyed wide acceptance across the province.

Government policies consistently aimed to limit Aboriginal involvement in BC society. The consolidated Indian Act (1876) outlined federal responsibilities to, and restrictions on, status Indians. They sought to restrict Aboriginal peoples to reserves, arguing that more time was needed before integration was possible. Local Indian Agents and missionaries oversaw local political, economic, and social activities. Some managed affairs with a gentle

and supportive, if paternalistic, hand; others rigidly imposed a new social order. Together they worked to eliminate Aboriginal spiritual beliefs and to inculcate Christian values. The federal government placed particular faith in the workings of residential schools, hoping that prolonged separation from parents and communities would westernize the newest generation.

The federal government also granted its agents the authority to suppress key cultural and economic practices. It focused, in particular, on the potlatch – the elaborate gift-giving feast-ceremony associated with transfers of hereditary resources and prerogatives. Officials and clergy believed that the potlatch interfered with the development of a properly capitalistic and materialist ethos (Cole and Chaikin 1990); what the ban really did was undermine the ability of indigenous people to participate in inter-reserve self-governance (Carlson 2010). The first arrest under the anti-potlatching law occurred in early 1897 (Carlson 1997, 99). In some settlements, the prohibition succeeded only in pushing the potlatch underground. The law was not repealed until 1951. Other restrictions served the direct economic interests of the non-Aboriginal population. The banning of the in-river commercial fishery had the intended impact of undercutting local self-sufficiency and, not surprisingly, strengthening the economic position of coastal non-Native commercial fishers.

By the second and third decades of the twentieth century, First Nations people no longer figured prominently in the provincial order. There was the sense that time would take care of the “Indian problem” in British Columbia and that the “yellow peril” of Asian immigration represented a far greater threat to the province’s future. And although some Aboriginal people, like Hank Pennier, traded so skilfully in the currency of hard work and masculinity that they were able to prosper in the forest industry during the 1930s Depression, most First Nations loggers found the economic downturn only reified existing racial barriers to success in the wage labour economy (Pennier 2007).

For many years, Canadians assumed that the First Nations did little to protest their exclusion or to protect their rights. In fact, Aboriginal people worked assiduously from the late nineteenth century to gain government attention to their land, resource, and cultural rights. Indigenous groups launched several nineteenth- and early-twentieth-century delegations to Ottawa and London. They proved to be skilled in arranging their political affairs, working with lawyers and activists like A.E. O’Meara to place their case before various politicians, government agencies, and public interest groups (see Tennant 1990). The scenario, played out by Maori groups from New Zealand at much the same time, attracted considerable attention from the newspapers and the public but left officials in Victoria, Ottawa, and London unmoved.

What attention government officials paid to indigenous people was directed less at addressing their concerns than at muzzling protest. Fear that the First Nations would press their case to higher and potentially more sympathetic authorities in London led to an aggressive revision of the Indian Act in 1927. The federal government made it illegal for Aboriginal groups to raise or give money for pursuit of a claim against the Crown. Then, in 1936, the minister of Indian affairs made it illegal for Native people to accumulate property that “might” be used for potlatching illegally. Public pressure caused this initiative to be dropped the following year; however, other regulations banned community gatherings called for political purposes. Along the north coast, political rallies quickly converted into faux Christian revival meetings if a police officer, missionary, or Indian Agent passed by. “Onward, Christian Soldiers” emerged as the unofficial anthem of the Aboriginal rights movement in the region. Likewise, as Natives moved into nuclear family housing units, the giant longhouses, where potlatches and spirit dances traditionally occurred, were replaced by inconspicuous barns specifically built for the same purposes.

Aboriginal groups were not readily denied. British Columbia was among the most active provinces in Canada in terms of indigenous activism. A significant number of local and regional political groups sprang into existence. In general, Interior and coastal groups went their separate ways. This cultural and geographic divide also reflected another division – that between Christian denominations. The south coast was predominantly Catholic, whereas the Interior beyond Kamloops was largely the domain of Anglican and Methodist Natives. Some groups, like Sechelt, chose to work with the government and supported substantial integration. Others, including many groups in isolated regions, opted for a more separationist approach. First Nations did not, however, have either the federal or provincial vote and therefore had little opportunity to intervene in the political process. This taught Aboriginal people a valuable lesson. Even today, with the franchise extended to Aboriginal people, many choose to concentrate their political energies at the band or tribal level rather than participate in federal or provincial elections. By the middle of the twentieth century, Aboriginal voices attracted little attention.

The Postwar World

The political dynamics of Aboriginal organizational life in British Columbia changed after the Second World War. Many Canadian First Nations people had signed up for military service during the war, even though technically they were exempt. Many Native veterans returned after the conflict, believing that they had earned the right of full citizenship, only to discover that the old barriers remained in effect. The vast majority of the Aboriginal vets

never learned of or received veterans benefits after the Department of Indian Affairs in Ottawa insisted that it administer the program to Native people, but then promptly forgot to train or notify the agents in the field (Sheffield 2004). The postwar era, however, also saw the emergence of considerable national and global interest in the rights of minorities and indigenous peoples. This development coincided with renewed Aboriginal activism, continued encroachment on indigenous territories and lands, and growing non-Aboriginal sympathy for indigenous cultures and traditions. In part in recognition of the role Aboriginals had played in the war effort, the Indian Act was amended in 1951 to drop the ban on the potlatch and tamanawas, as well as the prohibition on giving or soliciting money for pursuit of claims. Within little more than a decade, Aboriginal people secured the right to participate in provincial and federal elections.

Despite growing public support for First Nation claims to land and resource rights, the province refused to alter its stance and the federal government was reluctant to move. In a long and costly series of court trials – *Bob and White*, *Calder*, *Guerin*, *Sparrow*, and *Delgamuukw* – First Nations slowly and methodically cut through the legal entanglements that had entrapped their harvesting, land, and resource rights. Through these cases, First Nations people secured recognition of their right to hunt and fish for food and ceremonial purposes; recognition that such rights are not frozen in time; acknowledgment that the federal and provincial governments were obligated to negotiate land claims agreements; and the ability to hold officials accountable for their mismanagement of Aboriginal interests and trusts. The battles were hard-fought and not always successful (Miller 2009).

Through the court process, Aboriginal people discovered that the federal and provincial governments and the public at large understood the significance of judicial decisions. They also learned that negotiations rarely proceeded without the threat of a court case hanging over the federal AND provincial governments. The provincial authorities, who controlled the land that would be crucial to any land claim settlement, resisted all participation in negotiations until 1990, effectively halting any recognition of Aboriginal land rights. It took another eight years to conclude the Nisga'a Treaty (the negotiations of which took place outside the BC treaty process).

The emergence of Aboriginal land claims and resource rights campaigns met with considerable resistance from the non-Aboriginal population, particularly those in the logging, mining, sport and commercial fishing, and hunting sectors. (For a discussion of how social movement theory can help us understand this process see Wilkes and Ibrahim, this volume.) The perception emerged that Aboriginal rights would come at the expense of other resource users. A bitter debate erupted over the issue of indigenous rights versus demands for "equal" treatment for all Canadians. Many of these

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conflicts revolved around the question of the extent of Aboriginal rights to resources in territories where they asserted title. Corporations operating under provincial tenures often granted decades earlier wanted unrestricted access to resources. But First Nations argued that such exploitation was improper on lands where Aboriginal title remained unextinguished. At their heart, such debates spoke to the fact that Crown title was asserted without having first needed to be proven to the affected Aboriginal inhabitants, whereas Aboriginal title remained only asserted until proven accepted legally by the newcomer society. As such, it is a question of historical injustice and inequity. These issues came to a head in the battle over the definition of the government's duty to consult, and the extent to which Aboriginal people might legitimately stop resource development where they feel they have not been adequately consulted. The concurrently heard River Tlingit and Haida Supreme Court cases in 2004 emphasized that the consultation process required good faith and reasonableness on the part of the province and Aboriginal people but also specified that the duty of consultation did not provide a veto to Aboriginal people. This strengthened Aboriginal peoples' position, but over the subsequent six years, this Supreme Court decision, like so many before it, has proven more of a moral victory than a practical one. Even the landmark Tsilhqot'in (Chilcotin) case of 2007, which dealt with an indigenous people living in one of British Columbia's most remote regions who had historically asserted their rights against the Crown with military force, found the Tsilhqot'in to have title to only 50 percent of their traditional homeland (though their rights existed throughout their entire homeland). The message to First Nations people remains consistent: newcomer society's openness to recognizing the economic implications of Aboriginal title and rights to resources will be incremental and staggered, but resource extraction by third parties will remain ongoing.

Conclusion

The First Nations–newcomer encounter in British Columbia has been marked by several stages: conflict and compromise, confrontation and domination, incorporation and segregation, and incremental accommodation. The years since the arrival of Europeans exacted a dramatic toll on the indigenous peoples through the intertwined processes of depopulation, occupation of traditional lands, and competition for resources. First Nations also contended with government intervention on the side of newcomers, political and legal challenges to their rights, efforts at integration through education and reserve life, and an ongoing effort by Aboriginal peoples to find a place for themselves within a rapidly changing provincial world. There is not a great deal of difference between the conflicts, rhetoric, and outcomes of the nineteenth century and the conditions occurring in the early years of the twenty-first

century. First Nations bore the major share of the dislocations and cultural change, and had to fight to secure both basic and Aboriginal rights. Public opinion polls suggest that the support Native people had garnered to their cause in the late twentieth century may now be evaporating. In November 2003, the *National Post* reported on a poll conducted by Environics Research Group and CROP showing that fully 71 percent of British Columbians were opposed to land claims that would result in preferential access to hunting and fishing by Aboriginal people over other Canadians. The same article reported that “half of all Canadians believe ‘few or none’ of the hundreds of land claims by aboriginals are valid.” Forty-two percent of Canadians were reported as taking the view that “it would be better to do away with aboriginal treaty rights and treat aboriginal people the same as other Canadians” (Curry 2003). Shifting attitudes toward Native rights concern Aboriginal leaders, who know from experience that legal and constitutional protections count for little when confronted by a hostile or apathetic electorate.

Conflicts over fisheries, legal rights, and land and resource entitlements cloud the province’s future, as they have since the nineteenth century. Add to this confusion over the meaning and extent of Aboriginal self-government and the social and economic crises facing most indigenous communities in the province, and British Columbia’s dilemma becomes clearer. Although there are key forces working for reconciliation, major challenges remain. All sides have increasingly relied on the courts and treaty negotiations to determine the future of Aboriginal land and resource rights in British Columbia, though conciliatory gestures by the former Campbell government (including the appointment of Stó:lō Grand Chief Steven Point as lieutenant-governor) improved the negotiating environment considerably.

Understanding the history of First Nations–newcomer relations in British Columbia is essential to making sense of contemporary relationships and activities. Whereas non-Aboriginal British Columbians, particularly recent non-European immigrants, appear to pay relatively little attention to the history of this complicated relationship, First Nations people understand the past quite well. They know of the patterns of dispossession and government interference. They know about discriminatory regulations and the dislocations associated with residential schools. They know of their traditional land and resource rights and activities. And they know the manner in which non-Aboriginal British Columbians systematically stripped them of their inheritance. Despite this understanding, most First Nations remain committed to finding a mutually acceptable accommodation with British Columbia. What is also clear, however, is that the lessons of the past ring loudly in their ears.

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