

FROM COLONIZATION TO GLOBALIZATION: THE GITXSAN NATION'S
STRUGGLE FOR JURISDICTION WITHIN THEIR TRADITIONAL TERRITORIES

by

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B.A, Okanagan University College, 1999

THESIS SUBMITTED IN PARTIAL FULFILMENT OF
THE REQUIREMENTS FOR THE DEGREE OF
MASTER OF ARTS

in

FIRST NATIONS STUDIES

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THE UNIVERSITY OF NORTHERN BRITISH COLUMBIA

March 2002

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Abstract

Two conflicting ideologies have been practiced within the Gitksan territory since contact between the Gitksan and Europeans. One, the dominant Western ideology, forms the basis for attempted colonization of Indigenous lands. The dominant Western ideology, now as in the past, utilizes economic gain as its benchmark for success and is motivated by profit acquired from exploiting resources in various geographic areas. In each phase of colonization the proponents of the dominant Western ideology have instituted a new title for their agenda in order to make what they are doing seem legitimate. However, settlement, development and globalization are all guided by the ethic of exploitation for profit maintained through the colonization process.

The Gitksan world view, the second and opposing ideological position described in this thesis, shapes Gitksan resistance to outside pressure. The Gitksan view their territory as their sacred place and respect for the land and all its creatures constitutes their primary law. The Gitksan are tied to one geographic area which has supported them for thousands of years and believe they must protect and sustain their place on earth for past, present and future generations. From settlement to globalization Gitksan resistance has adapted, and risen to the levels needed to sustain their struggle for jurisdiction within their traditional territories. Gitksan resistance has been heightened in recent years due to the increasingly destructive scale of technology which threatens the territories and culture of the Gitksan people.

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Acknowledgments

I am forever indebted to many individuals who made this research more rewarding than I could have ever imagined. I express my thanks to:

Carmen Holyk for all of your support and for inspiring the completion of this work with significant news; Morgan Dawn Holyk for being the best news a person can receive. Doris and John Holyk for your financial support and guidance throughout the years. Troy Hanschen proof reading rough drafts and faxing off documents. George Hanschen for providing me with a place to stay on various occasions.

All those at the Gitxsan Treaty Office who aided in my search for knowledge; Specifically Darlene Vegh, Kathy Holland, Charlene Lattie, Art Wilson *Wii Muk'Willixw*, Earl Muldoe *Delgam Uukw*, and Yvonne Lattie *Suudee* for helping me to better understand the Gitxsan perspective. A special thank you to Charlene for all of your help in being a liaison between the Gitxsan community and myself and to *Suudee* for taking me out on the territory and showing me around Kisgegas.

Antonia Mills for all your insight into this work. Gail Fondahl and Heather Harris for their help in preparing this thesis. Each committee member's skills and knowledge added to the development of the thesis and created a much improved end result.

And finally, Ricardo Trumper and Patricia Tomic for encouraging me to continue my studies.

Note on Orthography

The variety of spellings for Hereditary titles, place names, and Gitxsan words used in this thesis reflect the variations of the spellings in the literature. I have tried to remain consistent with my spelling of names and words unless the word reflects different uses. This occurred with the Hereditary title *Dalgamuukw*. The word is spelled *Delgam Uukw* when used as a citation but is spelled *Delgamuukw* when referring to the court case. When employing the accounts of the Hereditary Chief *Dalgamuukw*, I have spelled it as such because this is the manner the current holder of the name, Earl Muldoe, prefers. The spellings represent different stages in the Gitxsan effort to have the articulations of their language represented correctly.

Chapter 1: Introduction

Too often Europeans emphasize the advantages of colonialism, asserting how much the British did to 'civilise' and modernise [North America]. The truth is that the major effect of colonialism was to destroy [Indigenous] society and halt its natural progress by excluding the native people from any say in making the decisions that controlled their lives. (Holland 1977:190)

Since the time immemorial, our history and laws have been carved on the totem poles and been passed on to us by our grandfathers... no one can change the laws that have been passed down to us... the laws of your grandfather are very powerful. (Hyzims 1982:2)

This thesis was initiated as an outcome of work I completed during an internship with the Gitksan, collecting information for a Traditional Use Study (TUS). It was through my work at the Gitksan Treaty Office (GTO) and the examination of information collected from topographic survey forms, field notes, interview notes, fishing site maps and court documents that I realized the vast knowledge that the Gitksan have in regards to their territories and the extent they have laboured in the protection of those territories. A large portion of the body of knowledge regarding their lands was collected to support the Gitksan people's claim to title over their traditional territory, as put forth in *Delgamuukw v. the Queen*. I was struck by the number of maps housed at the GTO and how important they were in demonstrating the Gitksan connection to the territories and their concepts of territoriality. As a newcomer to the territory, I was lost in all of the Gitksan place names and various watersheds; those from the territories knew the locations so well. I began to appreciate the connection to place and the responsibility of managing an area in which successive

generations have belonged.

Working with the people at the Gitksan Treaty Office on the Traditional Use Study (TUS) gave me the opportunity to establish personal relationships with Gitksan community members and assisted in making my own research collaborative. I mentioned to Darlene Vegh, manager of the *Lax Yip* research program I was working for, that I was interested in continuing to work with the Gitksan in order to complete my thesis. Upon completion of my work on the TUS I received an open invitation to continue my thesis research. I returned to UNBC in September 2000 but I maintained the relationships I had made and returned the following summer to conduct interviews. My supervisor recommended that I carry out at least one interview with a member from each clan. I interviewed Hereditary Chiefs and employees at the Gitksan Treaty Office because they are the central actors in the continuing political struggle. I was unable to interview a member of the *Lax Skiik* (Eagle Clan), but every attempt has been made in the research to include the voice of each clan through the use of other materials such as transcripts of interviews completed by the Gitksan. A draft copy of the thesis was given to Art Wilson, *Wii Muk'Willixw*, prior to its submission for defense so that the Gitksan could approve the accuracy of the information.

Working at the Treaty Office also provided me with the opportunity to discuss issues with community members and have them participate in structuring the subsequent thesis research. Individuals I worked with provided me with maps and other materials that they thought were important to my topic. I was told by Art Wilson, *Wii Muk'Willixw*, that the Elders share their knowledge with certain people from outside the community because they know it will be presented in a respectful manner and that events such as blockades need to be

described in their historical context rather than as just random events (Wilson Feb16, 2002).

After witnessing the importance that the land and holding a connection to it signifies for the Gitksan, I began to question the role that ideas such as globalization play in the lives of Gitksan people. The information provided in the topographic surveys and tape transcripts supported my supposition that the Gitksan views of the territory as sacred were contradictory to dominant western ideas of capitalism and the globalization. Globalization is a term used to describe "practices that cross national boundaries and tie everyday life to worldwide processes" (Brym 1998:413). Worldwide processes such as international trade agreements, economic interdependency and development of advanced communication technologies are seen as catalysts for the erosion of distinct economic, political and cultural systems (Albrow 1990:4; Gertler 1997:47; Oman 1996:137,145; Robertson 1992:64).

The globalization project, which is the attempt by certain groups to make world financial, cultural and political movements seem as though they are the only alternative, has attempted to refute the importance of localized processes and connections to specific territories. The argument made by proponents of the globalization project is that the world has become a single society because changes in the flow of capital and goods connect the everyday lives of people to global systems (Albrow 1993:248; Brym 1998:416; Giddens 1990:63; Robertson 1992:64).

The globalization project denies the importance of tradition and the attachment to local places (Massey and Jess 1995:88). Korten asserts, "a globalized economic system has an inherent bias in favour of the large, the global, the competitive, the resource extractive and the short term" (1995:270). The globalization project takes the perspective of the

corporate elite in Western society who travel the world conducting business and expanding markets. Many Gitksan people, of which seventy percent still live on Gitksan traditional territory, remain within their communities for the majority of their lives (Burda et al. 1999:21). It is the place they live that they feel the strongest connection to. Earl Muldoe, *Dalgamuukw*, explained, “we need to improve the local economy because most people won’t leave to find work... this is where they feel they belong” (Muldoe August 20, 2001).

It is the proponents of capital accumulation who continually attempt to expand their territorial control by moving into new areas. Taylor suggests “ the basic drive [for a world economy] is accumulation of surplus capital... the basic rule is accumulate or perish” (1989:7). The technological, economic, political and cultural systems that are implemented by proponents of the globalization project, thereby supporting continual Western expansionism, will be defined as the globalization process. The process is driven by the growth of international capitalism and involves the attempted transformation of the political, cultural and social structures of non capitalist societies in order to have them conform to the dominant Western paradigm (Robbins 1999:271). I argue that the globalization process is synonymous with the terms imperialism and colonialism and as a result I define it as such. Imperialism is the economic, geographic, cultural and political expansion of a particular state. Colonialism facilitates each facet of expansion by ensuring the subjugation of others through various policies created (Smith 1999:21). By my definition, the globalization process is the economic, geographic, cultural and political expansion of dominant states working in conjunction with multinational corporations on a worldwide scale facilitated through various policies created in support of expansion.

For the Gitksan, the globalization process began when settlers entered Gitksan territory and attempted to bring them into a world market in an exploitative manner. Western expansion attempted to deny Gitksan jurisdiction from the time of settlement up to the present in the interests of profit. Globalization became a concern for the Gitksan when their jurisdiction over their territories was threatened by outside interests who moved into the area and attempted to extract resources from Gitksan territories without the consent of the House groups.

Connection to place does not mean that the Gitksan are unaware of issues beyond their borders. From talking to community leaders it became apparent that the Gitksan are cognizant of the idea of globalization and address certain aspects of global issues such as economics and environmental damage which connect people around the world (Wilson August 21, 2001). What is important for this discussion is that a major part of the Gitksan understanding of external issues is in relation to the influence that outside pressure places on their own culture. As a result, the leaders are aware that they must continually resist infringement of their rights. Despite the reach of global data and products, the sense of community and shared identity within groups such as the Gitksan has grown. The *Delgamuukw* trial is testament to the lengths the Gitksan were willing to go to thwart external forces.

When this research began, I was interested in discussing contemporary issues of the globalization process and its impact on Gitksan culture. Through the open ended interviews I conducted it became apparent that the idea of globalization could not be separated from the entire history of Gitksan-White contact because events have been on a continuum. The

Gitksan have consistently been proactive in maintaining their laws throughout each phase of contact while the Canadian state has been persistent in its attempts to negate those laws.

In order to present the history of Gitksan-White relations, I have separated the explanation of events (both in terms of colonization and resistance) into three phases. In Chapter Three I describe the phase of initial settlement and colonization; In Chapter Four I illustrate the second phase, which is development; and in chapter five I discuss the third phase, termed global culture in this research. In order to gain a better understanding of the Gitksan perspective, Chapter Two addresses in greater detail the Gitksan world view and connection to their territory. A brief introduction to the Gitksan world view is also needed in order to clarify this position.

Gitksan World View

The world view of the Gitksan plays a significant role in explaining the manner in which they construct the history of Gitksan-European relations. The Gitksan view events as being cyclical rather than linear. In this respect, the resistance conducted by prior generations guides present and future generations. As Art Wilson proclaims, "visible in the clouds are the spirits of our ancestors, whose unrest haunts us daily" (1996:38). It was those ancestors who commenced the struggle for jurisdiction with the European settlers.

The responsibility of the Gitksan is not only to the ancestors, but to all other beings which share the land. The Gitksan assert that they are part of a vast, multilayered system of life forces and that the natural world emerges as an unbroken continuum between humans, animals and the spirit world (Knutson and Suzuki 1992:153). Within this system, the world

is alive and animated by a single unifying life force. The land, the plants, the animals and the people all have spirit and as a result must be shown respect (Gisday Wa and Delgam Uukw 1992:7). Spiritual stewardship, a key concept of the Gitksan, is the use of natural resources according to cultural protocols established in oral history and validated within the cosmology (Tylor 1993:3). Relations between all other beings are not unilateral and exploitive but reciprocal and moral because it is believed that all beings have similar underlying consciousness and power. Everything on earth has life and accordingly also has a spirit. The role of humans in the Gitksan traditional world view is as stewards of the land who must maintain balances within their environment and sustain harmonious relations within the natural world (Knutson and Suzuki 1992:13). Indigenous people, including the Gitksan, are distinguished from groups who immigrated to occupied lands on the basis of the sacred relationship their lands hold for them. Power, in the Gitksan philosophy, flows from the respect for nature and the natural order. According to Mohawk Taiaiake Alfred, power is “a spiritual connection with the land established by the Creator, [which] gives human beings special responsibility within the areas they occupy as Indigenous peoples” (Alfred 1999:61).

The special responsibility to maintain the lands given by the Creator is a concept that is equally important in the lives of the Gitksan. This relationship is further strengthened by the rights contained in the *adaawk*, or the oral histories of the Gitksan, which are passed on through the matrilineal system. The *adaawk*, which will be addressed further in the next chapter, document a House group's ownership of land and resources through demonstration of histories extending back to their earliest ancestors. Through the teaching of stories, which often have strong moral lessons, and the participation of children in culturally important

activities, knowledge of the territories is passed on to each successive generation. This knowledge is gained through intimate contact with the local environment and information is gathered through the hands-on experience of the resource users. The long history of Gitksan land use results in a strictly practised form of management. This highly complex and collectively enacted strategy provides an alternative model of resource management to the dominant Western strategy of resource exploitation for short term profit.

Ideology and Colonization

Settlers who arrived on Gitksan lands in the last century failed to recognize the complexity of the Gitksan laws and the importance that names and history carry through their attachment to specific places. Europeans who entered Indigenous territories usually had their own perceptions of how place should be constructed, based on where they had come from, rather than on respecting the Indigenous laws that were in place (Jackson 1997:156). The lack of recognition of indigenous laws holds equally true of the settlers on the Gitksan territory. The lack of acknowledgment of the Gitksan laws can be attributed to the blinders created by the ideologies the newcomers already possessed .

Ideology is any system of ideas belonging to a group of people, whether based on fact or fiction, that explains the experiences of that group. It identifies appropriate actions for the members to follow and suggests the strategies by which they can achieve their goals (Brym 1998:61). Ideologies magnify certain aspects of social reality and stress to its adherents those events that reaffirm their beliefs and opinions. Ideologies also mask those negative aspects of social reality which the person participating in the event is reluctant to

acknowledge. The history of Canadian conquest from the perspective of the European settlers illustrates this point because it contains politically manufactured images that serve those who benefitted from colonization by portraying Indigenous groups as lacking concepts of territory, religion, and culture. For the European settlers, viewing the land as 'empty space' was their justification for their right to the land as well as the basis for exclusion of Native groups.

Ideologies are very important when discussing relations between Aboriginal groups and White society because they have structured the assumptions that each culture utilizes. As will be demonstrated in this thesis, diverging ideologies have created the battleground between the Gitxsan and the dominant Western society. Addressing world view is important because it shapes perceptions of place and gives meaning to observations of a particular locale. Each group defines knowledge, ecological relations and resources in different ways as well as at different levels of geographical scale (Berkes 1999:165).

The Ideology of the West

The assumed cultural superiority of those in power in the West dictated how Indigenous people and the territories where they live were first dealt with and continues to dictate how policies are administered today. Through the domination of ideologies by Western society, the Gitxsan world view has been excluded from any dialogue in the larger society to the detriment of the environment in which the Gitxsan live. The Industrial/Western world view is characterized by several ideas that run counter to Indigenous views. These views, particularly in regards to the environment, continue to

determine the policy and action of Western economic pursuits which have been and continue to be sanctioned by the government. Many of these pursuits have had, and continue to have, damaging effects on both the cultures and ecologies where Indigenous peoples, such as the Gitksan, live.

The dominant Western and later Industrial ideology is based on the premise that humans are entitled to full domination over nature. Scientific and Western religious doctrine give credence to the idea that humans are a superior creature to all other animals and have the right to control everything else on earth (Laduke 1997:27). Viewing the land and resources as having the sole purpose of benefitting humans allows corporations or their executives to move around the world trying to accumulate the most profit. Capital accumulation inherently involves more than is needed to sustain life being taken from the land.

The industrial way of viewing time is fundamental to Western values such as progress and development. Industrial society is patterned on linear history in which all the events of history can be placed on a time line. Industrial society must continually make 'progress' as it advances through time, and indeed ranks societies based on the principle of social evolution. Progress is defined by such things as technological advancement and economic growth, which are judged by those in power in the West to be fundamental in all societies during all periods.

When discussing Indigenous history through the ideologies of the West, the time line typically begins at 1492 with the arrival of Western peoples in the Americas, disregarding the thousands of years in which peoples were already inhabiting this continent. A major

reason for the omission of Indigenous history is the idea that Aboriginal people are seen as not quite human because they do not satisfy the European definition of being civilized. The translation of the 'other' is constructed in terms of European superiority and Aboriginal inferiority. As Blaut explains,

Europeans are seen as the 'makers of history.' Europe eternally advances, progresses, modernizes. The rest of the world advances more sluggishly, or stagnates: it is 'traditional society.' Therefore, the world has a permanent geographical center and a permanent periphery: an Inside and an Outside. Inside leads, Outside lags. Inside innovates, Outside imitates. (Blaut 1993:1)

The principles expressed in relation to nature are reflected in the idea of what was wild (including Aboriginal people who were attached to nature) and what should be cultivated or tamed. Industrial society deems that it must tame the wilderness. In order to dominate nature in the fashion that Western society does, the environment had to be transformed from being alive, animate and having spirit to being a collection of inanimate commodities of society. Objects that are inanimate can be manipulated and commodified. Emanating from this ideology is the view that society is best organized on a large scale, centralized basis, in which there is an ascendancy of law and order, and confidence in science and technology. The principal accounts of Western history are statements of how missionaries, traders, settlers and industrialists pushed back the wild frontier and brought prosperity to unseen (by Europeans) lands. As just one example, the building of the Canadian transcontinental railways (both the Canadian Pacific and later Grand Trunk Pacific) are represented as a triumph by science and industry over nature's hazards and barriers (Brym 1998:364-365). In further discussions, I will also argue that the railway has become a locus of Indigenous resistance to the principles of Western doctrine because the

Gitksan have countered its role in traversing their territory without acknowledging Aboriginal culture or territorial rights by using it as a weapon in protest.

Those subscribing to the Western paradigm of what is wild and should be tamed also believe in the superiority of 'civilized' over 'primitive' peoples. This follows linear thinking because it indicates that over time, with the aid of discipline by civilized people, primitive people can also become more 'civilized'. The basis of colonialism is that certain people have the right to 'civilize' (according to their own definitions) other people.

Phases of Colonization

In order to enforce the ideologies of the West, those who settled (both settlers and the government) on previously occupied lands used both ideological and physical force in an attempt to remove Indigenous peoples from control over themselves and their lands. In Gitksan territory, as elsewhere on the Northwest Coast, this took the form of the banning of the potlatch and the creation of reserves as well as the creation of discourses in support of such actions. Ideology was just as important as physical force in the colonization process because "the power to narrate, or to block other narratives from forming and emerging, is very important to culture and imperialism" (Said 1993:xiii). In the following chapters, I will address three phases of colonial discourse utilized by colonists on the Gitksan lands since settlement. The ideological phases demonstrate the damaging effects state created policies have had, as well as the fact that despite the appearance of improved treatment of Aboriginal groups, the underlying racism has continued and penetrates each stage. The discussion of each phase of colonial discourse in this work is not intended to produce or duplicate a linear

history of ideas over time. Instead, I attempt to understand each period on its own terms and then trace how colonial as well as Gitksan ideas, concepts and beliefs have both shifted and continued into the present. In doing so, I argue that when dealing with Aboriginal peoples, time has been circular because the principles of colonization and evolution are continually reconstructed in each phase of colonization.

The initial policies created by European states, discussed further in Chapter Three, were based on both the assumed biological and cultural inferiority of Indigenous peoples. I use the definition of Indigenous people as being a group who share common ancestry, history, ideology and territory that is structured by their position as the descendants of the original inhabitants of a land base (cf Clay 1993:66). Indigenous people "have been subordinated by, or incorporated in, alien states which treat them as outsiders and usually inferiors... they are the descendants of people who were marginalized by powers and expanding empires in their region of the world" (Maybury-Lewis 1997:8,10). I use the term Indigenous interchangeably with the terms Aboriginal and First Nations throughout this text.

Upon the arrival of Europeans in North America, approximately 500 Aboriginal nations with their diverse modes of living, languages, religions, social organizations and relationships to the land were largely re-translated by Western society into one homogenous group described as the savage 'other'(Smith 1999:32, Culhane 1998:42). According to Fagan, evolutionary doctrines provided Europeans with the belief in racial superiority based on the assumption that Aboriginal societies were merely cultures that had not yet evolved to the apex of civilization (Fagan 1998:251). Believing that Indigenous people were not fully evolved allowed governments to remove them from their territories and attempt to destroy

their belief systems through residential schools and reserves under the guise that it was done in an attempt to bring them to the European level of civilization.

The doctrine of European superiority preceded the creation of social evolutionary theories and underlay colonial and imperial actions from 1492 on. However, the theoretical frameworks created by such people as Edward Burnett Tylor (1871) and Lewis Henry Morgan (1877) are important in the construction of government policy because their use of scientific metaphor placed ideas of evolution as scientific fact rather than just opinion. The conclusion that social evolution was a scientific fact gave additional credit to government policies structured on the rationale of attempting to remove Aboriginal people from their primitive state. In the later part of the Nineteenth Century scientific doctrine became a significant part of social evolutionary theory by placing scientific method as the rationale behind the lack of 'progress' observed in Aboriginal populations. It is the ideology of evolution, coupled with policies such as the *Indian Act* and residential schools which form the basis of the first phase of colonization.

The second ideological phase I identify, discussed in Chapter Four, began after World War Two. The ethic of cultural superiority again focused on the assumed inferiority of the colonized groups' way of life and world view. The new aspect of the second phase of colonial discourse was that the labels changed. The Canadian state, under their policies and actions, used the term *development* in place of evolution. As with earlier policies, the underlying ideology of the superiority of the colonizing group was still prevalent. The word development implies favorable change from inferior to superior based on the linear concepts of social evolution. With changes in the economic structure of the world, from nationally

guarded economies to the principles of a global market (post World War Two), the ethic of colonization was altered by those in power in order to correspond to their continuing economic interests.

Using the term development as an alternative to evolution was an attempt to free the Western economic sphere from the negative connotation of colonization it had accumulated during the previous two centuries (Esteva 1992:17). The old way of colonizing was to go in and take over using force under the guise of civilizing Natives. The new form of imperialism involved the Canadian state allowing corporations to remove the resources from Gitksan, and other Indigenous territories by opening up resource areas in the name of development. This allowed Western corporations the ability to move into areas they defined as in need of development. Interests were defined in terms of industrial and economic measures such as Gross National Product, excluding non monetary values of the land important to Indigenous populations. As will be discussed in subsequent chapters, this new definition of particular groups as in need of development had significant ramifications for the Gitksan. 'Development' issues are conjoined to the principle of who has rights over the land. Those deemed to be in need of development are not seen as properly utilizing, and as a result, not recognized as owning the land.

The third phase of ideological control, examined in Chapter Five, centers on the principle that the world has become a global community. This phase of colonization was largely initiated during the period of development when such institutions as the General Agreement on Tariffs and Trade (GATT) were constructed, paving the way for global policy. As a result, the periods of development and global culture are intertwined. The discernable

difference between the final phase and its predecessors is that unlike the discourses of initial colonization and then development, which indicate that everyone *should become* the same culturally, economically and politically, the idea of a global culture suggests that people *are* the same, participating in a culture based on consumerism. The argument made by those theorizing about globalization is that technology, such as the microchip, which was developed in the past three decades, has enabled people around the world to witness the events of various locales outside their borders and as a result has produced a global consciousness (Barnet and Cavanaugh 1994:15; Brym 1998:427). At the same time those who maintain a specific attachment to a local place are criticized as not progressing to meet the global age.

The theoretical framework guiding the push towards a global community is termed neo-liberalism (Brym 1998:253; George 1999). The argument made in this ideology "is that capitalism is the only game in town, and the sooner one learns to play it, the better off he or she will be" (Allahar and Cote 1998:159). Groups who stress the importance of tradition and continuity of particular places are attacked as being "tax havens and ghettos" that are not willing to contribute to productive labour activities, consumption patterns and political strategies of Canadian society (Culhane 1999:349). It is argued that "nations and independent political communities are barriers to economic progress and the efficient functioning of transnationals" (Brym 1998:254). First Nations groups fighting for their rights to the land are blamed by those subscribing to neoliberalist ideas for causing economic instability in British Columbia. Political parties such as the Reform and B.C. Liberal party identify the land rights movement and disputes such as blockades as the reason for a poor

investment climate in B.C. (Culhane 1999:346). As with the discourse of development, what is actually freed by the globalization process is the ability of capital to move into areas deemed profitable by heads of corporations. This necessitates attacking views that run counter to the principles of capitalism and disregarding First Nations rights to the land.

Similarly, in 1995 Indigenous groups were criticized by the NDP's Minister of Aboriginal Affairs John Cashore as "be[ing] a burden on the public purse" (Culhane 1999:348). The neo-conservative writer Flanagan (famous for testifying against First Nations in legal arenas) supports this position by arguing that First Nations need individual property rights and accountability for the money they spend rather than having funds given by the Canadian government. As he states, if using their own money "would they [First Nations] vote for schools that spend a lot of time and money trying to revive extinct languages or would they vote for better English language instruction?" (2000:197). Flanagan's views do not represent the views of all British Columbians. However, they do reflect the power structure's philosophies as evidenced by the Referendum Questions put forward by the Provincial government in the spring of 2002.

Phases of Resistance

Analysis of the phases of colonization would not be complete without an examination of the phases of resistance corresponding to each period. Resistance is a "battle over the course of different political destinies, different histories and geographies" (Said 1993:219). This definition characterizes Gitksan protest which has been described by Neil Sterritt, *Madeegan Gyamk*, as "unflinching resistance to an Implacable Invader" (1989:267). Those

who resist typically fight against outside intrusion or against what is perceived as unjust practices. I examine the strategies employed by the Gitksan to maintain their rights to their territories because each stage of encroachment by outside forces has resulted in resistance by the Gitksan. According to Duiven, the Gitksan "had to first recognize the whites as a power and threat to be reckoned with before resistance could be mounted" (1986:91). The power struggle began in the 1860s when the Collins Overland Telegraph entered the Gitksan territory resulting in an influx of Westerners. Although the Chiefs' authority was challenged at this time, they still maintained the balance of power.

The Gitksan have been consistent in their claims to ownership and jurisdiction of their traditional territory. Events such as the Skeena River Rebellion in 1872 when the Gitksan blocked movement on the Skeena, the testimony provided by the Gitksan to the McKenna-McBride Commission in 1915, and the litigation utilized in *Delgamuukw* initiated in the 1980s, demonstrate the continuing attempt by the Gitksan to resolve the land question and gain government recognition of their rights as a distinct people who have authority over their lands. The sense of frustration and defiance expressed by Charles Wesley to the Commission in 1915 was echoed in the voices of his descendants seventy years later when they attempted to stop clear cut logging on the territory (Sterritt 1989:291). The history of colonization and the responsibility to past and future generations makes the will to confront pressure against the Gitksan laws so persistent. Since contact, the Gitksan have mounted resistance at many sites. Protest has included such action as maintaining the feast system despite the threat of imprisonment, continuing to hunt, fish, trap and gather on the land, unfailing claims to ownership and jurisdiction of the territory, negotiating with

governments, litigating in the courts, and participation in civil disobedience.

Within this thesis, I address Gitksan resistance in the chapters regarding initial settlement (Chapter Three) and globalization (Chapter Five). I am not suggesting that there was no resistance during the phase of development (Chapter Four). The Gitksan have continuously convened in order to decide how best to maintain their laws. The way that the Gitksan responded to encroachment during the phases of development and globalization are similar enough that descriptions of resistance during each period has been combined into one section in order to avoid repetition. As an example, Gitksan blockades served the purpose of opposing damage done through clear cut logging (which is supported by the principles of resource extraction for profit expressed in the discourse of development) as well as dispelled the idea that corporations have unrestricted access to territories by disrupting the passageways to the outside world, such as railway lines and roads, that are utilized by corporations.

The Goal of this Work

This research will demonstrate how the Gitksan continue to assert their connection to place despite attempts by outside forces to discredit or exclude their knowledge of the territory. All too often, grand theories such as globalization, which are generated outside of local communities, are presented to describe what is happening worldwide from a Western economic perspective. These theories neglect the fact that there are local communities with their own understandings of local territories and their own laws governing the use of those territories which in the case of the Gitksan are based on long term ecological stability.

Western analysis using grand theories assesses history solely on the basis of the intentions of the powerful, without reference to the consequences for those whose history has been excluded. Despite proponents of capitalism attempting to structure the world as homogenous, distinct constructions of space obstruct the principles of the capitalist ethic. People interpret and represent their place in the world according to the elements of their own life history. Gitksan landscape perception is organized with references to the mountains, rivers and forests where they live. This relationship is further strengthened by the rights contained in the *adaawk*, and the spiritual connection to the land. Their perceptions of place are intimately connected to the territorial system in which the landscape guides the creation of Gitksan laws. When these laws are threatened, the Gitksan resist.

Chapter 2: The Gitksan Construction of Place

The past is at its best when it takes us to places that counsel and instruct, that show us who we are by showing us where we have been, that remind us of our connection to what happened here. (Chapman 1979:46)

Most Elders have told us that we should go out to the territories and stand on it to get a feel of the land and with the knowledge of the culture we'll develop an understanding of why our territories are important. (Smith 1982:5)

It is important when we bury the heart and bones of an Elder because if a member of a family goes away for many years, he eventually remembers and returns to the place where his grandparent's heart and bones were buried and takes his proper place and responsibilities in the village. (Johnson 1981:2)

The Territory

According to the Gitksan people, they have been inhabiting their lands since "time immemorial" when Sim'ooqit Laxha, the Creator, placed them on the land and gave them the responsibility of looking after the territory and all creatures within it (Culhane 1998:37).

The entire Gitksan traditional territory occupies an area of 30 000 square kilometers in northwest British Columbia (see Figure 7.0 and 7.1). Presently, there are approximately 5000 members of the Gitksan nation; roughly seventy percent live on Gitksan traditional territory (Burda et al. 1999:21). The Gitksan reside primarily in one of the six extant Gitksan villages (other village sites have been deserted) or in the municipalities of the Hazeltons.

The villages are located approximately in the same areas as pre-contact winter sites along the central portion of the Skeena River, as well as on its tributaries, the Kispiox and Kitwanga Rivers (Johnson 2000:302).

The rich ecosystem within the territory supports various plants and animals which the Gitksan rely on for sustenance. The land is a mountainous and densely forested environment centered along the drainage of the Skeena River. The Babine, Kispiox, and Bulkley Rivers, which also flow through Gitksan traditional territory, provide important salmon resources for the Gitksan people. Along with important resources acquired from the rivers, the extensive forest, mountain ranges and open fields support various wild berries, mushrooms, roots and animal species. Mammals range from small animals such as marten and marmots to larger animals such as deer, moose, mountain goat, black and grizzly bears. Spruce, subalpine fir, hemlock, cedar and pine compose the extensive forest on the territory and much of the forest floor is blanketed with moss which provides fertile growing conditions for mushrooms (Marsden 1987a).

Constructing Place

Thousands of years of inhabiting and utilizing a specific ecosystem results in a high level of intimacy with the land and its resources which creates a strong sense of belonging to a particular place. The strength of Apache connection to place noted by Basso equally applies to the connection the Gitksan hold for their own territories. He indicates that "fueled by sentiments of inclusion, belonging and connectedness to the past, sense of place roots individuals in the social and cultural soils from which they have sprung together, holding them in the grip of a shared identity" (cf Basso 1996:146). The Gitksan identity, sense of place and sense of the past is rich and it has persisted. Within Gitksan society, the identity of each House group (each group has its own identity and authority) is founded on its history

“which accounts for their origins as a group, the sources of their spiritual and political power, the acquisition of their land and their place within Gitxsan society” (Marsden 1987b:1). The attachment to place is often so strong that many of the Gitxsan feel as though a part of them is missing when they leave the region. Earl Muldoe, *Dalgamuukw*, expressed this sentiment when he stated, “even though I have been all over the world because of my work carving, I still get a tear when I see the mountains here” (Muldoe August 20, 2001). This level of intimacy begins to reflect the very nature of the people who live there by deepening the personal and social identity attached to place (Massey and Jess 1995:88). Culture is rooted in the values and beliefs of a particular group and takes shape through the complex interaction of people and the land they inhabit (Marsden 1987b:11).

Based on the social nature of place, examining how people name, tell stories about and represent their place in the world gives an understanding of who the people believe themselves to be (Massey and Jess 1995:91). How people interpret places is closely related to how they interpret themselves and their society. The construction of place instructs how the physical environment is perceived and how its occupants should act. Gitxsan conceptions of themselves and conceptions of the land work together to influence patterns of social conduct. Therefore, place has significant power in the actions of their culture. It is also important to note that non Indigenous populations who moved into the area did not recognize any of the symbolic values of the land because they only saw it in terms of the resources it could provide. The Gitxsan display both by word and action that their construction of place reaches deeply into various cultural spheres informing their conceptions of wisdom, notions of morality, and ways of imagining and interpreting the past

(cf Basso 1996:5).

Narratives, which are central to the Gitksan way of seeing the world, demonstrate both the connection to the landscape and the importance of morality and respect. A significant number of the Gitksan oral stories involve disruptive social behaviours and conclude with a reminder that the anguish or death that ensues as a result of such acts would not have occurred had people behaved in the ways they knew they should. Landscapes are an important part of the stories because the tragedies are anchored to specific locations on the territory. Place is thereby turned into a theater in the minds of those who are out on the territory and know its history (cf Basso 1996:121). Places serve as durable symbols of events and cues for imagining and remembering incidents. As an example, the focal point of one narrative is Stekyoodenhlxw, more recently renamed by missionaries Roche de Boule. The story involves the slaughter of numerous mountain goats by Gitksan villagers and the consequences afflicting those who had erred in their actions (Glavin 1990:75). The story expresses the importance of demonstrating respect for all creatures and the consequences besetting those who are not respectful.

As a result of specific locations being addressed in the stories, features of the landscape become symbols for moral living. The narratives cannot be disregarded because of the imposing nature of their geographical elements (cf Basso 1996:64). It is impossible to live on the Gitksan territory and not feel the presence of Stekyoodenhlxw (Figure 1). In this way the landscape becomes the keeper of tradition and symbols for the people who live there. The narratives are attached to something permanent that will be seen over and over again. The mountains become like grandparents, constantly watching over each generation.

Place serves as an instrument for the transmission of knowledge because it provides the canvas for shared bodies of local knowledge.

The Importance of Territorial Names

The longstanding Gitksan names for the territory reflect Gitksan connection to place. History is embedded in the features of the earth and is reflected in the place names each feature has been given by the ancestors. As a result of the connection to the ancestors and their travels upon the land, using the Gitksan place names today quotes the speech of the ancestors (cf Basso 1996:29). The ancestors' naming of territories and its mountains, rivers and lakes has been recorded in the *adaawk*. The utilization of Gitksan names reaffirms the Gitksan ownership of the territory. According to Art Mathews, *Tenimgyet*,

You say you own this, your land, most of the names are all in our language... cause they say the Creator gave it to us and he gives us the names to go with it... place names are like totem poles to us. It might be an event that happened in that certain area... it's like an oral history... So that's why they really believe that their whole territory is sacred... [A] place name might have been a war or famine or whatever, and it's a constant reminder. (Johnson 2000:302)

Names for the territories are restated by the Houses in the *baxmaga*, or pole raising feast, as well as any other feast and thereby validate the original act of naming the territory that established the House group as the rightful owners of the territory (Marsden 1987b:22). Each time the names are restated the power contained in the names is perpetuated. By placing a pole in the ground, the present Chief recreates the past when her/his ancestors walked on the land and put his power (through the use of a cane) into the land (Marsden 1987b:22).

Place names reflect who the Gitxsan are as a people and a culture by identifying camps, rivers, mountains, historical events, berry picking sites, fishing sites and hunting sites (cf Basso 1996:72). *Sganism Niist* which labels a mountain as belonging to the House of Niist, *Lax Andaatw* which reflects a place to pick berries, *Gwunsabaya* which describes a place to find Dolly Varden, *Ansa Wiijx* which translates as place where caribou is hunted, and *Lax An Hak* which marks an area for hunting geese are all examples of names that reflect Gitxsan cultural practices (Marsden 1987a:28,29). Even the name *Gitxsan* shares this sense of belonging to the territory because it indicates that the Gitxsan members are people of that particular area. The meaning of Gitxsan is “people of the river of mists”, with ‘Xsan’ signifying the Skeena River and ‘Git’ translating as the people (Burda et al. 1999:21).

Names often describe a particular attribute of the area which relates to particular ancestors or *Wiigyet*. One example of association between names and the connection to place is an area called *Gitwink Wiigyet* (Wiigyet’s whistle) which describes a switchback on the Kispiox River. The story of how the River obtained this formation suggests that when *Wiigyet*, the raven trickster/transformer, was making the river a *luulak* (ghost) whistled in his ear and frightened him causing him to spin around and create the feature (Blackwater Sr. 1979). Most of the names on the territory describe some physical or spiritual aspect of the landscape.

As well as the spiritual connection, place names often demonstrate to the Gitxsan where they are on the land by referring to special features of the territory. Used in this manner, a name becomes like a picture for those out on the land. For example *Anak Ma’ay* describes how the sun looks as it sits on a mountain (Marsden 1987a:28). Such a description

has particular meaning to those who have been out on the territory. This again strengthens the connection to place because it embodies peoples knowledge of territory in features of the territory. As James Morrison, *Taxwok*, stated, "that's why we have names in every territory that they sent you where you were going, and you know where you're going" (1988:5119). The names of the territories essentially provide a map of the territory because they describe physical characteristics of the landscape. An area on *Wiigyet's* territory, called *Xsohl lo'op*, translates as 'between two rocks or hills'. Another example, *Luu Skadakwit*, translates as 'all the wind falls there on the trail' (Morrison 1988:5248). This system of naming the territory underscores the importance of being out on the territory and having knowledge of its attributes in order to fully appreciate the place names.

Social Structure

The social structure of the Gitksan, shaped by the hereditary system and the related connection to specific territories, remains active within the Gitksan nation. The Gitksan are made up of members from one of four clans (*pdek*): The *Lax Gibuu* (wolf), *Lax Skiik* (eagle), *Lax Seel* and *Ganada* (frog) and *Gisgaast* (fireweed) (Cove 1982:6). In terms of Gitksan people's affiliation to the clans, there is an assumption that members are related to one another, but that the specific aspects of that relationship may or may not be known. Clans are further broken into local sub-clans (*wilnad'ahl*) which share common traditions about their place of origin (Marsden 1987b:4). The *wilnad'ahl* is a group of people whose common kinship is maintained so that the social and political responsibilities of the society can be upheld (Marsden 1987b:13).

The principle territorial unit of the clan which defines title to the territory is the corporate unit called the House (*wilp*). Houses are so named because in the past a number of their members lived in one long house. The members of a House group are closely related through their matriline and usually know their biological relationship to each other. House members certainly know their social relationship to each other. Some Houses, as an adaptation to population increase or decline, have split off from original groups or combined with other Houses (Monet and Skanu'u 1992:26). Today, the Gitxsan nation is composed of approximately sixty Houses. The Houses form the basis for Gitxsan concepts of territoriality. Membership in a House is defined through matrilineal descent and the members of a particular House have an exclusive relationship to specific territories as well as everything on them. The Houses own land and from the resources of the land the members ensure the fulfilment of their social, economic and political responsibilities (Marsden 1987b:14). Association within a House gives House members access to resource rights such as hunting, fishing and gathering on their territories, as well as rights to other important property such as stories, songs, names, and crests which are related to the land (Halpin 1984:17). For example, the stories detail how the ancestors came to inhabit certain areas and also commemorate historical events when the Gitxsan first learned the ways of the land and its other inhabitants (Marsden 1987b:14).

In recent years, the Gitxsan have worked at the local level to follow the House and Hereditary Chief system rather than the elected tribal council system because the Gitxsan House system has been the economic and political unit utilized by the Gitxsan for centuries (Sterritt et al. 1998:6). According to Sterritt, "each House continues to be responsible for its

territory, and except for small areas in and around villages, territories are not held in common" (Sterritt 1998:6).

The territory is usually delineated along natural features such as river mouths, valleys or mountains and watersheds which are important for establishing boundaries (Cove 1982:5). Houses own one or more territories and several fishing sites on the major salmon rivers. The fishing sites may be far away from the House's territories and surrounded by land owned by a different House. Gitksan laws state that people must have access to their fishing sites because the river is utilized by everyone.

Members of different Houses wishing to use the resources of another House must seek permission from the Hereditary Chief of that House. It is the Chief who controls access to, and harvesting of, the resources on her/his House territory (Gottesfeld 1994:450). As Ernest Hyzims, *Waa Ga La*, indicates,

if I ask [the owner of a fishing site] if I could set my net there, [he] would probably allow me to fish there for a certain length of time for what I need. Now, at a feast some time in the future I would repay back this person for the use of his site and for the fish. The laws were well respected, no one would just go on to another property. (Hyzims 1983:6)

The protection of the land by a Chief has practical as well as spiritual implications. *Dalgamuukw* suggests that "the ownership of the territory is a marriage of the Chief and the land. Each Chief has an ancestor who encountered and acknowledged the life of the land" (Gisday Wa and Delgam Uukw 1992:7). The person who acquires a hereditary name has an obligation to protect the honor of that name by properly respecting the land to which it is associated.

The Hereditary Chief System

The acquisition of Hereditary Chief names is maintained through the potlatch or feasting system which constitutes the Gitxsan model of governance, land title, court, theatre, art gallery and library all in one place (Glavin 1990:20). According to *Dalgamuukw*, “the witnessing and validation of the House’s historical identity, territorial ownership, and spirit power is integral to the Feast” (Gisday Wa and Delgam Uukw 1992:26). Feasts, known as *li’liget* and *yuukw* by the Gitxsan, confirm territorial boundaries as well as title and authority over hereditary names (Tylor 1993:4). *Li’liget*, in the Gitxsan language, refers to an event in which mainly village residents are invited. A larger social gathering in which people from many villages attend is termed *yuukw* (Harris 1994:22). Each House has an obligation to maintain the oral record of their role in the history of the Gitxsan as well as respect and acknowledge the histories of other members participating in the feast system (Marsden 1987b:2). As stated by Mary Johnson, *Antgulilbix*,

After all have feasted, the new chief tells about the territories of his clan and the boundaries... He tells the location of the fishing and hunting territories, the names of the mountains where they hunt goats, their berry grounds, where they have shelters and smokehouses... then the other chiefs stand up and say, “we have heard you and what you say is correct”... This is done so that if at a later date a confusion or lack of knowledge arises, the witnesses can correct errors. (Johnson 1981:7,8)

Names are passed on through the feast system and when a person inherits her/his predecessor’s name, s/he also inherits the obligation to protect the territory attached to that name (Adams 1973:9). Under Gitxsan law, governance of each territory is allocated through the Houses to the responsibility of each Chief possessing the highest ranking name within the House (Derrick 2000:16). However, the highest ranking Chief in each House does not have

the sole responsibility for the land. Protection of the land is diffused throughout the House amongst the Head Chief (*wii simoogyet*), Wing Chiefs (*gaak*) and other House members (Harris November 2, 2001). According to Harris, Wing Chiefs “act as the advisors to the *wii simoogyet*, participating in decision making with him concerning House business” (1994:101). The person inheriting a name has an obligation to the ancestors because the individual is only the carrier of the name at a particular point in time, whereas the names and their structure will be maintained forever (Seguin 1984:114). The preparation of a Chief is not taken lightly. As Mary Mackenzie, *Gyolugyet*, explains, “in the Gitxsan law you have to work yourself up to become a Chief...right from infancy we have to prepare our children to reach the stage of becoming a head Chief of a House” (quoted in Monet and Skanu’u 1992:28). A portion of this training includes participation in the feast. Those considered to be on the path to an important position in a House are taught the boundaries of a territory and its features by House leaders from a young age. Yvonne Lattie, *Suudee*, Wing Chief from the House of *Gwinin Nitxw*, indicated that she brings her son to every feast, even if it is on a school night, so that he can learn the system and prepare to become a Chief one day (Lattie August 21, 2001). The importance of learning the system is explained further,

In order for Chiefs to perform their roles as witnesses to the distinctive form of public acknowledgment of land title, they are trained by their predecessors in the boundaries of their own House’s territories, and the boundaries of the territories of their neighbours, and those with whom they are socially closest. They are taught to understand the power of the poles from the crests that proclaim the origins and the legitimacy of the House’s right to possession of their lands. (Gisday Wa and Delgam Uukw 1992:33)

The maintenance of the feasting system is a direct example of the Gitxsan ability to conserve their culture. This is particularly remarkable because, as will be addressed in the

next chapter, the feast was banned for sixty-seven years (1884-1951) by the Canadian government (Monet and Skanu'u 1992:13). The Gitxsan continue to affirm the feast as their system of governance despite the Canadian government's refusal to accept it on the basis that Canada is a democratic society based upon one vote for each citizen. According to Adams, every Gitxsan person in each village site continues to participate in the feasting system (1973:12). As he suggests, "there is no system of status entirely independent of it and if a person should fail to participate, he or she is talked about as someone who "doesn't care" [or] "who doesn't help anybody" (Adams 1973:12). Art Wilson, '*Wii Muk'Willixw*', indicates that the younger generations are respecting the traditional system and go to the feasts (Wilson August 21, 2001). The major limitation to attendance by the entire nation at a feast is the lack of space needed to fit everyone because Houses have outgrown all the community centers and halls (Wilson August 21, 2001).

Poles, Crests and Songs

One integral part of the feasting system is the raising of memorial poles. According to Barbeau, "about two years after a Chief has died, his successor requests someone to cut a large tree for a totem pole. A new *gwarawm* feast is contemplated, at which the pole will be planted. Several villages will be sent invitations, to be present at the event" (1973:150). By holding a feast for a deceased *Simoogyet*, or Chief, the House ensures her/his reincarnation into their own House so that the power of the *Simoogyet* will benefit their people again (Marsden 1987b:23). The assistance of other families and neighbouring villages in the erection of a pole and the feast associated with its raising serves as a pledge of recognition of

the rights of the House holding the feast. The feast also confirms the power of the territory because it is the land that feeds the other clans who are witnessing the event (Marsden 1987b:21). All of the business, including the transfer of the name, the transfer of property and songs and the payment of expenses is done in front of witnesses. By doing so, if there is any doubt or problems with the issue of title it is discussed in public and dealt with at the time. This allows the successor to start with a clean slate because all debts have been paid (Muldoe August 20, 2001).

Erection of the pole ensures the transfer of title to the successive Chief and the gifts given to the guests make the event memorable and therefore worthy of the name acquired. The social rank of the person holding the feast, as well as the name acquired, is partly dependent upon the power and wealth displayed in the feasting system. A Chief must also conduct her/himself in a manner fitting a Chief all the time, not just in the feast hall. The distribution of property throughout life is necessary to show people that a person is fit to be elevated to the responsibilities of acquiring a name (Seguin 1984:116). The clan sponsors the new Chief and the shared costs of the newly carved memorial pole and feasts.

Gitksan poles are carved from red cedar, usually at lengths of between 15 and 60 feet. The work on the pole is traditionally commissioned by the father's side of the family, which is necessarily from a different clan than the Chief holding the feast. The father's clan is paid by the host clan at the conclusion of their duties in the process. Figures on the pole are selected by the owner of the pole from among the crests belonging to her/his House (Barbeau 1973:27). Poles traditionally faced the river in order to indicate who the inhabitants of the village are to those traveling up the river by canoe (Figure 2). According

to Barbeau, the principle objective of the poles is to publish the owner's claims to the established rights, especially in land, which have descended to them from their ancestors (Barbeau 1973:6).

The *baxmaga*, or pole raising feast, is also important for the power it generates for the House group holding the feast. Embodied in the pole are the principles of Gitksan law such as respect. The power that flows through the pole is said to flow through the spine of the *Simoogyet* of the House the pole represents (Marsden 1987b:21). In this sense, the Chief and the pole are one.

The ownership of crests is guarded and crests are handed down from generation to generation through the matrilineal system. Mary Johnson, *Antgulibix*, states,

Clans are very protective of their [crests]. They guard them. They are private possessions of the clan. When it is decided to raise a pole, an elder gives permission to the new chief to put the crests on the pole, thus announcing to other clans that it is their crest. Crests are very important to the people, so an elder has to be very sure that they have the right to the crest. (1981:7)

Crests are named entities or objects, usually connected to specific animals, which specific clans retain, along with the right to represent them on totem poles, house fronts, headdresses and robes (Halpin 1984:17). The Gitksan term for crests is *ayuks*. *Ayuks* represent important historical events in which the ancestors of particular Houses who own the right to use the crest were involved. Crests are vestiges of ancestors because they reflect historical events achieved by past House members. They may be shared by more than one House if both Houses were involved in the same event or if the people using the crest were once one House which later divided. The oral histories associated with the *ayuks* recount the memorable adventures of ancestors and describe the events (battles, supernatural

experiences) associated with obtaining the crests. The utilization of crests on a pole is a pledge to the Houses' preservation of their memory of their ancestors through the commemoration of their traditions in permanent symbols (Barbeau 1973:10). Crests comprise the named specific powers or privileges drawn from the *adaawk* to which a House has rights and which may be presented in physical form on poles, robes, headdresses and other objects of regalia. The crests are the visual reflections of the *adaawk*, commenting on, and validating land ownership.

The *adaawk*, which are the oral histories of the Gitksan, are central to the social organization of Houses because they verbally document House ownership of land and resources. Without the *adaawk* a House group would not be able to validate its claims to a particular territory or fishing sites. And, without land the *wilp* has no means of acquiring wealth. The *adaawk*, as the family owned histories of the origins and migration of the Houses, indicate how the Houses acquired their crests and powers. Within the Gitksan system, the oral history is the deed to the territories, names and crests (Anderson and Halpin 2000:15). The performance of the *adaawk* at feasts publicly validates the territorial claims of their owners (Cruikshank 1992:34). The *adaawk* is told in chronological order in a feast. It begins with the most ancient remembered village and territory inhabited and continues with the migration and dispersal of House groups to other territories and villages since then (Marsden 1987b:17). Today, usually only small parts of the *adaawk* are told at feasts and certainly not the entire 10,000 years worth (Harris November 2, 2001).

The physical representation of objects such as poles and regalia, validated through the *adaawk*, is often referred to as *dzepk* (Anderson and Halpin 2000:16). Poles are very

important in terms of their connection to tradition and place. Each Gitxsan pole “recreates, by reaching upward, the link with the spirit forces that give the people their power... its roots spread out into the land, thereby linking man, spirit power, and the land so they form a living whole” (Delgam Uukw quoted in Knudtson and Suzuki 1992:128). The connection to place is asserted because each pole claims the right of territorial belonging for the Gitxsan House for which it was carved and erected. The pole, much like other representations of crests, states that the Gitxsan people have a right to the territory, given by their ancestors, and the obligation to protect it just as their ancestors did. Crests display tradition and connection to the territory. As Alice Jeffrey indicates, when “you look at the symbols that we have, that dates us, telling us how long we have occupied and held our territories” (1992:58). Jeffrey continues by suggesting that the crests on items such as blankets are fashioned with black because it represents past generations. They also contain red, which shows the bloodshed that went into the land as the Gitxsan defended their territories (Jeffrey 1992:59).

Limx'oy (songs), such as memorial songs, also reflect the connection to the land as well as to the ancestors. According to the Gitxsan the *limx'oy* “come out of the ancient past, literally from the breaths of the ancestors, to take the listener back in time” (Monet and Skanu'u 1992:26). Songs are linked to the *adaawk* and have a key role in the feast in a similar manner to the *adaawk*. There are various types of songs, such as the *aluus* or paddle song used as an arrival or greeting song, and the *hali n* which is a type of song sung by guests at a feast to show appreciation to the hosts. The *Limx'oy*, discussed above, is sung by the Chief at significant events such as the raising of a totem pole or the commencement of a feast (Anderson and Halpin 2000:20). Songs are also sung as memorials to Chiefs. For

example, the *limki'naulx* is a lullaby sung when a Chief dies (Anderson and Halpin 2000:21).

James Morrison, *Taxwok*, speaks of a memorial song and how it connects the Gitksan to the territory,

...while they are singing that song, I can feel it today that you can feel something in your life, it memories back to the past what's happened in the territory. That is why this song, this memorial song. While the chief is sitting there I can still feel it today while I am sitting here, I can hear the brook, I can hear the river run. This is what the song is all about... to bring your memory back to the territory. (Monet and Skanu'u 1992:88)

Respecting the Land

Due to the continuing respect for the ancestors and the territories in which they are connected, the general theme pervading the Gitksan relationship to the land is the concept of respect. In fact, it is respect and the maintenance of harmony and balance which form the basis of Gitksan law (Marsden 1987b:13). Respect is so important to the Gitksan system that many of the performances which take place in the Feast Hall dramatize the implications for those who demonstrate a lack of respect for the rights and territories of others and as a result disregard their social responsibilities (Gisday Wa and Delgam Uukw 1992:34). Respect and maintaining balance is deeply integrated in the view of time as circular. If a problem is ignored it becomes a destructive force that threatens the social order of Gitksan society. As *Dalgamuukw* suggests, "events of the past are not simply history but are something that directly affects the present and future" (Gisday Wa and Delgam Uukw 1992:23). The Gitksan conclude that a person's actions in the present will have direct influence on the generations that follow as well as reflect on the ancestors.

In daily life, the view that time is circular gives the Gitksan a shared sense of identity

and history because they are directly connected to their ancestors (Knudtson and Suzuki 1992:152). As Mills notes, through reincarnation the Gitksan are in fact their ancestors (Mills September 24, 2001). Circular time suggests that the Gitksan have a continuing obligation to their ancestors to protect the land. The landscape is their home where the history of their people is written on the land. The land has born witness to the successes and tragedies of their ancestors and forms the basis of all lessons passed down by successive generations (Johnson 2000:304).

The concept of time as circular is evident in the respect payed to all other creatures by the Gitksan because circular time contributes to their recurrent obligations to the natural world. The Gitksan believe that a territory, a House's sacred place, is shared with all other beings fundamentally no different than humans (Cove 1982:8). The land, the plants, the animals and the people all have spirit and as a result must be shown respect (Gisday Wa and Delgam Uukw 1992:7). The use of resources reflects the principle of stewardship but this definition is not entirely accurate in describing the Gitksan relationship to the land. According to Johnson, the "relationship is not one of stewardship, which implies a certain inequality of the participating parties, but is one of mutualism. The land takes care of the people, who in turn, through their respect and use of the resources, take care of the land" (Johnson 2000:302). Territories and people are explicitly associated. Relations between all other beings are not unilateral and exploitive but reciprocal and moral because it is believed that all beings have similar underlying consciousness and power. A House decrees to have title to a territory because it has merged its supernatural power, acquired by the ancestors of that House from the spirits, with a portion of land (Cove 1982:7).

Salmon is the most significant resource of the Gitksan people and the continuity of salmon resources is of major importance. Gitksan villages are located at major fishing sites near canyons on the Skeena, Bulkley, and Babine Rivers. These areas contain barriers and natural resting sites for the salmon (Sterritt 1989:272). The utmost of respect is given to the salmon because it is believed that the consequence of disrespect is the failure of salmon runs in the future (Gottesfeld 1994:452). Salmon belong to specific Houses and present their members to their human counterparts in order to provide them with food. In return, the salmon receive new bodies from the human House groups. If one party violates the relationship, the other can withdraw from it. If a Gitksan House displays improper respect to the salmon, the salmon could decide to give itself to another House or use its powers against the violating House (Cove 1982:8). According to a Gitksan Elder from the House of Luus, who was discussing improper respect displayed for the salmon, "when the fish want to go by, when we make fun of the fish, the fish will bypass the traps and travel on land... that is what happened downstream from here... the fish went past the traps on land not by river" (Benson 1981:2). Disrespect could involve not sharing the first salmon caught in spring, wasting fish or not returning the remains of the fish to the water (Gottesfeld 1994:453). *'Wii*

Muk'Willixw explains,

In the spring when the first salmon arrive, communities traditionally celebrate the occasion. Whenever a fish is dressed, the parts that are not used are given back to the river. Much respect is paid to the fish; in the smoke house they are hung in such a way that they are swimming up river, in order for their spirits to be able to continue on their journey. (Wilson 1996:48)

Similar issues of respect guide the hunt for other game. The Gitksan believe that a hunter should always take the gift of an animal when it offers itself, even if he/she does not

need the meat him/herself (Gottesfeld 1994:456). If the meat is not needed, the animal should be taken and the meat distributed to the community. To refuse to take the gift is a rejection of the animal because it is not a random event which places an animal in the hunter's path. Within the Gitksan world view, there are no accidents. If the gift is refused the animal may be offended and not offer itself in the future. Among the Gitksan there is an implicit understanding that the resources of the land are put there for the purpose of being used. The result of exercising the proper respect in the consumption of those resources is their continued renewal (Gottesfeld 1994:456). Jeff Harris, *Luus*, explained the results of a lack of respect being paid,

the animals know how they are treated... the only way they can tell us is by what they do... The caribou used to go up in the hills at Gwiisenelt over there. There are some meadows up there on the top of the hill. Those caribou eat the greens from the boughs and the white stuff hanging from the trees. People are too greedy sometimes and they kill everything and then either the animals are cleaned out, or they sense it and move away. (quoted in Marsden 1987b:18)

Today, typically people are designated to go out on the territory and hunt. They must abide by the Gitksan laws of respect that have been passed down (Wilson August 21, 2001). Also included in the hunting strategy is the methods for the management of species. As Earl Muldoe, *Dalgamuukw*, indicated, "on one territory that I have my uncle told me you [harvest] for one year and then don't come back for three years to let [the animals] build up" (Muldoe August 20, 2001).

The forest has significant importance to the Gitksan people, not just because it provides the environment needed to sustain the animals that inhabit it, and the mushrooms and medicines that are harvested from it, but also because of the utilization of the wood

itself. Traditionally, the forest was used to provide tools and local material needs for the Gitksan. In addition to its ceremonial functions in the carving of such objects as poles, wood was/is essential to the Gitksan way of life in many other ways. Cottonwood and cedar trees were used to build canoes as well as fish traps (also constructed from willow) and fences which sustained the Gitksan economy. Cedar planks, which were removed without killing the tree, were used as siding for long houses (Muldoe August 20, 2001). Other important objects created from wood include bent boxes, bowls, spoons, pots, and other tools.

The respect that is demonstrated for other animals and objects is also paid to the forest. As Art Wilson explains, "historically, our people talk to a tree before we take its life. We assure it that it is not going to die in vain. We tell it that it will continue to live as a drum, spoon, bent box, canoe, long house, or sweat lodge" (Wilson 1996:34). Traditionally, the harvesting of trees has taken place selectively and was done providing wealth for the local economy (Wilson 1996:48).

Conclusions

The main purpose of this chapter is to demonstrate the distinct concept of territorial ownership that the Gitksan possess, as well as the laws governing respect paid to all beings on the territory. Place is a very important concept because territory shapes social life but is also created by people through the manner in which they define their relations to that space (Wolch and Dear 1989:4). The connection to territory and its significance in the cultural survival of the Gitksan people is reflected in Don Ryan, *Mas Gak's* statement, "behind the phrase 'ownership and jurisdiction' lies more than simply wanting those rights recognized by

the courts. Behind it lies our survival” (quoted in Monet and Skanu’u 1992:211).

The Gitxsan identity is deeply rooted in the land on which they live and is based on the principle of respect. The law of respect will have significance in later chapters when it is contrasted against the dominant industrial paradigm. The destruction of the territory and the loss of habitat and animals through such actions as clear-cutting can be viewed through the Gitxsan system as being a result of taking without showing proper respect because it can be argued under this world view that the animals and trees no longer present themselves because of the lack of respect they have been given.

The songs, oral text, and images that comprise the historical events of the Gitxsan as well as the feasting system which validates this history demonstrate the power and complexity of the Gitxsan laws. The ideas presented in this chapter are reflected by Neil Sterritt Jr., *Mediig’m Gyamk*, when he specifies the concept of ownership as including

the exclusive right to the resources within their respective territory; control over all access to and through their territories, with strict and acknowledged sanctions for trespass; methods of authorizing access by others; and laws governing the succession rights to territory. (Sterritt et al.1998:13)

Sterritt continues by suggesting that proof of ownership by a particular nation requires

the identification and naming of geographical features within their territories; knowledge of the *adaawk* and *limx’oy* connected with that territory; knowledge and ownership of *ayuuks* (crests) on totem poles and regalia which reflects the history of the territory; and a relationship to the chief’s names involved in the *adaawk* which recounts how the territory was acquired. (Sterritt et al.1998:13)

The complexity of this relationship to the land demonstrates the flaws in the dominant Western view of the ‘primitive savage’ held by those who first attempted to

colonize this area. As I previously stated, those moving into the territory needed to believe, or did in fact believe, that what they were doing was their right regardless of whether or not it was actually true. The ideologies possessed by the colonizers undoubtedly concealed the intricacy of the Gitksan system. In fact, the settlers' construction of Indigenous people did not allow for recognition of the Gitksan as possessing a management system.

The fact that the Hereditary Chief system continues to exist and is still utilized by the Gitksan as their system of governance is problematic for those who depicted Aboriginal peoples as dying cultures because it demonstrates that groups such as the Gitksan have upheld their traditions rather than assimilated, as was expected. The strength of the institutions employed by the Gitksan continue to guide the resistance to outside encroachment. The Gitksan endure because they were given the responsibility of managing the territories by the Creator. The laws of the territory are passed on to each successive generation by the Elders and the ancestors continue to observe the actions taken by their descendants on the land.

Chapter 3: Colonization and Resistance

Every Indian or other person who engages in or assists in celebrating the Indian festival known as the "potlatch" or the Indian dance known as the "Tamanawas" is guilty of a misdemeanor, and shall be liable to imprisonment for a term of not more than six nor less than two months in any gaol or other place of confinement; and any Indian or other person who encourages directly or indirectly, an Indian or Indians to get up at such a festival or dance, or celebrate the same, or who shall assist in the celebration of the same is guilty of a like offence, and shall be liable to the same punishment. (Indian Act 1927 Sect 140 I, in Mathias and Yabsley 1991:37)

Take the reserve and the agent and the Indian Act and let us die in peace. Give us back the right which was ours. Deer, fish, fruit and liberty. (Unnamed man from Ans' pa yaxw quoted in Cassidy 1984:15)

To demonstrate that time is circular, at least in terms of the Euro-Canadian treatment of Aboriginal peoples, I must include an overview of the early policies and actions of the Canadian government such as the *Indian Act* and residential schools- as well as the theoretical discourse guiding such policies. The settlement of Europeans on Gitxsan territory in the nineteenth century is only a small part of the overall history of the Gitxsan, but it had a dramatic effect on their lives. Until the settlement of Europeans, the exercise of traditional concepts of ownership and jurisdiction were unimpeded. The Chiefs and tribal groups within the region recognized each other's authority and knew its scope (Sterritt et al. 1998:246, Monet and Skanu'u 1992:3). However, as more Europeans entered the coastal-interior, Gitxsan laws and world views were challenged and often times forcefully affected.

There is no question that the Euro-Canadian colonization of Gitxsan territory impacted Gitxsan practices of territoriality as well as the ability to pass on knowledge. What

has often been ignored in previous Canadian historical discussions is the extent to which the Gitksan recognized the purpose of the government's efforts and resisted such pressure. The Elders knew that maintaining their culture would require preserving their structures as well as learning the practices of the colonizers. The Gitksan maintained their systems, such as the feast, by keeping them hidden from the colonizers as well as directly defying government prohibitions on the feast. The Gitksan were by no means passive in the fight for jurisdiction. They publicly voiced their discontent with the lack of recognition of their authority and when their concerns were not addressed, they resorted to direct confrontation with the settlers on the territory.

Social Evolutionary Doctrine and the Devaluation of Indigenous Knowledge

Before moving into such policies as the *Indian Act*, an examination of social evolutionary theory is needed because it echoes the Western belief that time and change is natural, unidirectional, and inevitable. The theoretical framework associated with evolutionary doctrine symbolizes the entire history of the dominant Euro-Canadian view of Aboriginal peoples. The terms change but the ideology remains the same. The creation and implementation of policies such as the *Indian Act* and residential schools, which were believed to be the instruments for civilizing Indians, would not have been possible without the discourse of social evolutionary theory. The fact that there were people already inhabiting the newly 'discovered' territory created substantial obstacles for imperial states, such as Britain, arguing that the land was vast and empty. Instead, discourses focused on the idea that Indigenous peoples were merely 'savages' who needed to be rescued from their

primitive state (Monet and Skanu'u 1992:3).

The concepts of social evolution and development are deeply connected to each other because they both suggest that nature is limitless and that those people, animals and plants which disappear are destined to fail because of their own inferiority. The destruction of Indigenous culture is seen by the proponents of social evolutionary theory as being a result of cultural weakness rather than of the patterns of behaviour and exploitation built into the culture of capitalism (Robbins 1999:285).

Concepts of private property and ownership of land employed by Western society were seen by most Westerners as superior to communal or clan stewardship models exercised by Aboriginals. In most cases, the Canadian state did not recognize an Indigenous system of ownership or management at all. As a result, it was argued by the Canadian state and Province of British Columbia that Indigenous people had no title over the land they were occupying. This opinion is affirmed in the statement of British Columbia's Chief Commissioner of Lands and Works, Joseph Trutch in a statement made in 1864: "The Indians have really no rights to the lands they claim, nor are they of any actual value or utility to them, and I cannot see why they should...retain these lands to the prejudice of the general interests of the colony" (quoted in Monet and Skanu'u 1992:8).

The unilinear western concept of history portrays the subordination of Aboriginal peoples' ideologies and actions to those of Western peoples as the natural outcome of the progress of history. European social theories played a large part in the classification and representation of Indigenous peoples as inferior 'others,' thereby justifying colonial domination and exploitation by Western powers (Culhane 1998:31). It was seen as the duty

of modern man (the discourse was created and maintained by men) , with his advanced technology to improve all other civilizations.

Influential theorists such as Lewis Henry Morgan (1818-1881), Herbert Spencer (1820-1903), Edward Burnett Tylor (1832-1917), Emile Durkheim (1858-1917) and numerous others all subscribed to a social evolutionary doctrine, suggesting that human races progress from lower to higher stages (Bohannon and Glazer 1988). Each scholar typically selected his evidence for the stages of development from several diverse societies and from various historical periods. After selecting data from divergent cultural areas (not taking into account local geographies) and time periods, the evolutionary theorists arranged them in a series corresponding to the historical sequence of Western societies.

Tylor, in his work *Primitive Culture* (1871), reflects the social evolutionary method of ranking cultures from various locations and periods of time in order to demonstrate historical progression. He attempted to create an empirical study of culture by using what he described as natural laws (Bohannon and Glazer 1988:63). This was done by collecting data from various cultures and then making assumptions about each culture based on what he determined to be facts (ranking cultures by complexity of material items). Tylor argued that science must study “the unity of nature, the fixity of its laws, the definite sequence of cause and effect, through which every fact depends on what has gone before it, and acts upon what is to come after it” (Tylor 1988:64). According to Tylor, anything from a stone arrowhead to a table of numerals were facts that could be analysed in order to “express the state of a people as to a particular point in time” (Tylor 1988:70). He believed that the method for studying societies should be based on comparing various cultures in order to demonstrate

each one's place within the scheme of evolution. As Tylor argues, culture "may be regarded as stages of development or evolution, each the outcome of previous history" (1988:64).

The basis of evolutionary analysis, such as that described by Tylor, is not an actual course of adaptation but rather an illusion of growth and change benefitting those in the West. These stories were self-justifying accounts of history because the West was established as the pinnacle of cultural attainment. The work of Tylor plays out much like a museum exhibit visually placing cultures from primitive to advanced with Western nations being the benchmark of attainment (Zeitlen 1997:176).

The nineteenth century was the apex of social evolutionary theory. This time period also corresponds with beliefs of the colonial governments (such as those expressed by Trutch). Examining these theories gives an example of the dominant intellectual and cultural ideologies being expressed by those in power. A statement made by Amor DeCosmos in 1861, prior to becoming the second Premier of British Columbia, echoes the racist dogma contained in social evolutionary theory. DeCosmos asserted,

shall we allow a few red vagrants to prevent forever industrious settlers from settling on unoccupied land? Not at all... Locate reservations for them on which to earn their own living and if they trespass on white settlers punish them severely to form a correct estimate of their own inferiority and settle the Indian title, too. (quoted in Monet and Skanu'u 1992:8)

Another important aspect of this so-called collection of data and comparative method is the use of science and technology in its discussion. The rise of positivist/reductionist science can be closely linked to the emergence of industrial development and economic theories of capitalism (Berkes 1999:177). Predominantly, those subscribing to scientific and industrial paradigms assert that humans have the right to dominion over nature and the

environment. Due to the fact that Aboriginal groups were seen as being attached to nature, it was easy for those in power to conceptualize that Aboriginal people too must be dominated.

Scientific doctrine and industrial capitalism sustain each other by establishing the Western world and its world view as the only legitimate management system. Prior to the scientific doctrine's rise to prominence in the Western world in the early 1800s, social evolutionary theory was supported by religious ideology as stated in the Papal Bulls of 1452 and 1493 (Mills 1994:6). During the period that social evolutionary doctrine, guided by scientific justification, gained acceptance, Europeans continued to believe that they were superior to Indigenous populations in North America and elsewhere. However, the work of evolutionary theorists served to move this concept from public opinion to 'scientific fact'. By reconstituting evolutionary theory for the scientific and industrial revolution, the ideology justified new forms of resource and human exploitation. For scholars such as Tylor, scientific knowledge itself was linked to evolution because the development of scientific thought was itself seen as a progression from the irrational to rational. Indigenous knowledge was classified as being at the stage of irrational thought and not yet completely evolved.

The social evolutionary theorists utilized quasi-scientific methodology in order to legitimize their pursuits. In an attempt to appear scientific in his work titled *The Evolution of Society* (1877), Spencer used organic analogy in order to make his unilineal evolutionist argument (much like Durkheim who used the terms organic and mechanical solidarity). The organic analogy entails seeing a society as an organism, or living body, in order to explain its existence (Spencer 1988:7). This type of analysis gives the vision of a scientist observing

culture through a microscope. By observing society as an organism, Spencer tried to demonstrate that just as organisms start out very simple and become more complex, societies evolve in the same way (Spencer 1988:12). According to Spencer, societies that are the farthest along the evolutionary scale are those that are the most specialized. Primitive society is like a primitive group of living molecules with which evolution begins. Spencer felt he was able to demonstrate the parallel between organisms and human societies 'scientifically'.

The devaluation of traditional knowledge, because it does not fit the western scientific paradigm, can be viewed as a direct attack on the Indigenous connection to place, by both attacking local knowledge and management systems. The idea behind science, as seen in the work of the evolutionists, is to find universal laws pertaining to all cultures independent of space and time. This contradicts traditional knowledge which is embedded in the local culture possessing it. Traditional knowledge is an integral part of the local culture in which management systems are adapted to reflect the local area (Berkes 1999:7). Indigenous knowledge cannot be separated from the community it serves, as well as the local environment it relates to, in much the same way as nature and culture cannot be separated. For the scientific paradigm this is a direct violation of objectivity and the bureaucratic nature of science (Berkes 1999:176). The social evolutionary theory, bound to the scientific paradigm and the ideas of universal truths, intensified the Western position that they had the legitimate right to occupy territories belonging to Indigenous people around the world including the Gitksan.

Settlement (Globalization phase 1)

The European search for wealth on the northwest coast of British Columbia, particularly for the fur trade industry, began in the mid 1700s. The Western states began their global shift, in the fifty year period between 1774 and 1825 when over 450 ships visited the northwest coast (McDonald and Joseph 2000:195). During this period, the Gitksan were not directly impacted by the encounter with traders on their own lands, but they were influenced by western goods through their relationships with the Nisga'a and coastal Tsimshian who were in contact with Europeans. With a lack of direct impact on their lives, the laws and the world views of the Gitksan remained primarily unchallenged.

Later, the need for increased furs pushed the traders farther into the interior of British Columbia and closer to Gitksan territory. The Hudson's Bay Company (HBC), which could be described as the first multinational corporation to establish itself in the area (a sign of things to come), established Fort Kilmaurs at the head of Babine Lake in 1822, making it the closest post to the Gitksan (McDonald and Joseph 2000:196). This fort was able to directly penetrate the economy of the northwest interior previously controlled by the Gitksan, Wit'suwit'en and Nisga'a (Monet and Skanu'u 1992:6). The Gitksan encountered William Brown, a representative of the HBC who was searching for a suitable location for a post, on their lands in 1823. As a result of Brown's excursion, Fort Connolly, set up near Bear Lake in 1826, became the first fort built on the Gitksan territory (McDonald and Joseph 2000:196). Much like the period prior to direct contact, the forts did not give Europeans exclusive control over trade in the area, and the Gitksan systems of governance remained unchallenged. In fact, traders understood that they had to respect Gitksan ways in order to

carry out business on their lands (Marsden and Galois 1995:173).

Challenges to the Gitksan system became more prevalent as more settlers, rather than traders, entered the region and built their homesteads. The influx of European people settling on the Gixsan territories was facilitated by certain events relating to changes in technology. One such development was the construction of the Collins Overland Telegraph Line, which made its way into the interior of British Columbia in approximately 1866. The Canadian and European states aspired to link North America and Europe by a telegraph line via British Columbia, Alaska and Russia (Monet and Skanu'u 1992:8). By building the telegraph line, small communities would be brought into the global society using technology available at the time. According to Cassidy, when the line made its way into Gitksan territory, it was possible to send a telegraph from the village of Ans'pa yawx to New York City (Cassidy 1984:21). Those supporting capitalism have the goal of expanding markets as far as possible and the telegraph line was one project attempting to facilitate such activities. Building the line also contributed to an increase in Europeans in the area because it brought a large number of people to the villages as labourers and produced semi-permanent buildings used during its construction.

The Gitksan continued to force visitors to comply with their authority at this time. In the 1860s a crew of Collins Overland Telegraph (COT) workers moving up the Skeena for a meeting at Mission Flats was stopped at Kitselas, Gitwangak and Gitsegukla and forced to pay a toll. By doing so, Duiven argues that the workers "conceded to aboriginal ownership and territorial control" (1986:106).

The COT project was abandoned in 1869 when another group was successful in

laying a cable across the Atlantic Ocean, but the trails cut for the project remained in place (Cassidy 1984:21). These trails made it possible for immigrating people to walk or ride a horse directly into Gitxsan villages.

Easier access to the area also brought missionaries wishing to convert the Gitxsan to Christianity. The attempted conversion of the Gitxsan was the first organized challenge to Gitxsan spirituality on their territories. Father Lejac, the first priest to visit Hagwilget in 1869, retained as part of his duties the goal of Christianizing the people of the territories between the Forks of the Skeena and Fort Macleod (McDonald and Joseph 2000:197). Later, in 1879, Robert Tomlinson was sent to the Upper Skeena to set up a mission. Other missionaries, such as Reverend William Henry Pierce, also moved into the area before the turn of the century and were quite successful at converting the Gitxsan to Christianity (Cassidy 1984:27). By 1896 the Indian Agent estimated that of roughly 230 residents of Kispiox, 126 people had converted (Cassidy 1984:28). Gitxsan society accepted the new religion because their own world view supported many of the ideas of Christianity, such as a Creator, as well as the notion of a great flood. The majority of those converted practiced traditional as well as Christian beliefs. Nonetheless, the conversion strategies reflected the commencement of colonization strategies as well as challenges to Gitxsan sovereignty.

In terms of the Gitxsan-European contact to this point, the 1870s were the most dramatic in terms of power struggles because the direct challenge of the Gitxsan and their concepts of territoriality began at this time. Prior to this period the province did not recognize Aboriginal title, but there were not enough White settlers or European influence in the Gitxsan territory to change their economic, political and cultural systems. Nonetheless,

on paper a power shift was occurring. Despite greater pressure being placed on the Gitxsan systems, the balance of power was still held by the Gitxsan, as was illustrated by Joseph Trutch's acceptance of the demands of the Gitxsan in the Skeena River rebellion of 1872 (discussed in greater detail below in the Resistance section).

On paper rather than on the territory, one significant event in the increasing battle for power occurred as a result of British Columbia joining confederation with Canada in 1871. Confederation denied Gitxsan ownership because as part of the terms of the union, all public lands were considered property of the province (Frideres 1998:48). As part of the agreement, the administration of Indian peoples and reserve lands became the jurisdiction of the federal government. However, confederation did not mean that laws were immediately applied or that they were not evolving (McDonald 1994).

At this time, a significant occurrence which directly created pressures on the Gitxsan system was a major influx of people resulting from various gold rushes. The increase in Europeans was even more dramatic due to the fact that at the same time they were moving into the territory the Gitxsan population was declining because of various epidemics. During the early to mid 1870s thousands of prospectors began to pass through Gitxsan territory. The most significant discovery of gold in the surrounding area was in the Omineca in 1871 which brought numerous prospectors through Gitxsan territory via a Skeena River route (McDonald and Joseph 2000:197). With the influx of miners, posts were opened in order to supply people with goods. It also became profitable to drive cattle up the trails in order to feed the miners (Cassidy 1984:21). The village of Hazelton, which became the start of the overland trail to the Omineca mines during the gold rush, was laid out on the east bank of the Skeena

River in 1871. It was the first, and for many years, only permanent white community in the Upper Skeena region (Cassidy 1984:21). Not all of those who passed through the territory stayed. However, the traffic caused by gold prospectors, loggers, settlers, surveyors, missionaries, and others who made their way inland influenced Gitxsan society and their ability to govern themselves under their own laws (although not as strongly as the Tsimshian on the Coast) (McDonald 1984:44).

The village of Hazelton became a center of distribution of European goods for the growing European population and the economic potential of the territory created a need for better transportation systems in order to gain expanded access to the resources desired. Prior to the building of the railway (1920), access to the territory was either by canoe, horse or steamer (which finally had technology allowing ships to reach Hazelton by 1891) (McDonald and Joseph 2000:210). As a result, resources were not easily extracted or removed from the territory. Resource extraction changed at the turn of the twentieth century when roads were built in the valley and construction along the Skeena began on a transcontinental railway (Sterritt et al. 1998:62). In 1903, it was announced by the Canadian government that the Grand Trunk Pacific Railway would be built and by 1908 construction had begun in Prince Rupert, moving east (Cassidy 1984:33). In 1914, the eastern and western tracks (Winnipeg and Prince Rupert) were connected and the railway usurped other means of travel such as steamers (McDonald 1990:37).

As well as the railway, roads were extended in order to improve travel within the Gitxsan territory. A wagon road north from Hazelton was started in 1909. By 1911, the main road up the Kispiox valley extended across the Skeena River when a suspension bridge

was finished, and by 1914 the road stretched almost sixty-five kilometers north from Hazelton (Cassidy 1984:37). Although changes were occurring in transportation, the Gitksan people were still able to exercise their traditional systems in terms of how they responded to such occurrences.

Logging in Gitksan territory (Pre 1960)

Railway work, as well as the promise of effective transportation and expanded markets, created a boom in town construction, mineral exploration and farming settlement in the Gitksan territory (Cassidy 1984:33). The focus of resource extraction in my discussion will be on the logging industry because it has been the dominant industry in the area. During the late nineteenth and early twentieth centuries, the construction of the transcontinental rail system and changes in the North American resource economy made private and crown timber an attractive investment for lumber interests (Rajala 1996:105). The completion of the Canadian Pacific Railway coincided with the onset of forest depletion in the American Midwest and Eastern Canada, prompting the forest industry and resource capitalists to move westward (Ibid.).

Despite what would seem to be the exploitation of the Gitksan territories, the logging industry was not seen by the Gitksan as a threat to their traditional system or their lands until the middle of the twentieth century. The Gitksan have always used the forest as a means of providing for their subsistence needs, and at the turn of the twentieth century the Gitksan became active in selective logging on their territories. The need for sawmills was recognized by the Chiefs, who through various internal meetings, agreed to continue the

traditional ways of getting permission from and hiring each other's House members to do the logging (Profiles 1998:2). The Chiefs were familiar with their territories and resources on them and as a result had no problems laying out their wood lots. Small sawmills were set up in the wood lot areas and most families worked in the logging camps and sawmills (Profiles 1998:2). The Gitksan were able to support themselves through working for profit as well as maintaining subsistence activities.

As well as employing the Gitksan people, prior to the 1960s commercial logging exploitation was carried out with little negative impact on the forest's regenerative capacities. As a result of selective practices, other traditional resource uses such as hunting and fishing were not severely impacted. In the Gitksan and Witsuwit'en territories thirty-nine sawmills were in operation by 1920 (Glavin 1990:35). These mills were small in scale, selective in nature, and based on the technology used, operated at a slow pace the forest could sustain. Bull and horse team operations extracted only high quality timber situated close to a waterway or sawmill (Rajala 1996:115). Mature trees and young growth that did not justify being removed were left to produce seed, leaving the forests in good producing condition (Ibid.). With the resources properly managed, the Gitksan were able to maintain their traditional protocols for the use of resources and the logging industry was seen as an asset, not as a threat.

Colonization

Despite activities such as logging, where during the period of settlement the Gitksan actively participated, the influx of people into their territory and the demand for resources

challenged the power of the Chiefs and the traditional system, and the struggle for jurisdiction between the Gitksan and the government escalated. As settlement increased, the colonial forces began to extend their influence into matters concerning Gitksan laws and their ways of resolving conflicts. As one example, in 1888 the head of the British Columbia Provincial Police summoned the Gitksan Chiefs to Hazelton and told them "law is the British law not the Indian law... you may not settle your own quarrels" (Cassidy 1984:25). Deeming the Gitksan law usurped, the colonists established their own legal regime that validated their own self proclaimed sovereignty and jurisdiction (Culhane 1998:16). The attempted dissolution of Gitksan laws was pursued through a combination of discourse, policy and force. The Canadian government passed legislation in an attempt to eradicate the contrast in world views. According to Joseph, "during the era of settlement, the clear mandate of government was to assert Euro- Canadian superiority through Acts for the gradual enfranchisement of Indians which would manifest not only in a devaluation, but elimination of Indian societies"(1991:65). However, these methods were not entirely successful because the Gitksan resisted imperial encroachment throughout this period of settlement. The government backed up policy with government agents such as Fisheries Guardians and Indian Agents, and occasional demonstrations of military might such as the use of gunboats and the jailing of Gitksan dissidents (McDonald 1984:51).

The Indian Act

The most potent method of Challenging Gitksan society were the measures put forth in the *Indian Act* of 1876. Examination of the historical development of the *Indian Act*

reveals that the underlying intent of this legislation was the elimination of Indigenous world views and rights to ownership as well as jurisdiction over their territories . This was largely achieved through the reorganization of ownership and appropriation of resources as well as attempted assimilation into Canadian society (Joseph 1991:67, McDonald 1994,).

Following the principles of evolutionary theory, in 1868 the policies generated under the *Indian Act* were entrenched when the new Canadian Parliament passed an “Act for the gradual civilization of Indian Peoples” (Monet and Skanu’u 1992:8). Social evolutionary theory assuredly supported the state policies created. A report from the Minister of the Interior indicates the sentiment at this time. As he suggests,

we have them [Indigenous people] with us, and we have to deal with them as wards of the country. There is no question that the method we have adopted [will bring] these people to an improved state... There is a difference between the savage and a person who has become civilized. (House of Commons, in Frideres 1998:9)

Following such convictions, in 1876, all laws affecting Indian people were combined under one piece of legislation known as the *Indian Act* which stated as its mandate the protection, civilization and assimilation of Indians. Based on this directive, the consolidated Act addressed three areas in particular which included band membership, local government construction, and land ownership (Moore 1978:51). All three areas are significant to Gitksan construction of place because policies suggested in these areas opposed the Gitksan people’s governmental structure as well as rights and ownership of their territories.

For the Gitksan, the policies set forth in the *Indian Act* largely took effect in 1889 when the Department of Indian Affairs established the Babine Agency at Hazelton and the process of devaluing the rights of the Gitksan began to be actively administered. The

creation of an agency within the Gitxsan territory enabled the policies of the *Indian Act* to be closely enforced. At this time, Richard Loring was appointed the first Indian Agent for the Gitxsan and Wit suwit'en territory and remained in place until 1920 (Monet and Skanu'u 1992:10). Loring, aided by such strategies as the reserve system and the banning of the potlatch, actively attempted to dismantle the Gitxsan way of life.

The establishment of the Babine Agency began an era of centralized control by an external force on Gitxsan lands. Under the *Indian Act*, Aboriginal communities were forced to adopt the Band Council system as the accepted unit of organization under Canadian law. The band system existed under the authority of the Ministry of Indian Affairs and functioned according to the European assumptions of what constituted proper government (Derrick 2000:17). Although it seemed to give band members the right to vote for leadership, the laws set out in the *Indian Act* prohibited Aboriginal governments from exercising any real power over legal and political systems. Jurisdiction of the band council was superficial, giving no substantive powers to the councils, whose decisions were subject to the approval of the Minister of Indian Affairs (Mathias and Yabsley 1991:38). As an example, Section Nine of the 1886 Act, gave the Indian Agent power to regulate band council procedures and certify bylaws (Moore 1978:90). The lack of power given to Aboriginal peoples by the Canadian government was an attempt to pressure Aboriginals into giving up their rights as distinct and join White society because they were denied access to decisions in their own territories as well as the larger society unless they gave up everything that made them Aboriginal.

The creation of the Band council also attempted to restrict the Gitxsan ability to

actively manage their territory under their own governing structures. The Band Council system denies the Hereditary Chief system as well as Gitxsan law which regulates their territory. As the Act suggests, "life chiefs shall not exercise the powers of chiefs unless elected under such order to the exercise of such powers" (Moore 1978:78). Such legislation demonstrates the Canadian government's attempts to destroy Gitxsan identity and values by denying rights to the land as well as the traditional systems defining such rights which had been held for centuries. Decisions on what is best for the territories was taken away from the Chiefs in those areas and assigned to outside governmental control. The implementation of Band councils did not, however, stop the Gitxsan Chiefly system from being exercised, if unbeknownst to the Canadian government.

The Act further attacked self-identification through government definition of status membership. Under the Act, Canadian State designations for Aboriginal people became fragmented into status/non status, registered/non-registered distinctions. This section of the legislation divided families and House groups because by law those without status were not allowed to live on reserves or inherit property on reserves (Joseph 1991:67). The Gitxsan, who had a matrilineal system, lost the legal ability to define the members of their House groups, and their system of descent and inheritance was legislatively, if not *de facto*, replaced with a patriarchal system. On this basis, inheritance was no longer considered to be passed on following the mother's side as it was under Gitxsan law.

Much as inheritance was regulated to be the same in every nation, the Act attempted to eradicate all uniqueness of traditions among groups. Aboriginal policies such as the *Indian Act* were and are designed to transform Indigenous nations from various areas of

Canada into one homogenous group titled Indians who were expected to follow Canadian laws and culture. The laws of Canada continue to attempt to assimilate Aboriginal people into a common concept and deny the distinction attached to place. As was described in the previous chapter, the Gitksan cannot be separated from their land because it makes them who they are. The Gitksan relationship to their land was unrecognized by the government through its definition of the Gitksan as one band of Indians managed under the Indian Act. This brings us to the next attempt to alienate the Gitksan from their land, namely the reserve system.

The Reserve System

Under the Indian Act, the separation of the Gitksan from their lands was not only done in conceptual terms. The Gitksan were also forcibly restricted to small reserves on their overall territory by the colonial government which sought to clear the way for White settlement (Sterritt et al. 1998:2). In British Columbia, much of the province remained to be settled and few reserves had been established when BC entered Confederation (Bartlett 1990:31). Mainly due to the belief in the primitive nature of Aboriginal people, British Columbia never recognized an obligation to deal with First Nations with respect to Aboriginal title or pretended it had dealt with First Nations jurisdiction adequately. Officials asserted that title had never existed or if it had it was extinguished prior to confederation (Bartlett 1990:35). Most reserves were set apart following agreements between the federal and provincial governments. Commissions, such as McKenna-McBride, set up to address the issue of Indigenous discontent with reserves, did not actually address the concerns by

altering the system in place. The Gitxsan were not interested in discussion with the government regarding the implementation of reserves. They argued that they had never given up title to the land and would not do so in the future.

Evolutionary doctrine also played a role in the removal of Indigenous people from their territory. According to Culhane-Speck, the removal of Indigenous people from their lands was justified by such men as Joseph Trutch under the assumption that Natives were inferior beings unable to understand abstract ideas of property and therefore were not entitled to the land (Culhane-Speck 1987:77). Viewing Indigenous peoples as uncivilized made it reasonable that groups be contained in order to control their movement and facilitate their civilization (Monet and Skanu'u 1992:3). Placing people on reserves under the guise of providing them with modern housing and conveniences is actually an attempt by the state to keep everyone visible and in one place so that they can be watched and disciplined if necessary (Robbins 1999:272). Interestingly, Trutch was conducting his seizure of lands in the 1860's, which was roughly the same time as social evolutionary theory constructed by Morgan and others appeared.

The original surveys for the establishment of reserves on the Gitxsan territory were completed in 1889 (Monet and Skanu'u 1992:10). The reserves of Gitsegukla and Gitwangak were established between 1891 and 1900 (Profiles 1998:1). The reserve at Kispiox, which included 1161.5 hectares, was created in 1891 (Cassidy 1984:26). By 1910 reserves were cut up into individual land holdings by Loring in an attempt to replace ownership by House groups with Western style concepts of property (Cassidy 1984:27). It bears mentioning that Gitxsan traditional territory is 30 000 square kilometers (3 million

hectares) while the reserves on the Gitksan territories total 500 square kilometers (50 000 hectares) (Wilson 1996:24).

The long term aim of reserve policy was to encourage Natives to become freehold farmers with the eventual outcome that Indians would get land by moving off the reserves (Tennant 1991:30). The small size of reserves was justified on the basis of future pre-emption by Natives once they had learned Western farming practices. In essence the reserve was constructed to be a halfway house between Aboriginal and White society. On the reserves education and missionary activity was established in order to prepare First Nations people for their off-reserve future (Tennant 1991:30). However, when Joseph Trutch replaced James Douglas as the governor of British Columbia, the goal of pre-emption ceased and the reserves, many of which were reduced in size, became the locations to which Indians were restricted (Tennant 1991:31).

Governed by the Western concept of ownership, the reserves became the only place where Gitksan people officially possessed land. Traditional hunting, fishing and berry sites outside of these reserves were seen as the property of the province and could be utilized by all citizens without special rights to the lands. The Gitksan, who had been using the territories since time immemorial, still saw those lands as House territories and continued to use their traditional territory beyond the reserves. Title became more important as more white settlers and industrialists moved onto the land and saw the Gitksan as trespassers on their own territory.

Banning of the Potlatch

Recognizing the fact that the feast embodies the cultural, social, political, economic, legal, spiritual and educational systems of the Gitksan, the Canadian government attacked it through legislation from the 1880s until 1951. From 1884 until 1951 attendance at a potlatch was punishable by a jail term of between two and six months. According to Glavin, the law was so broad that Indians who attended fiddle dances, agricultural exhibitions, rodeos, or shows without explicit permission of the superintendent general in Ottawa or an Indian agent could be jailed (1990:20). The Gitksan became so heavily monitored by the Indian Agent that in the 1920s a horn was sounded in Hazelton at 9:00 p.m. as a signal to Gitksan people to go back to their reserves (Monet and Skanu'u 1992:13). Feasting was not entirely stopped, although the Gitksan were sometimes jailed for its practice. The enactment of law forbidding the potlatch did not ensure Gitksan compliance any more than the establishment of reserves meant acceptance by the Gitksan of their reduced territorial rights.

Residential schools

Following the implementation of policies designed to eliminate the nucleus of the Gitksan society through the banning of the potlatch, the government enhanced its programs of cultural destruction by attacking the family structure, which was the mechanism for the transmission of traditional knowledge. Successive generations of Aboriginal people, not just the Gitksan, were robbed of traditional family guidance in many communities through the removal of children from their homes. In 1920 the *Indian Act* was amended, making it compulsory for Indian children, including the Gitksan, to attend residential schools.

According to Moore, the *Indian Act* “complimented the Prime Minister’s ‘civilization’ program for Indians, to enfranchise the ‘more acculturated’ tribes of the older provinces and to ‘advance’ the Indians of the North-West through establishment of ‘model farms’ and industrial schools to teach agricultural techniques or mechanical trades” (1978:71).

With the establishment of the schools, the Canadian government’s re-education objectives of the eradication of Indigenous forms of knowledge were put in place. The schools taught Aboriginal children that their ways of life were savage and that their only salvation would be civilization in the form of conforming to western ideals (Glavin 1990:20). As the superintendent of Indian Affairs indicated, “the pupils are removed for a long period from the leading of this uncivilized life and receive constant care and attention” (Monet and Skanu’u 1992:10). Duncan Cambell Scott, the Indian Department’s Deputy Superintendent voiced this sentiment when he stated, “our objective is to continue until there is not a single Indian in Canada that [sic!] has not been absorbed into the body politic, and there is no more Indian question and no more Indian Department” (Glavin 1990: 20).

The Canadian government recognized the importance that connection to place has in the transference of traditional knowledge and it attempted to destroy this system by removing the generation to which the knowledge would be passed on. Gitxsan children were sent to distant places such as Port Alberni and Edmonton. Students were taught about the history and territories concerning places they had never been, with complete disregard for the histories and knowledge the Gitxsan possess. The location-specific knowledge which was necessary for Gitxsan survival both on the land and as a culture was taken away from younger generations. Gitxsan who went to residential schools were punished for speaking

their own language, and practicing their own customs by being spanked publicly (Muldoe August 20, 2001). The prohibition of the speaking of the Gitksan language is very important because language helps form the identity of a community. Language connects people to their roots. Often the world view, values and unique concepts of a specific culture can only be expressed through the original language. Much like the Indian Act itself, residential schools attempted to disrupt the uniqueness of every child by taking away the clothes they wore at home and making everyone dress the same. This again can be seen as an attack on the children's identity with their home place.

The Gitksan accepted certain aspects of residential schools because the Elders realized that the next generation would need certain tools provided at the schools. The reasoning of the Elders represents the opposition to the infringement of their Aboriginal rights the Gitksan continue to uphold. As Art Wilson expressed,

I think our Elders had always believed that once we became educated we would be the ones to deal with the land because at that time they said we are illiterate and we don't want to mark our 'x' on any papers because we don't know what we are signing. I think that is one of the reasons we were sent to school... My grandmother thought in tomorrow's world we need these young people to get educated. (Art Wilson August 21, 2001)

Resistance

The history of Gitksan resistance reflects the persistence of the Gitksan people and their culture. The Gitksan have never been passive in fighting for their rights to the territory and have continually resisted outside encroachment. Whenever possible they have enforced their own laws and have continually insisted that their authority over the territory be recognized (Gisday Wa and Delgam Uukw 1992:18). Gitksan members demonstrated their

authority on their territories in 1872 after a group of careless miners caused the burning of twelve houses and six poles at Gitsegukla (Monet and Skanu'u 1992:9). Fearing retaliation, the campers involved in the incident fled, and no settlement was reached under Gitxsan law. Angry that restitution had not been paid, the Gitxsan obstructed the passage of prospectors and traders by blocking the Skeena River and vowed not to let any canoes pass until the following summer or until redress (Williams 2000:25). Duiven indicates "compensation for wrongful acts is a central principle of Gitksan, Wet'suwet'en and Coast Law" (1986:96). The Gitsegukla Chiefs created a petition which indicated that they must be paid compensation for their losses. The Chiefs met with Lieutenant Governor Trutch aboard the HMS Scout at Metlakala and an agreement was reached (Williams 2000:26). Payment made by Trutch to the Gitxsan was viewed by the Gitsegukla Chiefs as reimbursement for the incident. The settlement was consistent with Gitxsan law because each Chief involved in the incident received a designated amount of money according to her/his rank and the settlement was feasted when the Chiefs returned to their village (Duiven 1986:98).

The Skeena River Rebellion demonstrates that Gitxsan authority still predominated in the late 1800s. If authority over the territory had been established by the Canadian government, Gitxsan members who participated in blocking the river, shooting at traders and other acts deemed illegal by Canadian officials would have been tried for their involvement in the incident rather than paid a settlement (Williams 2000:28). Instead, Trutch was forced to provide the Gitxsan with compensation in order to peacefully resolve the conflict.

As more people settled on Gitxsan land, the Gitxsan continued to voice their discontent. In 1884 the Chiefs of Gitwangak expressed their concerns to the provincial

government regarding the increasing numbers of miners in the Lorne Creek area without their consent. According to the Chiefs,

We have carefully abstained from molesting the whiteman during the past summer...Now we bring the matter before you, and respectfully call upon you to prevent inroads of any whiteman upon the land within the fore-named district. In making this claim, we would appeal to your sense of justice and right... We hold these lands to be the best of all titles. We have received them as the gift of the God of Heaven to our forefathers, and we believe that we cannot be deprived of them by anything short of direct injustice... (quoted in Gisday Wa and Delgam Uukw 1992:11)

With no significant response to their demands for title recognition, the Gitxsan continued to press their claim with both the federal and provincial governments. In 1908 a Gitxsan delegation met with Prime Minister Wilfred Laurier in Ottawa to discuss incursions on their territory. They presented the federal government with a petition to stop the expropriation of their lands by settlers (Gisday Wa and Delgam Uukw 1992:14). Laurier indicated that he would take steps to rectify the problem of jurisdiction against which the Gitxsan had "agitated for years" but no solution was implemented (Gisday Wa and Delgam Uukw 1992:14). Chiefs again met with the Prime Minister, who was visiting Prince Rupert in 1910, and protested the loss of their land (McDonald and Joseph 1999:208). Again, Laurier agreed to help the Chiefs in advancing their land claim. The Gitanyow and Kitwanga Chiefs were so adamant about their concerns that they began pinning notices of their land claims along trails in the Hazelton district (Monet and Skanu'u 1992:11).

The lack of reconciliation by the government initiated physical confrontations between various settler groups and the Gitxsan. One of the most contested issues was the building of roads which were partly responsible for the influx and movement of Whites on the territory. According to Cassidy, the wagon road built in 1909 "was built at the height of

local and provincial feeling over a question of who owned the land" (1984:35). The people of Kispiox believed that they should be consulted about such projects and in protest took the tools, food and supplies belonging to the government road crew. Seven Kispiox men were arrested and found guilty of various counts of intimidation and seizure of government equipment (Cassidy 1984:36).

As a result of tensions, the provincial and federal governments decided to initiate a Royal Commission to review Aboriginal land allocations. The Gitxsan were not interested in speaking about reserves because their issue was title over the entire territory. The Gitxsan never accepted reserves and as a result the reserve system was never successful in confining the Gitxsan culture to these parcels of land. Charles Wesley stated this opinion to the Commission,

I wish to tell you that this Reserve that you have just spoken about is something that we don't wish for... this country originally belonged to our ancestors- we were placed here originally by God, and it is only quite recently that the government has sent men out here to measure this land immediately around us, we were not notified of it when they did... what we most strenuously object to is that you insist upon us having this reserve... We ask that the land which the Provincial Government has sold be returned... (Gisday Wa and Delgam Uukw 1992:15)

The Gitxsan reinforced discussion of their dissatisfaction with reserves by instituting direct action on the territory. Due to their contempt for the actions of the government, the Chiefs ordered surveyors stakes, designed to show reserve boundaries, pulled from the ground (Wilson 1996:56). Surveyors themselves entering the territory encountered abuse at all the communities they visited (Duiven 1986:117). Kitwanga members stopped a group of surveyors at gunpoint and demanded meetings over land grievances (Monet and Skanu'u 1992:11). Later, when a surveyor was sent up the Kispiox and Skeena Rivers to chart fishing

sites in 1911, he was repeatedly told by the Gitksan that they refused reserves. Tension escalated again in 1920 when surveyors were working in the Gitksan territory. The Gitanyow confiscated the surveyors' equipment and forced them out of the area. This incident resulted in a court case in which three Gitanyow men were convicted and two of them were sent to Oakalla prison for several months (McDonald and Joseph 1999:208). Efforts of the Gitksan as well as other groups to have their title recognized, rather than resulting in having their voices heard, instead resulted in the government making the raising of money in support of land claims an offence punishable by imprisonment under the Indian Act (1927) (Delgam Uukw and Gisday Wa 1992:15)

Just as the Gitksan were unwilling to give up their land, they were opposed to giving up their cultural practices. As a result, the potlatch became another site of conflict and resistance. The Gitksan people continued to hold feasts after they were banned in spite of attempts by the Indian Agent to eliminate the events. The Gitksan were quite proficient at moving the feasting system underground. 'Illegal' feasts continued with the aid of lookouts, or were disguised as Christmas celebrations in which numerous gifts were given out. At other times the events were held openly in defiance of the law and people were arrested. In 1884 Gitksan Chief *Gyetim Galdo'o* openly held a feast and was arrested by the RCMP (Monet and Skanu'u:10). In the 1920s, *Hlii Yam Laxha*, a member of the Wolf Clan, also refused to follow the law banning potlatches and was arrested and jailed. He spent the rest of his life in jail because he realized the importance of the feasting system and refused to stop holding feasts (Wilson 1996:28). In 1921 Edward Saxsmith, Robert Wilson and John Morrison were charged for participating in a potlatch, but they all received suspended

sentences (McDonald and Joseph 1999:208). The last Gitksan people to be charged with potlatching were Tom Cambell and John Smith in 1931. Charges against John Smith were dropped and Tom Cambell received a three month suspended sentence on the condition that he not attend future feasts (McDonald and Joseph 1999:208). At this time, the Agents realized that attempts to stop feasts were futile and stopped enforcing the law against the Gitksan.

Conclusions

This chapter is intended to demonstrate that the government has continually worked to minimize the rights of the Gitksan in order to open the land for Euro-Canadian settlement. During the colonial period, attempts were made to disrupt Gitksan rights through such methods as the *Indian Act* which was supported by the social evolutionist ideologies. Believing in the idea of a process of development supported in evolutionary doctrine, it was not difficult for the Canadian government to see those they were attempting to colonize as children and themselves as adults (Pennycook 1998:60). Indians were seen, much like children, as in need of strict moral training and education in order to ensure their progress. European intervention for the eradication of Indigenous ideologies included the creation of reserves, the banning of the potlatch and the creation of residential schools.

This chapter also illustrates that the Gitksan have never been passive in their relations with outsiders. They have continually maintained and asserted their claims to their territory. The Gitksan often refer to the importance of their ancestors. The connection to the ancestors gives the Chiefs fighting for their rights to the land a clear responsibility to past as well as

future generations. The connection to the land extends back to the time when the institutions needed to protect the land were given to the Gitksan by the Creator. As a result, the Gitksan objected to Euro-Canadian incursions into their territory that threatened their way of life from the earliest times. The Gitksan were able to remain strong during the colonial period because economic activity was conducive to the viability of the House. They did accept certain practices that respected their cultural institutions such as small scale logging. However, as more people entered the territory their rights were continually violated. During this period the Gitksan were so defiant against the principles of the reserve system and the banning of the feast that "the Oakalla Penitentiary in New Westminster, B.C., became known on the Skeena as the 'Kitwancool Reserve' because of the number of Kitwancool Gitksan jailed for holding feasts and for removing surveyors stakes" (Sterritt 1989:280).

Chapter 4: Development: A New Colonial Ethic

Logging...Bulldozers...Oh! It's amazing what I saw at Cranberry. About four creeks and one main river. I don't see any fish there now. There used to be Coho and Steelhead there... About one half hour we used to catch a lot with just a fishing rod. It's not like that now, you can't catch nothing! There's no fish since logging cleaned it.
(Benson 1981:3)

It is a horrible thing to lose your land, resources, burial grounds, gathering areas, fishing stations, trapping cabins, trails etc. in order to make way for someone else's progress. (Cheslatta Band member quoted in Waldram 1988:15)

Shifting focus from the initial policies of the *Indian Act*, this study will now focus on policy and actions devised by the Western nations following World War Two. The conclusion of the war is an excellent symbol for the era of development because the construction, and dropping, of the hydrogen bomb exhibits the destructive nature of large scale technology which ushered in this period. As a result of atrocities committed during the war, the world community attempted to reconcile such offenses by producing the *United Nations Declaration on Human Rights* (1948). This obligated signators such as Canada to examine their treatment of the Aboriginal peoples living within their borders. Countries were compelled to abandon the direct military style control of Indigenous peoples that was in place (Smith and Katz 1993:70). In Canada, the potlatch ban as well as the prohibition on raising funds to advance land claims were dropped during the last major revisions to the *Indian Act* in 1951, three years after the Human Rights Declaration (Gibbins 1989:69). This was also a result of First Nations delegations lobbying in Ottawa to change the *Indian Act*. However, dropping the ban on potlatches, and other changes to the *Indian Act* did not signify

a reduction in the amount of control placed on Aboriginal peoples. Instead, political, cultural and economic domination were exercised through the world market and its institutions.

After World War Two, the ethic of cultural superiority continued to focus on the assumed inferiority of the colonized group's way of life and world view based on the discourse of development. The words evolution and development, which were used in each phase, are fundamentally the same because they both imply favourable change from inferior to superior. After the Second World War the discourse of development has been used by colonizing forces in the global market in order to gain improved access to the territories and resources of Indigenous populations.

The policies of development, which were masked as humanitarian, only set to solidify the colonization process by changing its discourse without changing the strategy of globalization. Brym argues that it is "in the economic interests of rich countries and dominant corporations... to keep poor countries *underdeveloped* so that they will remain a source of cheap labour and resources" (Brym 1998:244). Indigenous populations are exploited more than any other group because it is their lands that the resources are on.

In order to demonstrate the continuing global colonization process generated through the discourse of development, in this chapter I will illustrate the manner in which development was constructed, and I will examine the direct impact of development projects on Gitxsan lands.

Extending World Markets (Globalization Phase Two)

As World War Two ended, the Western states were at work putting the infrastructure of the new global economy in place. The Bretton Woods Agreement (1944) was one of the first and most important steps towards this goal (Ellwood 1993:5). The Bretton Woods Conference, which took place in New Hampshire, was attended by representatives from forty-four states, with the purpose of putting an end to state-protected national economies by setting up the institutions which regulate international economic relations (Svetličič and Singer 1996:34). At the conference, the leaders “put in place the pillars of a global economy” in which goods and capital could travel over borders anywhere in the world (but people could not) (Ellwood 1993:5). Transnational corporations gained the ability to move freely between countries without any of the responsibility attached to belonging to that territory. These early agreements were the foundation that allowed corporations to move over borders in search of cheap labour and resources in newly opened markets. This made, and continues to make, transnational corporations increasingly difficult to identify with one geographical location and with no attachment to a particular place, corporations are free to move to various locations in search of new material resources and labour to exploit. The lack of connection to a particular place creates increased pollution, economic disparity and similar problems across borders because after resources have been exploited the corporation can shift its operations to another territory (Pieterse and Parekh 1995:227).

The leaders at Bretton Woods set up the International Monetary Fund (IMF) and the World Bank in order to globalize state economies (Ellwood 1993:5). As part of these new agreements, the American dollar became the international currency in which all other

currencies were measured. In 1947, The General Agreement on Tariffs and Trade (GATT) followed the principles of the Bretton Woods agreement towards the elimination of restrictions on world trade. Ellwood suggests, "GATT is the international organization which hammers out the rules on world trade for its 108 member countries which control 90 per cent of all international trade" (1993:6). According to Pieterse and Parekh, because of changes in economic structure resulting for the previously mentioned agreements, today no single government (including the United States) can defend its financial borders (1995:227).

As evidenced by the fact that the American dollar was used as the bench mark against which all other currencies would be measured, the burgeoning powerhouse of the United States was instrumental in most of the policies created. The Americans became the industrial leader on the world stage and established the beginning of what Harry Magdoff terms "the age of new imperialism" (1969:27). This was partly due to the fact that European colonial nations lost a majority of their power in the marketplace, as well as power in their colonies, due to the costs of fighting in World War Two, and fighting the uprisings against colonial oppression which occurred during this period.

Development Replaces Evolution

With the age of new imperialism, the United States needed to make its dominant position in the world explicit and legitimate by consolidating its power and making it permanent. According to Esteva, this was done on January 20, 1949 when President Truman took office and initiated the 'era of development' (1992:6). As President Truman stated, "we must embark on a bold new program for making the benefits of our scientific advances and

industrial progress available for the improvement and growth of underdeveloped areas” (Esteva 1992:6). According to theorists such as Esteva, what Truman was actually doing was freeing the economic sphere from the negative connotation of colonization it had accumulated for five centuries and replacing it with the newer concept of development (Esteva 1992:17). The previous pattern of colonization was to go in and take over using force. The new program disguised colonial exploitation by allowing Western corporations access to territories they determined to be in need of development. Corporations used the position of helping countries to become developed in order to move into Indigenous territories (most resources that were still available were found there) and exploit their natural resources. According to Clay,

indigenous peoples have claims over some 25 to 30 percent of the earth’s land area and resources. Since World War II, many states, and corporations as well, have realized that of various “inputs” to production, land and natural resources are the most limited and the hardest to replace. This has led to the invasion of remote areas and the appropriation of the resources found there. Because indigenous peoples occupy- in justice, own- most of these areas, this appropriation can only proceed after denying the rights of the inhabitants. (1993:68)

By examining closely the words in Truman’s speech, the paternalistic and imperialistic tone of what was said becomes apparent. As Esteva suggests, from the time the speech was made, two billion people from diverse cultures and ways of life were placed into a vision of what constituted proper social structures based on the ideas of Western leaders (1992:7). This has further significance because in order to escape from the undignified condition of being under-developed a group must move towards the imperialist-defined condition of development (Robbins 1999:274; Wallerstein 1990:45). Development is defined in Western terms based on concepts such as the industrial mode of production and

gross national product, which became the accepted unilinear scale of social evolution (Crewe and Harrison 1998:25). Much like the *Indian Act*, the discourse of development gave global hegemony to a purely Western genealogy of history and robbed people from different cultures of the opportunity to define their own social life. If people were utilizing traditional forms of subsistence such as hunting, fishing and farming, they were believed to be underdeveloped because they were not contributing to the gross national product.

The discourse of development has become so pervasive that today most people in Western Society accept that there is such a condition as underdevelopment. As Esteva indicates, "the very discussion of underdevelopment illustrates to what extent it is admitted to be something real, concrete, quantifiable and identifiable" (Esteva 1992:11). Once the word had gained acceptance in the academic community, an intense search for the historical and material cause of the affliction was started. Examples such as the dependency (centre/periphery explanation) and modernization (evolution from traditional to modern) theory demonstrate academia's attempt to explain the phenomenon of underdevelopment as if it were something factual (Valenzuela and Valenzuela 1981:18, 25; Brym 1998:258, 261).

The modernization theory, which became influential in the 1950s, is an excellent example of the continuing use of evolutionary doctrine to support western principles. Modernization theory gained such prominence that in order for Third World countries to qualify for financial aid, they had to demonstrate their commitment to following the ideas of modernization theorists (Brym 1998:258). The argument posited in this theory suggests that people are supposed to move through stages of development from hunting and gathering to capitalism. It is suggested that although liberal institutions such as private enterprise and

free trade are necessary for development, the adoption of western values is equally important. In fact, traditional society itself is seen as the problem inhibiting certain groups from modernizing (Wallerstein 1990:49). The theorists assume that the "values, institutions and patterns of action of traditional society are both an expression and a cause of underdevelopment and constitute the main obstacles in the way of modernization" (Valenzuela and Valenzuela 1981:18). Repeating the ideas presented in the *Indian Act*, in order to become developed traditional societies must give up their social, political and cultural structures and become the same as the West.

Although the prominence of the modernization theory has waned in its use by academics, the adoption of the terms First, Second, Third and Fourth World are pervasive examples of how the dichotomy between developed and underdeveloped continues. The West is placed in first position and every other social system is seen as trying to move away from its underdeveloped Third or Fourth World designations in order to become First World. Under such a powerful model, development can only occur by becoming Western culturally, economically, and spiritually.

With the power that the discourse of development has acquired, any other economic and cultural systems including those used by the Gitxsan can be discounted as underdeveloped. The social/cultural racism embedded in the discourse of development focusses on the assumed inferiority of the Indigenous way of life and world view. When Truman made his speech, many Gitxsan people still supported themselves by living traditional lifestyles based on hunting and fishing. The Gitxsan world view indicates the respect that should be given to all other creatures which give their lives so that the Gitxsan

can survive. In return the Gitxsan must maintain their obligations to the animals by not over-exploiting them (Duiven 1986:52). Art Wilson indicates that there is "a common belief with ourselves [the Gitxsan] that we have to protect the land because it is the land that feeds us... we take an attitude that we are not alone on the land, there are animals, there are birds, all living things" (Wilson August 21, 2001). The reciprocal nature of the Gitxsan relationship with other animals does not follow Western assumptions regarding how resources should be utilized. As such, the Gitxsan could be regarded by supporters of the discourse of development as being underdeveloped.

Problems resulted because in the mid 1900's the capitalist system and its basic premise of progress via development was in direct opposition to Indigenous philosophy. According to Alfred, the traditional values of Indigenous peoples directly threaten the monopoly of control and power enjoyed by the state (1999:65). However, because it was the colonial governments that had the power to discount other ideologies, the discourse of development was used to legitimize their power. Those groups who did not comply with the Western model of capital accumulation were discounted as inferior because they had not yet reached the pinnacle stage of development. Western governments and corporations saw the lands that First Nation people were living on as vast under-exploited regions just waiting for the development of industry in order to make them economically beneficial. The belief that the land was not being used because it was not producing surplus capital allowed the state and corporations to relocate or even annihilate Indigenous populations in the name of progress.

The Gitksan and Development

The main threat to the Gitksan people and their cultural survival is industrial forestry which has resulted in large scale clear-cuts (Figure 3), roads across their territory, and the destruction of fish and wildlife habitat (Burda et al. 1999:3). The Gitksan people have interests in sustaining the land because it is the basis of their cultural survival. However, the sustainability of the forests has been challenged by corporate interests which see the land as a commodity. Problems result because where the forest is destroyed, there are social and environmental impacts far beyond the actual removal of forests. As Shiva indicates,

when these resources are already being used by nature to maintain her renewability and by people for providing sustenance and livelihood, their diversion to the market economy generates a condition of scarcity for ecological stability and creates new forms of poverty for people. (1992:216)

Today, under the government imposed system, the Gitksan lands fall mainly within the Kispiox Timber Supply Area, which covers 1.2 million hectares. Four sawmills are located in the supply area, including Carnaby (owned by Skeena Cellulose), Kispiox Forest Products (Isolite Stege), Kitwnaga Forest Products and C-GED Forest Products (Gitwangak Band). At the present time (2001), the only mill in operation is that of Kispiox Forest Products, which is running only one shift per day. It is anticipated that this mill will soon shut down as well. The other mills, including Carnaby, have suspended operations due to the cost of producing lumber for a world market (Figure 4).

Despite the problems facing the lumber industry, the British Columbia government allows over one million cubic meters of wood to be logged from the Gitksan territories each year (Marchak et al. 1999:28). Almost all of the logging done is by clear-cut and the amount

of timber removed exceeds the long term sustainability level by approximately seventy-five percent (Burda et al. 1998:4). Each year, 460 000 cubic meters of wood over what has been suggested as sustainable by the Long Term Harvesting Level as defined by the Ministry of Forests is being logged in the Kispiox Timber Supply Area (Marchak et al. 1999:28). As a result, the amount of clearcutting is taking its toll on the Gitksan environment. As Art Wilson indicates, "now the higher slopes are in a visibly disheartening state... In one generation, a staggering number of scars have been left on the earth" (Wilson 1996:38).

The damage done to the Gitksan lands has not only affected the forests, it has strained the animals that depend on the forests as well. Large scale projects have resulted in the destruction of fishing sites and spawning grounds resulting in the extinction of salmon stocks. The Elders who spend their time on the land witness such events. Richard Benson describes the loss of salmon stocks in the Cranberry area when he states, "logging... bulldozers... [on] four creeks and one main river. I don't see any fish there now. There used to be coho and steelhead there... now you can't catch nothing" (1981:3). Similar problems have occurred with other game. As one Elder indicates,

twenty years ago the territory was good. We were able to trap and hunt there to meet our needs for survival... Since the logging industry, with permission of the government, moved into our territory the fur bearing animals have disappeared. So, we can no longer use the territory for trapping. It is now more like a park. (Wright 1982:1)

Earl Muldoe, *Dalgamuukw* advances this statement by indicating that some of the clearcuts have been so large that the animals were imprisoned in the areas left. Muldoe suggests that on the territory he would see moose which had tried to move from one area across a cutblock standing upright dead in their tracks because there was too much snow and

no protection from the elements (Muldoe August 20, 2001) .

The destruction of the territory and damage caused to the animals and their habitat coincides with the period of development. The acceleration of logging was initiated in the period from the 1950s to the 1990s, when northern forest products were being sold in larger quantities on a world market (Marchak 1995:4). As was mentioned in the previous chapter, the Gitksan were active participants in the forest economy in the early 1900s but this changed drastically in the 1950s and 1960s when the government began the Tree Farm License (TFL) program in order to meet the timber supply needs of dominant corporations (Rajala 1996:109). The changes were structured by legislation as well which served to regulate and encourage production along capital lines (McDonald 1994:163). The TFLs contributed to the process of removing locally controlled mills and woodlot owners by allowing big firms to purchase the licenses (Profiles 1998:4). As a result of this conversion, four major corporate groups controlled eighty-six percent of the cut on the entire northwest coast (Glavin 1990:24). These multinational companies operated in their own interests rather than the interests of the communities. The investors are not attached to the local communities whereas the people who have lived there for centuries are. As a result, companies provide short term jobs with few lasting local economic benefits. As an example of the lack of connection to the community, in the 1970s one million cubic meters of wood was removed from the Gitksan territory each year and shipped out of the region, in some cases straight to Asia (Glavin 1990:35). The trees removed were in addition to wood being cut and locally milled. The government support of capital interests has resulted in two-thirds of the West Coast's old growth rainforest being cleared from the time that British Columbia

entered confederation to the present (Glavin 1990:25).

The creation of TFLs corresponded with changes in technology, which initiated the accelerated destruction of the territory. Until there were mass production technologies for sawing wood, including the mechanical harvesting techniques such as clearcutting, the forest industry was not capable of mass destruction (Marchak 1995:3). According to Sterritt, "the impact of capital intensive clear-cut logging on the communities of Northwestern British Columbia was dramatic. It had its effect on everyone" (1989:284). As a result of the TFLs and new invasive technologies, the cut rate doubled between 1950 and 1970 (May 1998:188). Clear-cut logging began in the Gitksan territory in the 1960s and displaced the hand-and-horse logging operations that formed part of the economy of the Gitksan people (Sterritt 1989:285).

With the increase in technology the number of people employed in the mills and the woods also declined. Employment levels began to drop in the 1960s as mills became automated. Although production of forest materials steadily increased, employment levels decreased after this point. British Columbia's wood harvest in 1970 was less than sixty million cubic meters. Less than twenty years later fewer workers were employed in the forest industry but the annual allowable cut was nearly ninety million cubic meters (Glavin 1990:24).

The lack of employment opportunities is even more significant for the Gitksan people because they are the first people to be let go when companies are restructuring. To give an example of the lack of employment for the Gitksan people despite the removal of resources from their territories, the Skeena Cellulose mill at Carnaby did not employ anyone from

Gitsegukla and only employed two people from Gitwangak when they were operating (Profiles 1998:4). Not only are the territories destroyed, but the Gitksan people do not receive any benefit from the destruction of the land. This gives an indication of who development strategies are actually meant to benefit.

Time as Circular: Development as a Continuation of Residential Schools and Reserves

In various ways the ethic of development has undermined Aboriginal culture in the same manner as the *Indian Act*. For the Gitksan, the land is very important to cultural survival because it is a site for the transmission of knowledge, the perpetuation of social values such as reciprocity, and the reproduction of culture which is known and transmitted through involvement on the territory (Berkes 1999:50). As large scale projects become more and more destructive to the traditional territories of groups such as the Gitksan, lands that were previously utilized by those groups become less conducive to traditional activities, thereby forcing people off the land. In this manner, large scale logging can be seen as a relocation strategy. According to Darlene Vegh, many of the Gitksan people out on the territory picking mushrooms are convinced that these areas are being targeted by the Ministry of Forests in an attempt to push the people off the territory and back onto the reserves (Vegh Sept 10, 2000). In order to protect these areas from logging, the Gitksan must provide the government with studies demonstrating the economic viability of mushroom harvesting, such as the number of pounds harvested per day. This information is then compared with timber harvest in the study area without addressing the cultural significance of the area to the Gitksan (Ibid.). The Ministry of Forests may actually be

targeting old growth forests, which is where the mushrooms are the most plentiful but the results are the same. If the territory is destroyed, so is the traditional system that is dependent on the land.

Much like residential schools, development projects also impair the transfer of traditional knowledge because as lands are clearcut and ecosystems destroyed, the traditional knowledge associated with those territories become less useful. Even if the animals and the forests do return in the future (which is not entirely likely), during the gap while the forest recovers the knowledge of hunting and trapping will be practiced less and some local knowledge may be lost. Indigenous knowledge is rooted in the land and its meanings and values are closely related to a sense of place. Butz argues that Indigenous “knowledge and activities [are] symbolically and instrumentally embedded in the places and life worlds out of which they developed and which they help constitute” (quoted in Berkes 1999:7). The destruction of Gitxsan territories disrupts their connection to place, thereby limiting the power of traditional knowledge and its use on the land. As has been established, the connection to the land constitutes everything that makes the Gitxsan who they are. Clearcuts should be seen as a new method of destroying the spirit of a people while leaving their bodies standing.

Damage done to the territory puts additional strain on cultural practices because of the lack of separation between land and culture. One example of the connection between damage to the territory and cultural strain is based on the House system. A cut block may seem like a small area of British Columbia but under the Gitxsan system this may include a Chief's entire House territory. If this area is destroyed, that Chief's and her/his House's

position within the traditional system is compromised because the land cannot support the members of that House. This is very important because under the Gitksan system "the House feeds the [Chief's] name in the feast hall" (Gisday Wa and Delgam Uukw 1992:7). Members of the Gitksan cannot hunt anywhere they want, they must hunt within the territory of their House group. No House has the right to trespass on another's territory so that if a family is unable to hunt on their own territory there is nowhere else for them to hunt and they are denied access to traditional subsistence activities. As an Elder indicates,

today, most of the traplines are logged off. Now we can't go to the traplines and trap because they are all logged off. They done the same to the mountains where our grandfathers used to hunt for mountain goat and marmot. Our grandfathers didn't go on any mountain to hunt for whatever was up there to hunt. They had their own mountain to hunt. (Hyzims 1982:7)

In the Gitksan socio-political system, the social rank of the person holding the feast is partly dependent upon the power and wealth displayed in the feasting system. If the person cannot obtain resources from the territory his/her position in the feasting system is compromised. The work that goes into conducting a feast requires both the accumulation and borrowing of resources in order to later demonstrate the House's prosperity through the distribution of wealth to those who attend the feast. Traditionally, if a person is helped by another House member he/she will repay those people in the feast system. However, someone with unusable territory has no chance of paying people back which in turn damages the system of reciprocity as well as the social contracts and alliances between kinship groups (Gisday Wa and Delgam Uukw 1992:31). If a person's territory is logged off, it is very difficult to continue to practice traditional socio-political relations.

People cannot sustain themselves due to the lack of animals on the territory and are

forced to support themselves through other means. Not hired in the forest industry, the Gitksan are pushed into poverty on their own lands. By the 1970s, unemployment in Gitsegukla village ranged from sixty-five to ninety percent, depending on the season. This is particularly alarming when forty years earlier during the depression for other Canadians, the Gitksan were not affected by the downturn in the economy because they were able to sustain themselves with traditional activities (Sterritt 1989:283). The destruction of the territory has resulted in more young people accepting financial support and welfare, creating dependency on a foreign system (the Elders refused welfare when this approach was first adopted).

Conclusions

The question I address in this chapter is development for whom? The benefits of the forest industry, controlled by transnational corporations, are not experienced by the community whereas the degradation of the environment has important implications to Gitksan cultural and economic survival. The ethic of development for corporate shareholders in the major centers equals underdevelopment for Indigenous peoples. The damaging effects of development strategies on the environment increase as new technology enables larger-scale projects. Domination of both humans over nature and of humans over other humans is a foundation for the current problems in Gitksan territory as well as around the world (Nozick 1992:71). The victims who have been annihilated physically, emotionally, spiritually and/or economically instead are blamed because they are "holding back development" (Weyler 1992:223).

The discourse of development allows corporations and government to commit

cultural genocide against Indigenous populations while still remaining legitimate because they do so under the guise of progress. Other nations are expected to give up their systems which are argued by those in power in the West as being the downfall of nations not adopting the strategies of the West. Culture, politics and economics are defined solely in terms of a Western model that excludes any other form of subsistence as 'underdeveloped'. Diverse groups from around the world who do not comply with the Western model of capital accumulation are placed into one homogenized group. As has been demonstrated, corporations use development as a new colonial tool in order to gain access to communities and exploit their resources without any of the consequences of actually having any form of attachment to the area.

Chapter 5: Global Culture. Local Resistance

A crucial fact is that a substantial majority of Aboriginal people are already on their way towards integration into Canadian Society. Forty-two percent of the 610, 000 status Indians counted in the 1996 Census lived off reserve... The most important consideration that we can give those already outside the reserve system is to avoid setting up obstacles to their gradual integration into the larger society... Let social processes proceed without creating new political entities and administrative systems to reinforce the separateness of those who are already on their way to integration. (Flanagan 2000:196)

...resistance, at root, must mean more than resistance against war. It is a resistance against all kinds of things that are like war... So perhaps, resistance means opposition to being invaded, occupied, assaulted and destroyed by the system... I think that communities of resistance should be places where people can return to themselves more easily, where the conditions are such that they can heal themselves and recover their wholeness. (Thich Nhat Hahn in hooks 1990:43)

Our system of government is as powerful today, and will be as powerful tomorrow, as it was one hundred or ten thousand years ago... To say we disobey our laws and ignore our Chief's authority because we change a piece of technology, or use our land in a different way, is a desperate argument. (Gisday Wa and Delgam Uukw 1992:93)

The catch phrase in Western society during the 1980s and 1990s, and continuing into the year 2000, when discussing culture, economics and politics has become globalization (as a theory, process and project) (Barnet and Cavanagh 1994:13; Brym 1998:416; Robertson 1990:19). The globalization project is based on the idea that there should be a global culture, economic and political system the world is moving towards (Albrow 1993:248; Giddens 1990:63; Robertson 1992:64). An example of globalization's unquestioned endorsement by proponents of global economics and culture is reflected in a statement by the president of the International Development Research Centre, Maureen O' Neil. As she indicates, "let us just

say that globalization is a fact and get down to the task of understanding how, by whom, and for whom social policy is made and how it is financed” (O’Neil 1999:viii). The policies and political slogans which have emerged from such ideas are typically associated with free trade and neoliberalism, which have ushered in this new era. The discourse used is what I have termed in this thesis the globalization project. It is the language used by proponents of globalization in order to argue that there is no alternative to this strategy.

What such an all encompassing project fails to address is the negative impact such suggestions have had on groups who have been living on the same lands since time immemorial. The very nature of the project of globalization, just as it has been with other periods such as development, is based on the imposition of the dominant Western culture on other cultures (Shiva 1997:103). What is interesting when considering previous ethics and the principles of globalization is that development and evolutionary theorists indicated that everyone should reach the same level of advancement in order to be considered developed, whereas those subscribing to the ethic of globalization argue that everyone has become the same culturally, politically and economically.

What is missing from the implications made by those expressing the ideals of globalization is the fact that groups such as the Gitksan, who affirm a connection to a particular area, have maintained their culture as well as resisted outside encroachment in order to defend their distinct cultures and institutions. According to Alfred, First Nations groups are attempting to protect “a set of values that challenge the destructive and homogenizing force of Western liberalism and free market capitalism” (1999:60). Those in the Western world asserting political and economic power are trying to move towards a

single economy, political system and global culture just as they have been for centuries. At the same time distinct peoples such as the Gitksan, who have always been very proactive in the protection of their territories, uphold their social structures and the distinctive connection they have to the lands which is fundamentally different from the world views' of the West.

Despite being advocated by some members of academia, business, political institutions, and the media as a significant change to the way the world economies and political systems are structured, globalization is not actually a recent occurrence by my definition or by the definition of many others. As I have argued in this thesis, the very nature of capitalism requires outside forces to continually expand their markets and resource base by moving around the world (Taylor 1989:7). As a result, the occupation of Indigenous lands is still being executed by various corporations in much the same manner as it was when the Hudson Bay Company (HBC) first entered Gitksan land in search of additional resources. The relationship of corporate, profit making business in the form of the HBC and government is particularly apparent in the history of British Columbia. The fact that James Douglas was the Chief Factor of the Hudson Bay Company as well as the first governor of British Columbia indicates that initially government and business were administered as one and the same. In global culture, the missionaries' role has been replaced by the government agent who enforces Canadian state policy. State policy has aided corporations in attempting to assimilate local economies into the global market and attempting to remove Indigenous systems of knowledge so that the principles of a commercialized, scientific and democratic society can be enforced. Globalization is declared as a new era, rather than just a continuation of old policies because it constructs the illusion that global thinking, inspired by

new technology, is an advancement from the principles of local autonomy. Today, it is argued that modern, developed citizens have the moral obligation to “think globally” (Esteva and Prakash 1998:21).

Discussion of globalization as a recent event is the latest attack directed at First Nations communities and the attachment they hold to specific territories. To say that the world has become global culturally, economically and politically can be viewed as an attempt by the Western world to subvert the existence of Indigenous cultures and their attachment to local places. The argument is made by those who benefit from the idea that there are no more real Indians because if everyone is the same the rights that Aboriginal people hold on their territories are negated.

Those who argue that the world has globalized neglect the history of capitalism or simply applaud its movement around the world. Through disregard for the history of colonization, proponents of globalization theory intimate that other cultures of their own free will have assimilated to Western economic and cultural principles. The major assumption being made by the proponents of globalization is that all cultures are in the process of becoming the same. In 1979 Margaret Thatcher came to power in Britain and justified both globalization and social Darwinism with her campaign titled There Is No Alternative (TINA) (George 1999). This policy was accepted in both the United States and Canada by proponents of globalization, who were (and are) also largely those in power.

Globalization is guided by the ideology of neoliberalism which gained influence in Western society largely in the 1970s. Aspects of this philosophy include the belief in an unregulated market economy, criticism of the welfare state and a view of citizens as

motivated by self interest (Robbins 1999:100). Neoliberalism, just like other phases of colonization, supports the freer movement of capital in a bid to find cheaper resources and maximize profits. According to proponents of neoliberalism, a government should not interfere with the free market economy by supporting a welfare system that acts as a disincentive to talented members of society (Allahar and Cote 1998:11). The General Agreement on Tariffs and Trade, International Monetary fund, World Bank and similar organizations follow liberal doctrine and use their powers to persuade non capitalist nations to adhere to liberal principles (Brym 1998:254).

GATT Revisited as an Additional Agent of Assimilation

There has been a lack of analysis as to how the proposed era of globalization has affected Indigenous people who belong to nations within states. The participation of Indigenous nations in what has been termed by the West as the global village is very different from participation by various countries because First Nations groups have been forced to enter global agreements without their consent. Taylor argues that the laws created and interpreted by States "have little reason for being other than to expropriate the very resources that indigenous people require for the survival of future generations" (1993:67). Being nations within states, Aboriginal peoples were not consulted as to whether or not they wanted to be part of the General Agreement on Tarriffs and Trade (GATT) or the North American Free Trade Agreement (NAFTA) in much the same way as they were not asked if they wanted Europeans to settle on their lands.

The creation of states within North America produces another interesting dynamic

because prior to the arrival of Europeans and restrictions being placed on the movements of Aboriginal people, the various nations of North America practiced free trade (Muldoe Aug. 20, 2001). There was no need for protectionism of markets (ie. tariffs or duties) because Indigenous nations traded for goods they needed such as oolichan grease or abalone shells that were not available in their geographical area. Trade was conducted from California to Alaska by the Gitksan people, as evidenced by the abalone shells that were brought into Gitksan territory by way of trade (Muldoe August 20, 2001). The extensive network of trails, often called the Grease Trail because of the oolichan grease that was traded with the people on the Nass, also demonstrates the importance trade had in the lives of the Gitksan (MacDonald 1989:17). Various nations including the Tahltan, Tsimshian, and Carrier all utilized the same rivers, and the resources they provided, at various points (Muldoe Aug 20, 2001). Present concepts of free trade deny the rights of Indigenous groups by increasing corporate access to their resources.

The Gitksan, and other Indigenous nations' concern about the effects of trade agreements such as NAFTA was addressed during a conference held by the Gitksan in 1995 titled, World Indigenous Conference- The Eagle and the Condor: In Flight for the Future (Eichstaedt 1995:9). The conference was attended by Indigenous delegates from North, South and Central America as well as the Philippines and Hawaii (Eichstaedt 1995:9). The main objectives of the conference were to explore possibilities for the protection of Indigenous sovereignty and inter-Indigenous trade relations through the establishment of an international network. Participants discussed the possibility and methods of exchanging political strategies which included the development of an information network between the

Gitksan and other Indigenous peoples. Another important item discussed at the conference was the development of trade relations between Indigenous groups that are respectful of First Nations rights to the land. Delegates from the nations in attendance discussed commodities they produce and attempted to resolve how these items could be bought, sold and transported directly between groups (Agenda 1995:4). The delegates were also provided with a list of products to boycott because they infringe upon Aboriginal rights (Holland 1995:19).

It is the creation of global agreements that make the exploitation of local peoples, their resources and their knowledge possible. Just as agreements such as the GATT have allowed corporations access to territories they determine to be undeveloped, the policies created under GATT have been successful at perpetuating the global ethic based on their homogenizing ideals. By examining the sections of GATT which directly affect Indigenous groups, the interests of those constructing the agreement become apparent. The section of GATT that is particularly useful for this discussion is based on the Treaty Related Intellectual Property Rights which involve the patent of life forms which often comprise Indigenous knowledge. According to Shiva, the freedom that transnational corporations claim through intellectual property rights protection is freedom that European colonizers have claimed since first contact (1997:2).

Under GATT, intellectual property rights are recognized solely as private rights (Shiva 1997:10). By viewing intellectual property rights in this manner, the Indigenous assertion of their customary and collective rights to knowledge and resources is excluded. This is problematic for Indigenous groups because the knowledge a community possesses cannot be separated from the social and spiritual nature in which it is derived (Berkes

1999:6). By taking the knowledge from the local community, the cumulative nature of Indigenous knowledge which is passed down from generation to generation is ignored. As a result, such decisions should be seen as a continuation of the denial of Aboriginal concepts of territoriality and the role community plays in the development of knowledge.

Further restrictions included in the treaty also attempt to challenge the traditional system. According to Article 27.1 property rights are recognized only when knowledge and innovation generate profits (Shiva 1997:10). This is done by declaring that innovation must be compatible with industrial application, thereby making it marketable. By making knowledge a corporate monopoly those who produce knowledge outside of industry are excluded.

It is in the interests of capitalism to undermine Indigenous concepts of ownership and management because the First Nations world view causes significant problems for the capitalist ethic. Communally held lands are subject to conservation measures of the House group (in the Gitksan strategy) and as a result are not easily subject to exploitation. The large networks of relations that people can call on promotes the sharing of resources and promotes reducing the need to over consume and make money (as will be explained in discussion of the sharing of salmon among the Gitksan) (Robbins 1999:274,275). The exclusion of Indigenous people from the intellectual property rights is yet another method of denying the rights of First Nations from controlling resources desired by members of capitalist society.

Technology and Homogenization

As it did with the phases of early settlement and development, technology has played a pivotal role in the creation of the latest phase of colonization, the era of globalization. The process of attempting to bring everyone into the global market has become easier in the past two decades due to advances made in the microchip technology and telecommunications which break down barriers impeding the free flow of capital, consumer goods and information (Morales-Gomez 1999:7). Trans-border computerized data flows (such as the Internet) ignore and bypass local and national regulation, allowing images from around the world to be witnessed by various people in different locations (Pieterse and Parekh 1995:228). Technology has had both negative and positive impacts on Aboriginal communities. As was explained in the preceding section, information flows have been utilized by Aboriginal groups to promote their agendas. Changes in technology have also resulted in adaptation by Indigenous populations in order to defend their connection to place.

Just as technology has been used to defend people's connection to the land, modern technology has played a role in disrupting connection to place (Schumacher 1989:160). With the increased importance of the automobile in Western society, proponents of globalization argue that people no longer travel out on the land and only see the landscape from the road. As has been discussed, connection to the land requires people to experience the territory by being out on the landscape. The reliance on roads and vehicles both enable people to go out to certain areas on the land but also hinder the movement of people dependent on cars to traverse the entire territory. Roads are also important in discussions of Aboriginal-White relations because they ended the isolation of Aboriginal communities from

the European settlers, connecting them to external influences.

It is important to note that although many technological innovations permit the transfer of capital as well as information throughout the earth in a matter of seconds, these constructions only sped up a process of mercantilism that began in North and South America, and in Canada in particular, with European settlement. Capital flows, communication strategies, and cultural products have always been limited by the level of technology. However, attempting to enhance communications is nothing new for Western nations because the improvement of communication follows the principle that technology should constantly progress. As was described in the role of the building of the telegraph trail on Gitksan land, the west has continually attempted to create technologies in order to be able to communicate around the world. Both pieces of technology were constructed in order to speed up the flows of information that are necessary in the capitalist world system and capitalist expansion.

Homogenization of the Environment

The environmental destruction caused by new technologies which allow for the devastation of the habitat on a much larger scale has the most damaging impact on Aboriginal society. The land itself is losing diversity because species are being lost at an alarming rate. Through a process of corporate takeovers, capital concentration and the pursuit of centralized control over resources, there has been a noticeable and systematic elimination of diversity on earth (Nozick 1992:68). According to Nozick, "experts estimate that we are losing from as many as forty-five species of plant and animal life a day, globally,

as a direct result of human interference with the environment" (1992:69).

On the Gitksan territory the trend of homogenizing the forest in order to maximize profits has been policy from the time corporations replaced small local mills. As argued by Glavin "the government's official policy and precisely the big companies' policy [was/is to] get rid of the forests and replace them with plantations" (Glavin 1990:179). In the Kalum and Cassiar areas, for example, in 1987 forestry companies planned to clear the forest and replace existing species with an even aged stand of more merchantable species (Glavin 1990:179). Within three years of the proposed plan three million cubic meters of diverse forest had been cut and a majority of that wood was exported out of the community to Vancouver in order to feed pulp mills. The remainder of the trees went directly to overseas markets including Japan. Earl Muldoe, *Dalgamuukw*, refers to the lack of regard for place shown by outside control when he suggests that corporations tried to plant the most marketable trees in areas that were foreign to that species (Muldoe August 20, 2001). He then mentioned that on rocky ground hemlock grows best and in swampy areas low lying ground spruce is generally found. Industry tried unsuccessfully to plant jack pine where there was formerly spruce (Muldoe August 20, 2001).

Management systems themselves have become globalized-centralized bureaucratic institutions based on the universalistic concept of Western science. The practices of forest companies, such as intensive silviculture, which are supported by scientific modification, often lead to losses in genetic diversity as well as species richness. As an example, after an area has been clearcut and replanted, the trees are all the same age, eradicating the diversity of the area. With all of the trees being roughly the same height, the diversity on the ground

is also compromised because in an old growth forest there are trees of every age and size. The use of science in the ethic of profit has also resulted in utilizing species that will maximize capital returns. According to the Ministry of Forests, a percentage of the trees planted in the Kispiox Timber Supply Area are from seed orchards that improve stock (Ministry of Forests 2001:Internet). What the term improved stock indicates is that the trees being planted benefit industry because they have straight stem forms, and produce higher volume and wood density (Ibid.). Utilizing fast growing species because they increase production does not have the same importance for a paper producing corporation and a First Nations community. For corporations, the diversity of a forest has been converted from supporting the life of Aboriginal communities to a raw material base for export (Shiva 1997:66).

Natural resource management is not a modern concept for the Gitxsan but their ways of managing the land differ significantly from corporations. Their laws have always encompassed respect and protection of the land. Neil Sterritt Jr., *Madeegan Gyamk*, explains, "progress for the [Gitxsan] people means caring for the land and its resources so that the land is there for future generations of all people to enjoy" (Sterritt 1989:279). The Gitxsan are committed to the long term sustainability of their lands because the lands in which they inhabit comprise their past, present and future. The most reliable guardians of any land base are the people who have extensive knowledge of the land, who depend on the land for survival, and who do not see leaving the area as an option.

Timber companies' concern for the future is incredibly short sighted when contrasted with the Gitxsan concern for their House resources which address the needs of future

generations. Timber companies do not make projections extending more than twenty years because their interest is in short term profits (Wilson August 21, 2001). While timber companies and the Ministry of Forests have adopted the term 'sustainability', often at the prompting of Aboriginal and environmental groups, the basis for considering long term planning is still bound to a model of continued short term economic growth (Wilson August 21, 2001). Conflicts tend to be resolved in favour of the industry which generates the greatest short term profit, regardless of how such a decision will affect other resources of importance to other groups. As Art Wilson explains, Gitxsan attempts to protect the land is made difficult because the Ministry of Forests' policies are written in stone. The Ministry of Forests determines the number of cubic meters of timber scheduled to be cut every year. Modification of the Annual Allowable Cut (AAC) only includes four percent of the scheduled AAC (Wilson August 21, 2001). Under such a restricted model it is difficult if not impossible to ensure Aboriginal rights, such as hunting, on the entire territory. Consultation with First Nations groups amounts to the Ministry of Forests listening to the concerns of the Gitxsan without actually ensuring that Aboriginal rights are upheld (Wilson August 21, 2001).

Global Culture (Globalization Phase Three)

The corporate need to assimilate and control species extends to all beings, including humans. The creation of a mono-culture is an essential component of globalization. Corporations demand control of raw materials as well as markets to sell their products and the best way of gaining control is by establishing like-minded people. Under each phase of

colonization, those in power have attempted to wipe out diversity and impose homogeneity. This strategy began when Aboriginal people were first placed on reserves, sent to residential schools and forced to assimilate to the Western culture in an attempt to free up the land for settlement and exploitation. Whether the term being used is developed, Indian, etc. the underlying principle has always been to turn people of diverse histories and geographic locations into one homogenous category determined by outside economic forces through employing evolutionary ideology.

Today, corporations continue to attempt to erode national cultures, through the promotion of consumerism based on global marketing (Bhalla 1998:7). Manufacturers and advertisers promote the idea of globalization in order to ensure their products will find the largest possible market. Today, twenty-five percent of everything produced for market comes from giant transnational corporations, 600 of which each have sales of more than one billion dollars annually (Nozick 1992:19). These corporations operate in countries around the world and their size continues to grow as they buy up the competition, including local producers, and merge with other conglomerates.

Barnet and Cavanagh maintain that global marketing has produced a global culture created in the perceived image of the American dream (1994:25). The basis for this argument is the fact that United States cultural products such as movies, compact disks, and clothing have increasingly been sold around the globe in the past decades. These industries have become so large that "in 1989 packaged cultural products netted a U.S. trade surplus of \$8 billion, which made entertainment the third largest surplus item of the year" (Barnet and Cavanagh 1994:25). Based on the fact that people around the world purchase American style

goods at an increasing rate, it is argued by proponents of the globalization project that their own culture is abandoned. Proponents of globalization also argue that cultural uniformity witnessed in the ethic of consumerism devalues people's perception of home as a special place of origin. For those supporting globalization, home has come to mean the world at large (Nozick 1992:3). An example used in support of the idea of global consumption is children in rural communities of Canada wearing clothing similar to black youths in Los Angeles despite living hundreds of miles away.

The suggestion that everyone endorses the principles of material culture has been used by proponents of globalization to dispute the rights of Aboriginal people by suggesting that if First Nations people use modern technology such as a motor boat to fish, synthetic fabrics to dress, or a gun to hunt they have abandoned their traditions and should no longer be considered Indigenous. This 'real Indian' argument sees culture only in its material form rather than in terms of world view, values and socio-political organization (Harris November 2, 2001). Based on this logic, Flanagan asserts,

contemporary aboriginal people are integrated into the broader Canadian society. They are literate and educated, own property... work for wages and salaries [and] supply their needs through market transactions rather than self provision... because of this integration, aboriginal communities will not be able to revive their ancient systems of informal governance. Their own cultures [are] now closely integrated with the general Canadian culture. (2000:95)

The adoption of European trade goods in addition to new economic opportunities are seen by the Western world as the commencement of the abandonment of real Aboriginal life (Gisday Wa and Delgam Uukw 1992:41). The idea behind such an argument is the principle that groups would have remained at the same point technologically had they not been

introduced to Europeans. In cases such as *Delgamuukw v. Regina* (1991), this type of logic has become known as the “pizza test” because Aboriginal defendants have been questioned about details such as how many times they have eaten “White food” such as Kentucky Fried Chicken, Big Macs and pizza in an attempt by the Crown to demonstrate their level of assimilation (Culhane 1999:229). Directed by this type of logic, Geoff Plant, lawyer for the Province of British Columbia asked members of the Gitksan community questions such as, “Is there electric lights on the reserve?... [of] the members of the Band who live on the reserve, do some of them own automobiles?... [is] there a school on the reserve?” (Culhane 1999:230).

Marius Barbeau reflected this pattern of argument sixty years prior to the court case in his discussion of the Gitksan people. When discussing the creation of totem poles, Barbeau indicated that “this art belongs to the past” (1973:1). He continued by contending that the poles at Gitsegukla created in recent times,

are of good quality and in fair state; but they rather lack the air of antiquity which is so striking elsewhere... the oldest poles burnt down with the village in 1872 and the present ones were erected since, a few after 1900. Most of them were decorated in the new style, with modern paint... the garish colours on the recently restored carvings are modern and unauthentic. (Barbeau 1973:3,14)

According to Niezen, the only value violated through the Indigenous use of new technology is the West’s vision of a picturesque ‘noble savage’, because the forest way of life has had a long history of accommodation and innovation (1998:6). Questions such as those asked by the Crown serve to reaffirm the Western opinion that Indigenous groups lived in a primitive state and were rescued by the Western world. This is certainly incorrect when discussing European relations with the Gitksan because as early as the 1800s the Gitksan

dismissed European fur traders because they had nothing that they wanted or could not get from their tribal neighbors (Monet and Skanu'u 1992:195). That the Gitxsan have decided to use new technologies such as paint on poles is an indication of cultural continuity. Those practicing the art have been able to adapt and thrive. As was indicated at trial, Gitxsan systems are,

open and adaptive, and many of the developments in their territories since white contact are not symbols of their demise as Indian societies, but are a product of their vitality; many developments have been incorporated into an existing framework and structure of their society in ways which are part of a chain of continuity with the past. (Gisday Wa and Delgamuukw 1992:43)

The threat to the Gitxsan culture through assimilation is both implicit, as seen in the previous section, yet cultural erosion is a real possibility due to the destruction of the territory as a result of large scale mechanized logging practices promoted as 'progress'. The Gitxsan continue to resist both of these pressures today. In fact, the destruction of the territory was a major catalyst for launching the *Delgamuukw* land claims case.

Resistance Leading to the Delgamuukw Case

The Gitxsan have met the threat to their cultural autonomy, constructed through the discourse of globalization, with unwavering resistance. In fact, the pressure placed on the Gitxsan people from outside groups has strengthened the bond they feel to their community because it has enabled them to examine their history and connection to the territory more closely (cf. Slater 1997:261). As a result of the Gitxsan resistance that produced the land claims case *Delgamuukw*, oral histories, territorial maps and genealogies of the Gitxsan are now written down in 374 volumes of transcripts, thousands of documents, and hundreds of

exhibits (Figure 5) (Wilson-Kenni 1992:11). Despite the attacks on the Gitksan lands and culture, the Gitksan have been able to use their connection to the land as a source of resistance by asserting the power of local tradition and connection to place. Tradition is very important in disrupting the discourse of globalization and development because it directly opposes both ideals. Whereas the discourses of globalization and development suggest that cultural attainment should be based on continual progress, tradition by definition suggests that the Gitksan have maintained their culture through a connection to the past. This does not mean that the Gitksan have not adapted to change. They have asserted their connection to place through the utilization of such innovative methods of protest as blockades, mapping and litigation. Resistance has also incorporated wisdom that has been theirs for hundreds to thousands of years contained in the perpetuation of cultural symbols, such as poles, songs, stories and crests.

Protection of the Land (Delgamuukw Litigation)

In order to resolve the question of title as well as to gain external recognition of the rights the Gitksan possess as a distinct people, on October 24, 1984 the Gitksan and Witsuwit'en Chiefs filed a statement of claim against the Province of British Columbia (Monet and Skanu'u 1992:16). Tradition was a major component of the case of *Delgamuukw* in the Gitksan fight for control over their territories. As Dora Wilson indicates, "the spirits of our grandfathers and our grandmothers were on our shoulders, and we were there speaking on their behalf because they are the ones that taught us that this is our land" (1992:201). The basis of the Gitksan claim to the territory was the fact that they are

descendants of people who have lived in the territory since the beginning of time as they know it. As a result, the Gitksan continue to consider themselves the rightful owners of the territory in question (Culhane 1998:26).

At trial, the Gitksan sought recognition of title to the territories as well as recognition of the jurisdiction their people possess within their own lands (Gisday Wa and Delgam Uukw 1992:1). Through their assertion of ownership and jurisdiction, the Gitksan affirmed the foundations upon which their society has been based since time immemorial. According to Cruikshank, the Gitksan attempted to state their relationship to the land on their own terms, from their own perspective, using long standing traditions as the basis for presenting their case to the court (1992:34). The case provided an opportunity for the Gitksan to present their claim, as well as to control the representations of their culture both to the outside world and to their own communities. The Chiefs and the members of their Houses selected who was going to be a witness for them (Wilson 1992:201). The Gitksan decided to perform their *adaawk* or oral traditions and their sacred songs for the court because they are central to the understanding of the relationship between their history and landscape, expressing connection to the land and attachment to place (Cruikshank 1992:40). The *adaawk* are a record of Gitksan occupation and ownership of their lands.

● The opening address at the hearing, typically stated by legal counsel, was made by two of the principle plaintiffs, *Delgamuukw* representing the Gitksan and *Gisday Wa* representing the Witsuwit'en. In total, the Gitksan-Witsuwit'en called upon twenty-four of their own citizens to give evidence at trial (Wilson 1992:202). In addition, thirteen Elders who were unable to attend the proceedings gave commissioned evidence. The community

members who spoke at the trial did so in the manner that would typically be reserved for the feasting system. According to Neil Sterritt Jr., *Madeegan Gyamk*, "the elders went in and they said how they felt, what they knew about the land, what they wanted in the future, and where they came from in the past (1992:305).

The *Delgamuukw* case exceptionally demonstrates the fact that the Feasting system and the traditions of the Gitksan are intact. Despite a century of government suppression of Gitksan rights to their territories and resources, the knowledge obtained through the feasting system formed the basis for the Gitksan challenge to Canadian state authority over territories (Anderson and Halpin 2000:24). The maintenance of the feast is a symbol of Gitksan "cultural vitality, social solidarity and political determination" (cf. McDonald 1990b:105). The genealogies placed on the walls of the courtroom provided tangible evidence of the persistence of the matrilineal principles linking Gitksan people from generation to generation. The accounts, supported by archeological evidence recounted events thousands of years in the past (Gisday Wa and Delgam Uukw 1992:38). The accounts demonstrated that the specialized knowledge that the Chiefs and Elders are responsible for maintaining continues to exist in the minds of those whose duty it is to remember. Such narrations continue to be told at Feasts, where other Chiefs are responsible for making sure of their accuracy. Facts that survive in the Feast system acquire higher status and come to constitute accepted knowledge because they have been told, heard and acknowledged many times (Gisday Wa and Delgam Uukw 1992:40). The maintenance of narratives reflect the vitality of the House and Feasting system.

McEachern's Decision (Evolutionary Theory Revisited)

Before I discuss other forms of resistance, it is valuable to examine Chief Justice Allen McEachern's decision in the *Delgamuukw* (1991) land claims case of the Gitksan and Witsuwit'en because it demonstrates the persistence of the ethic of social evolution. The Gitksan and Witsuwit'en attempted to force the federal and provincial government to recognize their right to their traditional territory. McEachern ruled that they did not have legal title for a variety of reasons, most of which echoed the work of Tylor, as well as Trutch, one-hundred years earlier. While the Supreme Court overturned his decision in 1997 and *Delgamuukw* now represents a victory for Indigenous people, McEachern's initial decision is used here to demonstrate that unilineal doctrine still exists today. In his decision, McEachern concluded that First Nation societies were on a lower evolutionary level than white society and had no legal rights under British or Canadian law because their society could not be associated with legal ideas of civilised society and ownership of land. As he stated, "the absence of a written history, wheeled vehicles, or beasts of burden... suggest the Gitksan and Witsuwit'en civilizations, if they qualify for that description, fall within a much lower, even primitive order" (*Delgamuukw* in Mills 1994:16). The use of items such as wheeled vehicles in his analysis of cultural scale is particularly reminiscent of Tylor and Morgan's categorization of material objects to demonstrate evolution.

McEachern's decision disregards the importance local geography plays in people's adaptation to their environment when he refers to the absence of wheeled vehicles and beasts of burden as examples of the Gitksan lack of cultural attainment. Horses and cattle are not native to the Northwest Coast and as a result it would be quite a feat for the Gitksan to utilize

them prior to their arrival in North America! Wheeled vehicles are not well suited to the terrain of the Gitksan territory which is very mountainous and contains numerous river systems. Canoes and the intricate grease trails were highly suited forms of transportation on the Northwest Coast based on the local geography.

McEachern's decision reflected the Western belief that Aboriginal groups would have remained at the same point technologically had they not been introduced to Europeans when he suggested that the Gitksan were only entitled to subsistence activities such as hunting, fishing and berry picking on their territory. The Gitksan responded by indicating that they would not be able to hunt, and pick medicinal plants if the area was clearcut. They countered that an archeological survey be conducted before logging proceed and that consultation with the House group whose land the timber license would affect be instated (Mills October 23, 2001).

The Office of the Hereditary Chiefs

The Gitksan continued to entrench their territorial laws despite McEachern's inability to recognize the importance of the House system and the jurisdiction of the Gitksan Nation on their territories. In 1987, during the court case, in an attempt to publicly acknowledge the authority of the Hereditary Chiefs as well as the continuing utilization of the House system as the Gitksan means of governance, the Gitksan-Witsuwit'en Tribal Council changed its name to the Office of the Hereditary Chiefs (McDonald and Joseph 2000:212). By 1990 the Gitksan had brought programs, including the Gitksan Wet'suwet'en Education Society and the Gitksan Witsuwit'en Government Commission, under the authority of the Office of the

Hereditary Chiefs in order to allow Hereditary leaders rather than the Band Council to govern their people (McDonald and Joseph 2000:213). The procedures facilitated the Gitxsan goal to continue to actively participate in the management of their territory on their own terms.

The Strategic Watershed Analysis Team (SWAT)

One branch of the Gitxsan Treaty Office (which is part of the Office of the Hereditary Chiefs) that is particularly valuable in maintaining the Gitxsan knowledge of their territories is the Strategic Watershed Analysis Team (SWAT). The mandate of SWAT is to fulfil the territorial and resource mapping needs of the Gitxsan people. The knowledge base created by SWAT provides the House groups with a way of recording and storing wildlife, ecosystem and cultural information needed for members to make informed decisions in regard to land use planning and resource management. The approach the Gitxsan have taken in accumulating knowledge follows the traditional system of being watershed-based. Work projects conducted by SWAT are broken down first by watershed and then by each distinct House territory (SWAT 1995:1). The Gitxsan maintain that forestry plans, economic development and resource management must be tied directly to the House territory and must reflect the decisions of the House as to how to best utilize and maintain their territories (GTO 1995:5). Following the Gitxsan governance structure, the Chief of each House expresses the decisions made.

To ensure that Gitxsan rights are upheld according to the 1993 *Delgamuukw* British Columbia Court of Appeal rulings on Aboriginal rights, the Gitxsan provide information

created to industry and the Ministry of Forests (SWAT 1995: 13). The Gitksan model, a report created by SWAT, provides a comprehensive examination of the ecosystem in relation to the culture of the Gitksan because they argue that no aspect of their rights to the territory exists in isolation. As the Gitksan maintain, "to guarantee hunting rights within a certain area, but to deny wildlife a place to live (ie: through over logging the area) negates the aboriginal right to hunt" (GTO 1995:4). The ability of each House to exercise its rights requires the conservation of sufficient plants and animals, and the conservation of enough habitat for the plants and animals on each House territory to enable each House to hunt, fish, trap, harvest timber and gather plants for social, ceremonial and subsistence purposes for both the short and long term (GTO 1995:7).

SWAT has determined that one way to stop large scale destruction of the forests, which is responsible for the most serious infringement of Aboriginal rights, is to document intricate knowledge of the territory that can then be used in opposition to corporate logging plans. SWAT has inventoried and mapped species, including grizzly bear, moose and salmon in order to gain a representative picture of the entire ecosystem (Burda et al. 1999:7). The well-being of the territory is also monitored by surveying conditions such as soil and terrain stability, age and condition of the forests and the health and quality of salmon-bearing waterways (Burda et al. 1999:7). Past and present use and occupation of the territory, including village sites, trails, hunting, fishing and gathering areas, seasonal and permanent camps, and culturally modified trees, is documented in order to demonstrate the culturally significant value of the territory. A considerable amount of the research conducted in order to document Gitksan use was done in preparation for the *Delgamuukw* case.

The Gitksan approach is a direct challenge to globalization because it is founded on a community-based planning and management approach for the entire landscape. According to Burda et al., "rather than being forced into a joint venture and playing by the rules of timber corporations, the Gitksan Model sets the rules for the territory" (Burda et al. 1999:13). The Gitksan Model transfers capacity to the members of House groups so that the process can be conducted and led locally. This does not mean that the model is exclusive only to members of the Gitksan; rather, the Gitksan maintain that the model is inclusive and cooperative. They work with industry and experts in such programs as eco-based mapping in order to protect their environment at a sustainable level (Burda et al. 1999:11). The model contends that decision making should be local because the Gitksan know the territory and are the people who must live with the consequences of decisions made.

Rejection of the Land Selection Model

The Gitksan rejection of the state-created land selection model in ongoing treaty negotiations with Canada is a demonstration of their continuing commitment to the protection of their entire traditional territory. Under the land selection model, First Nations groups surrender title to much of their traditional lands in return for state recognition of their title to a small portion of it. They then have only limited consultation in the management of territories outside of settlement lands (Burda, et al. 1999:12). The Gitksan concept of ownership does not work under the land selection model because ownership rights over the territory are held by the individual Houses in each area. To give up land would be denying the rights of the House group which owned that land. The Gitksan also argue that the land

selection model would destroy their connection to the land due to clear-cutting, mining and other forms of destructive industry that would continue, and as a result would undermine their right and responsibility to manage the land sustainably (Burda, et al. 1999:12). As a result of the Gitksan perception of the entire landscape as sacred, they have an interest in land management encompassing the entire territory. For this reason the Gitksan favour co-management as opposed to land selection. As Art Wilson, '*Wii Muk'Willixw* explains, "our ideas of management are not in blocks here and there. We would like to look at our whole watersheds and plan around those watersheds" (Wilson August 21, 2001).

Mapping

As has been stated above, mapping was an important part of the strategy during the *Delgamuukw* case and it will continue to be a useful strategy in the future. Maps rather than being just points on a piece of paper, are social constructions of reality that embody the values and power structures of the people who make them (Brealey 1995:140; Keith and Pile 1993:4). They are ideological defenses that legitimize the claims of the group who controls them and marginalize the claims of those who do not (Brealey 1997:1; Elias 1993:243).

Gitksan mapping attempts to diminish the power of government-controlled mapping designed for removal, land allotment, and assimilation of Indigenous people. Map making was and is employed by Europeans (and now Euro-Canadians) to map Indigenous people off the landscape by depicting the lands they inhabit as 'empty' spaces (Aberley 1993:4).

Today, maps are utilized by corporations and those in power to guide incessant development.

Local, regional and continental environments are divided into blocks stripped of their

physical and cultural landscapes (Aberley 1993:2).

The Gitksan instead use maps as one of the most potent methods of asserting claim to local territory. Groups who settled on Gitksan lands changed the landscape's history by replacing Gitksan toponyms. Most Euro-Canadian people who entered the territory never knew or learned the Gitksan names. The Gitksan have confronted the concept of a land empty of names by remapping areas according to traditional toponyms for various features of the landscape. This remapping challenges British Columbia's official geographical representation of the province (Sparke 1998:474). Place names were created by the ancestors, thus there is significant power in those names (cf. Basso 1996:30). The House names will be used *in situ* as well because various House groups plan to put up signs indicating to visitors that they are entering specific ancestral House territories (as opposed to the Kispiox Forest District).

The creation of the Gitksan maps demonstrates the Gitksan knowledge of place preserved in the language, histories, songs and experience. Maps are a visible and convincing documentation of how communities understand their environment and deal with the cultural organization of land use (Berkes 1999:169). For the Gitksan, documenting each House territory's borders and the biodiversity contained in that territory provides tangible evidence of orally transmitted knowledge. The creation of maps identifying culturally significant areas such as berry picking areas (Figure 6.0), salmon habitat (Figure 6.1) and grizzly habitat (Figure 6.2) articulates the idea that the Gitksan know more about their territories and its bio-regions than government and big business (Aberley 1993:16). As a result of the knowledge assembled, maps are strategies for resistance by the Gitksan people.

They can also be used to illustrate the damage caused by development (see map of clear cuts in the territory of Delgam Uukw in Monet and Skanu'u 1992:199). The information contained on maps forces government and industry to deal with Gitxsan values and constructions of knowledge because the Gitxsan present an alternative to the destruction of habitats.

The maps themselves are nation-building tools for the Gitxsan people because they create a visual reference to place. As one Gitxsan elder, *Ajon*, suggests, "It would be very nice if all the territories were under names and mapped. It would add strength to proving our ownership. Our history should be in place. We should teach our children about our territories and the history of our territories" (Morrison 1982:4). The Gitxsan Chiefs began to define their territorial boundaries in 1973, working to complete a map depicting their external boundaries (Figure 7.0). According to Sterritt, "the Gitksan Chiefs decided that the map to be submitted to the federal government had to be as accurate as possible, short of walking the boundary to locate it with elders and support staff" (Sterritt et al 1998:7). Based on the work conducted, the shape of the Gitxsan territory can be transferred to posters, books, etc. (Figure 7.1) so that there is a visible symbol that each Gitxsan person can now examine and feel as though s/he belongs to that place (Anderson 1991:175).

Blockades

The political strategies created through endeavors such as *Delgamuukw* and Gitxsan mapping, have been supported by action directly on the territory. While the trial continued, the Gitxsan feared that even if they won the court case there would be no resources left on

the land because forest companies, not sure of the outcome of the trial, accelerated their rate of clearcutting. The response became direct resistance on the territories in the form of blockades. As Don Ryan indicated, "the Chiefs should mean what they say, defend their territories and surrender nothing" (Glavin 1990:32). The blockade became an assertion of the Gitksan authority over their territory (Blomley 1996).

The utilization of blockades as a form of resistance has a long history in the Gitksan territories. As early as 1872, in response to the burning of twelve Gitksan houses and six poles at Gitsegukla, the Chiefs blockaded the Skeena River to all supply and trading boats (see Chapter 3). The Gitksan employed this method of resistance again in the 1980s by closing off railway lines and roads in an attempt to protect rights threatened as a result of large scale logging. In 1985 in the village of Gitwangak the Gitksan set up a blockade in order to restrict access to a Canadian National Railways yard (McDonald and Joseph 2000:212; Wild 1993). This dispute had a history going back to 1910 when one hundred acres of land was taken from the Gitwangak reserve in order to build the Grand Trunk Railway which ended up passing through the village cemetery (Monet and Skanu'u 1992:16).

Three years later in 1988, the Gitksan decided to prohibit Weststar Timber Company from exploiting their territories through logging and road construction. The company wanted to build a bridge across Sam Greene Creek in order to gain access to territories previously untouched by logging. The Gitksan decided that the creek would be the limit of 'development' and set up a blockade (Wilson 1996:40). They then fought the building of the bridge in the British Columbia Supreme Court and won a counter injunction stopping the advance into the territory until *Delgamuukw* was decided (Monet and Skanu'u 1992:16).

The Gitksan argued that the maintaining the area and its caribou, grizzly and mountain goat populations, which would be destroyed by the clearcuts, was paramount to their cultural survival. To the Ministry of Forests the area was a cut block of unharvested resources, but to the Gitksan it was the House territories of Wii Gaak, Wii Seeks and Waigyat (Glavin 1990:40).

At another site, the Chiefs led blockades in order to prevent trucks loaded with logs from Gitksan House territories from entering or leaving the Kispiox Valley. These blockades were initiated in order to protest the extraction of timber without the consent of the Chiefs. Notice was issued to Skeena Cellulose and Tide Lake Logging that the Frog Clan would not permit any more logging on its House territories. As a result of this protest, thirty Royal Canadian Mounted Police officers from the surrounding area were brought in to bring down the barricades. The officers brought with them an empty school bus intended to be used to transport arrested protesters. The blockade was removed prior to the officers' arrival (Monet and Skanu'u 1992:16).

The following year, another blockade was set up by the Kispiox Chiefs. The Suskwa River road was also blockaded in order to protect House territories from unauthorized logging (McDonald and Joseph 2000:213). At issue at the Suskwa blockade was the fact that resources were being exported out of the territories, or even out of the country, without benefit to the local community. What the community was left with was clearcuts, barren lands and soil erosion produced by steep slope logging.

In 1990 the village of Gitanyow set up a blockade in order to inform the public about the negative impacts of a mill closure on the economy of the village. This information

blockade later escalated into a road closure. The village of Gitwangak became the site of resistance again in 1990 when the villagers stopped trains from travelling through their territory. In response to a dispute over lumber and title the Chiefs at Kispiox set up a blockade (McDonald and Joseph 2000:213). The Gitxsan placed a large log across the road and by three a.m. over fifty logging trucks were backed up (Wilson August 21, 2001).

In 1995, the Gitxsan Chiefs set up a blockade on a logging road east of Hazelton in order to focus attention on their unresolved land claim as well as protest the granting of a timber licence without their consent. In the summer of 1994 the Gitxsan sent notice to industry and the Ministry of Forests that logging in the area of Sustut and the Babine River would not be permitted until proper planning in consultation with the Gitxsan was completed (Figure 8.0). The Gitxsan argued that their rights to subsistence activities guaranteed in the *Delgamuukw* decision meant that they must be consulted on how logging is conducted in order to ensure that it did not infringe on their rights (McDonald and Joseph 2000:214). The Gitxsan maintained that the habitat and animals were not adequately inventoried in the planning stages of the cutblock, thereby infringing on the House's ability to exercise its Aboriginal rights (Figure 8.1) (GTO 1995:8).

Although many of the Gitxsan people believe that blockades have served their purpose and that it is now time to negotiate, recent events on the territory suggest that there may be additional blockades in the near future. The threat of blockades has been stimulated by the fact that the Ministry of Forests has approved a bridge to be built over the Slamgeesh River, giving forestry companies access to untouched forest in the north (Lattie August 21, 2001). House groups such as *Gwinin Nitxw* are opposed to the opening up of their territories

and the damage this will cause. They are examining two possible options at this time to stop the encroachment. The first involves reconstructing a replica of the traditional bridge that traversed the river in hopes that the preservation of Aboriginal heritage will stop the progression of the road. If this peaceful method is unsuccessful the Houses will resort to the use of blockades in order to preserve their territory (Lattie August 21, 2001).

The various accounts of Gitksan blockades demonstrate the Gitksan resistance against domination by the outside world. Blockades, according to Blomley, are the "attempt to interfere with the flow of people and/or commodities through the placement of an obstruction, either partial or complete" (1996:11). They mark a claim of ownership to a particular territory and indicate that those who belong to the territory are going to protect it. As Blomley indicates blockades can be justified "in terms of the innate right of a people to manage its own affairs and a non-negotiable mandate from the Creator to protect the lands" (Blomley 1996:16).

The responsibility to protect the territory is reflected in an experience shared by Yvonne Lattie, *Suudee*. Yvonne is a Wing Chief in the House of *Gwinin Nitxw* and is one of the parties decidedly against the movement of forestry companies into her House territory. In recent years *Suudee* had felt the ancestors were trying to tell her something and as a result was searching for her role within her House group. She undertook fasting in order to find spiritual guidance and after twenty-four hours of fasting saw a vision of an Elder, with a handkerchief on her head, a large berry box on her back, and a wrinkled face walking towards her. With each step the spirit Elder took, shadows swayed behind her as though there were thousands of people following behind her. Yvonne looked back to the person

following her and waved and pointed but the other person could not distinguish what she was pointing at. Yvonne spoke to a medicine man about this encounter and was told that the lady had been carrying a large burden for quite some time and was now passing the responsibility on to Yvonne. Yvonne was the one to see the vision because the spirits had chosen her. As a result of this encounter, *Suudee* feels the need to preserve her territory and fight for the rights of her House group.

The protection of the territory from the demands of outside interests, shapes the importance of blockades in relation to globalization. Proponents of the globalization project argue that corporations should be able to move freely over borders in search of resources. The Gitksan have countered this assumption by restricting the mobility of corporations on their territory. Blockades have been used by the Gitksan to stop unsustainable movement of capital and resources from their traditional territories (Blomley 1996:14). The blocking of a road, which connects Indigenous groups to the outside world, also creates an awareness of outside space and inside space. This was the case in 1993 when the village of Gitsegukla blocked the Yellowhead Highway to bring attention to their complaints about the road being a right-of-way through their reserves (McDonald and Joseph 1999:214). Roads and railways have been referred to as the “capillaries of colonial appropriation” because they allow the outside world access to Indigenous lands and resources (Blomley 1996:20). As has been demonstrated in previous chapters, it was the building of roads and railway lines that gave companies expanded access to the forests as well as Gitksan villages. During blockades of roads and railway lines, Blomley argues that the “a system of colonization has itself become the focus and the weapon in a counter-colonial struggle (1996:20). Only after the railway

could haul large quantities of logs out of the territory did it became functional to cut on a large scale. The scale continued to escalate as logging shifted from small scale logging by hand to highly mechanized clear cutting methods, long after the railroad was in place (Mills September 24, 2001). The building of roads also connected the Gitksan people to the outside world. By blocking roads and railways, the Gitksan people demonstrated that they belong to the territory and at the same time closed off the outside forces which do not.

Continuing Use of the Land

In order to reinforce the bond to the territory that the Gitksan were attempting to protect through blockades, the Gitksan Chiefs encourage their House members to go out on the territory for food purposes as well as in order to participate in improving the health of the land (Wilson August 21, 2001). As Alice Jeffrey explains, "what our families have decided is, we're going back into our territories. We're going to occupy those lands, and we're going to look at the overall resources (Jeffrey 1992:60). Due to the importance of the connection to the land, the best way for the younger generations to learn what it means to be Gitksan is by being out on the terrain. Yvonne Lattie argues that being out on the territory is the only way to feel the land's spiritual presence (Lattie August 21, 2001). As part of the goal of encouraging the traditions of the House group and in order to preserve the integrity of *Gwinin Nitxw* environment, the House is working to build a cultural center and museum on the land so that the culture can be taught as well as learned. Through the establishment of the outdoor- indoor museum, they will demonstrate how things were done in the past in order to maintain the traditions in the present (Lattie August 21, 2001). In Art Wilson's House

territory, the territory of *Hlii Yam Laxha*, the House is also working to move people out on the land by opening up the old trails (Wilson August 21, 2001)

One of the most important activities that has always moved the Gitksan people out on the territory continues to be fishing (Figure 9). The fact that over two hundred people were out fishing at Kisgegas at one time while the salmon were running in the summer of 2001 is an excellent indication that the Gitksan are still out on the territory practicing traditional activities (Lattie August 21, 2001). Although fishing is done today for a combination of private and commercial benefits, Gitksan traditional methods of fishing are largely maintained. Harvesting just as ancestors did in the past is a contemporary symbol of continuity. According to Lattie, her House group as well as many others try to maintain the tradition of dip netting and spearing (Lattie August 21, 2001). The harvesting of salmon is done selectively and specific sites are utilized at various times depending on the species that is currently running. As part of the management strategy most Gitksan only take sockeye and pink salmon and place back steelhead, spring and Chinook salmon because their numbers have declined. Those who keep spring salmon, keep only the males, which are distinguished by their beak (Lattie August 21, 2001). Fishing is done at designated fishing sites that are the traditional sites of particular House groups. During a tour of her fishing site, *Suudee* pointed out which House group had fishing sites on the Babine and where they were located.

The Head and Wing Chiefs are typically responsible for the management of their House's fishing sites. Part of the duty of the Head Chief is to demonstrate that he/she is looking out for the interests of the House. A large part of this duty is practicing the ability to

share the wealth of a fishing site with the other members of the House. As Art Wilson contends, this ability “shows House members that just because [he is] the Hereditary Chief he [does not] take all the money... it is one of the ways to display without saying that [he is] not looking out for [himself], [he is] looking out for the House members” (Wilson August 21, 2001). *Wii Muk'Willixw* continues by stating that through his actions his hope is that “some of what [he has] done will rub off on somebody and as they in turn get older they will say this is how so and so did things and when they take over the management of fishing they will keep the same attitude and share with all the House group” (Wilson August 21, 2001).

One of the problems facing the Gitksan is the fact that not all of the Chiefs have accessible fishing sites because some of the Chiefs who have moved from Kisgegas and Kuldo'o do not have sites closer to Hazelton. Chiefs may go out to their sites farther away if they are able to or they may acquire a new fishing site by aligning themselves with another House group from the same Clan. One of the Chiefs may be gracious enough to give a fishing site or let someone use the site for a period of time. As Ernest Hyzims, *Wagaloo*, indicated, “if I ask him if I could set my net there, Fred would probably allow me to fish there for a certain length of time for what I need” (1983:6).

For others who do not own a fishing site, there is still an opportunity to obtain fish without directly fishing. Fish is obtained by “simply showing up at somebody's fishing site and saying to the person who owns the site *guux'akxw*”. The person doing so is explaining that s/he is in need of fish and is appealing to the goodwill of the owner of the site in the hopes that s/he will give him/her all the fish s/he needs. Fish is typically plentiful on the Gitksan territory and the owner of the site will accept the request (Wilson August 21, 2001).

Due to the threats to the Gitksan way of life the traditional system does not always function as it should in the area of fisheries. One of the major forces impacting the respect displayed for fishing sites is the escalation of unemployment within the Gitksan territory. Certain members of the Gitksan nation have not respected other peoples' fishing sites. The situation resembles a gold rush mentality because when the opportunity is there people rush for the resources (Wilson August 21, 2001). As a result, House members tend to use all of their sites all of the time, or set up smoke houses in order to demonstrate that the site is being used so that others will not try to claim a vacant site.

This situation has been recognized by the Gitksan and one of Art Wilson's jobs at the Gitksan Treaty Office is to try and rectify the problem by talking with Gitksan people and restoring the respect for people's fishing sites. He is getting constructive criticism from House groups as to how they believe changes can be made so that the Gitksan people treat themselves with the proper respect, and has picked advisors who are respectful of the traditional system in order to improve the current situation (Wilson August 21, 2001). The House of *Gwinin Nitxw* indicated that there has been encroachment on their fishing site and that they will deal with such problems in the feast hall (Lattie August 21 2001). The House system is strong enough that problems which do develop can be rectified through traditional governance methods. The Gitksan have remained independent because their basic economic unit, the House, has remained intact (Sterritt 1989:283). It is maintained by the Gitksan that they will survive in times of adversity as long as economic activities are accommodated within the House system.

Confrontation on the Rivers

Salmon has always been the staple food of the Gitksan people and as a result it is not surprising that Gitksan fishing sites became a location of struggle against the government. The conflict between the Gitksan and other fishing party interests dates back to the opening of canneries at the mouth of the Skeena in the 1880s. As early as 1887 a delegation of Chiefs traveled to Victoria with concerns regarding the negative effect the canneries were having on the inland fishing economy (Sterritt 1989:273). The government's response supported the commercial fishery and in 1889 the Fisheries Act stated that Aboriginal peoples could only catch fish for food purposes (Glavin 1990:21).

Almost one hundred years later in the 1970s the Department of Fisheries and Oceans (DFO) commenced a campaign to enforce the fisheries regulations which made it illegal for Gitksan fishermen to sell fish. This was met with strong resistance by the Gitksan, who maintained that they had always utilized the rivers. The objection to the possession of food fish licences was expressed by almost every community within the Gitksan territory (Monet and Skanu'u 1992:164). The DFO responded by developing a strategy designed to enforce the Fisheries Act. One step included the seizure of hundreds of nets by the Federal Fisheries officers between 1970 and the late 1980s. The second measure was a massive undercover operation designed to catch and prosecute those illegally selling salmon (Sterritt 1989:270). In 1977, approximately twenty Gitksan and Witsuwit'en fishermen received summons to appear in court for the illegal sale of fish (Sterritt 1989:270). The Gitksan decided to dispute the charges because they believed in their right to harvest and sell fish. During the undercover campaign only one charge was upheld by the provincial court and that charge

was subsequently dropped on appeal (Sterritt 1989:270). The victory was important for the Gitksan because they had always maintained that any problems between the DFO and the Gitksan people should be addressed in negotiations.

The Gitksan indicated that they would continue to co-manage the fisheries resource. In an attempt to assist the Hereditary Chiefs in their assertion of authority over the fishery, the Gitksan began a major study of the habitat on the Skeena and Bulkley Rivers in 1979 (Sterritt 1989:272). Nevertheless, such actions during this period did not change the DFO position and their campaign to stop the sale of fish by the Gitksan continued.

A memorable incident took place in the summer of 1986 when tensions between the Gitksan and the DFO over fishing rights escalated once again. Roughly thirty-six DFO and Royal Canadian Mounted Police officers assembled near the village of Gitwangak, preparing to invade a fish camp at *Antkii'is* where they maintained the Gitksan were fishing without permits during a closure of the river (Sterritt 1989:268). The Gitksan asserted that they owned the fish in the river and had the authority and responsibility to harvest the fish. They also claimed that the DFO was on Gitksan land and was trespassing (Sterritt 1989:269). When the officers approached the camp the Gitksan created a line of bodies. One officer representing the DFO attempted to break through the line of people but was pushed back. The officers realized that the Gitksan were not going to back down and started walking back to their vehicles. As the officers opened their doors the Gitksan hurled marshmallows at them, resulting in an expression of panic on the faces of the officers until they realized what the weapons were (Sterritt 1989:270). Such an event demonstrates that the Gitksan will not back down when their traditional rights are threatened. It also demonstrates yet one more

form of resistance; a sense of humour. The incident is now known by the Gitksan as the Marshmallow War.

During the same year a sense of humour was used in deflating another tense situation on the river. This event took place at the *Gwiin'oop* fishing site which is located at the confluence of the Kispiox and Skeena Rivers. The RCMP and fisheries officials arrived at the camp with the intention of seizing the Gitksan nets. However, prior to their arrival the members of the camp had been alerted that Department of Fisheries personnel were approaching their camp in several jet boats. When the officers attempted to remove the nets from the water they were shocked to find that the real net had been removed and had been replaced with a cork line. Again, the efforts of the officials had been thwarted (Wilson 1996:48).

As a result of the *Delgamuukw* case and the Gitksan refusal to surrender their rights to harvest fish, fisheries agreements were finally reached between the Gitksan and the government through negotiation. The process was solidified in 1991 when a Working Agreement was signed providing a framework for discussions relating to the conservation, protection and management of fisheries (Aboriginal Fisheries Agreements 2001). This agreement was followed by the Skeena Watershed Agreement in 1993 in which the BC government provided an increased role for the Gitksan Witsuwit'en Watershed Authority in matters relating to fisheries, by implementing a coordinated approach to fisheries-related activities (Aboriginal Fisheries Agreements 2001). Some of the issues addressed in the agreement include the terms of the Gitksan communal food and commercial fishery, as well as habitat management strategies.

Passing Knowledge on to the Younger Generations

The Gitksan are actively working to instill the knowledge of the land in the younger generations in order to confront some of the negative effects caused by residential schools and forced global culture. One of the most significant ways that the Gitksan are attempting to pass on the knowledge of the territory is through 'rediscovery programs' utilized to bring children (age seven to teens) out on the territory. Younger children visit a camp for up to one week; as they become older they stay for longer periods of time. They learn basic survival skills such as how to find their way without the use of a compass (Wilson August 21, 2001). The activities are governed by Gitksan laws allowing younger generations to learn through their own language and culture on their own territories (Derrick 2000:23). In certain programs, the youth open up trails. The deeper they travel into the forest the more strongly they have to adhere to the Gitksan laws. The goal for this program includes having the children speak exclusively Gitksan as they near their destination (Vegh September 10, 2000).

Another important part of the program includes bringing Elders to the camps to talk to the children around the campfire. The opportunity to speak to the younger generations is important to the Elders because they have a responsibility to transmit knowledge to the younger generations. The Elders discuss the importance of knowing who was on the land before them as well as of knowledge about the land itself (Wilson August 21, 2001). A story expressed by Art Wilson of an experience from his childhood demonstrates the knowledge that is transferred to children. Explaining how he found his way out of the bush, Art told his children,

I fell through a beaver dam. I didn't see it because the snow was that much [motioning twenty centimeters] on top of the beaver dam... I was slugging through the bush and it looked like a nice easy walk through the meadow, but I didn't know there was water underneath there. So, I fell through the ice... I managed to crawl out of the ice and went directly to the nearest spruce tree because they have a lot of dry branches around the bottom that I broke off. I quickly lit a fire because it was freezing out and I was soaking wet. I took all my clothes off and hung them up to dry because I knew I was lost and I was thinking I would wait until I saw the moon. I dried my clothes off and sat up until about midnight when the moon was straight up above me. I knew that if I followed the moon I would be heading south and I would run into the road somewhere. (Wilson August 21, 2001)

As well as practical knowledge of how to survive if lost, the focus of other important lessons taught by the Elders involves respect. This message is conveyed through the sharing of legends which teach the children that there are certain consequences for their actions. The hope is that as the youth grow and run into certain situations that deal with the same values that have been taught in the legends, they will have learned to be honest, sharing, and respectful. This will in turn prepare the youth to practice what they have learned when they obtain higher ranking positions (Wilson August 21, 2001). It will be the young generation's responsibility to maintain the Gitksan laws just as their ancestors have for thousands of years.

Conclusions

The very nature of Western expansion has always involved the intrusion of Western mores on the cultures of groups whom they intend to exploit. In this respect, the principles that globalization are founded upon are simply a continuation of the resource-extraction mentality that underlies imperialism and colonialism. The globalization process post World War Two involves progression of capitalist imperialism by transnational corporations.

Proponents of the globalization project have laboured to make this political, economic, and cultural strategy seem as though it is the only method for societies to utilize.

There is no question that the Gitksan leaders understand that actions in other places, due to large scale technology, have an impact on their own lands. Nonetheless this has not changed the connection they have maintained on their own territories. In fact, a Hereditary Chief would be overstepping boundaries by suggesting how land should be utilized on another House's territory even within the Gitksan lands. Each House is its own economic unit, with responsibility to the people of that House. Albert Tait, the late Hereditary Chief *Dalgamuukw* explains, "I am the head chief in our House. I am not chief to anybody else, only this House" (Jensen and Sargent 1993:59).

There is a fundamental difference between a population which moves around the globe such as those employed by transnational corporations and local peoples who have lived on the same territory and passed on knowledge of that land from generation to generation. The importance of place and protecting that place cannot be separated from the Gitksan concepts of territoriality because the land and culture are infinitely connected. Those who are on the land fishing and hunting see themselves as fundamentally different from other groups.

Newcomers wanting access to the resources of the territory attempted to discredit the Gitksan connection to the land. Originally European outsiders did not recognize that any Indigenous rights to the land existed and as a result settlers have never behaved as guests and have never attempted to live by Gitksan laws (Culhane 1998:45).

The Gitksan have recognized and resisted the attacks made against their nation. They

have resisted most strenuously the scale of destruction caused by globalization. Modern techniques of logging and mining are exponentially more destructive of their territories than earlier methods. Their means of resistance includes the use of innovative techniques to demonstrate the permanence of their laws to the Canadian using their state's own tools such as mapping and litigation in the Canadian legal system. The Gitxsan utilized direct action on the territory through the use of blockades and programs to encourage movement onto the territory and away from reserves. The return to the land provides spiritual renewal through the maintenance of the integral Gitxsan being, which has been threatened by confinement on reserves. The utilization of the land also sustains the aspects of the Gitxsan culture that make them a distinct people.

The feast system thrives and demonstrates the intimate association of territory and chiefly title. The food stuffs from the territory are often times utilized in the feast hall and demonstrate the wealth of a House's territory (Mills September 24, 2001). The intimate relationship with the land and the appreciation of it as sacred counters the threat that first colonization, and later globalization possess. The Gitxsan have benefitted from their ability to maintain the sacred wisdom of their ancestors but also to adapt to new technology by using litigation and mapping to defend their traditional rights (Mills September 24, 2001).

Youth programs initiated by the Gitxsan are particularly important in demonstrating to the younger generations the significance of the land and the wisdom of the Elders. Teaching Gitxsan laws and culture to the youth assures that the world view of the Gitxsan will survive well into the future, rather than perish- as those subscribing to globalization theory suggest. It is the younger generations who will be the ones who maintain the House

system and the knowledge of the territories. The maintenance of Gitksan laws in the younger generations is significant because resistance strategies such as blockades are designed to ensure that “the interests of the children who are not yet here are looked after” (Wilson August 21, 2001). The Gitksan have always believed in the protection of resources for future generations rather than short term exploitation that profits corporations and their stock holders.

Final Remarks

The laws of our traditional system will not be forgotten or lost as long as there are people living within the Houses of our Grandfathers. These laws pertain to the fishing, mountains, hunting, trapping and berry picking sites. (Hyzims 1982:5)

If someone questions me about what I was doing on this property I would reply, 'I was born and raised on this territory. I know the names of all my fishing sites, the berry patches, the mountains for goat hunting. These are our territorial boundaries. We follow the trail blazes notched out on the trees by our grandfathers and follow the trails to our trapping grounds, hunting grounds and berry patches.' (Hyzims 1983:9)

We reluctantly accept logging because we realize that wood is needed for many things in our culture...What we are completely against are the logging methods currently being used. It takes only a little common sense to see that selective logging methods such as horse logging ensure sustainable ecosystems. (Wilson 1996:34)

The Western principle of concentrating capital and power in the hands of a few individuals has resulted in over-production and over-consumption and is itself a major impediment to the health of the Gitksan community. The land tenures given to large corporations by the government since the 1960s have ignored First Nations land claims and infringed upon the Gitksan's Aboriginal rights. The large scale nature of capital accumulation has resulted in the destruction of forests and their habitats causing environmental degradation. In itself, this is an infringement on the Aboriginal rights of the Gitksan. Destruction of the landscape constitutes the destruction of place and identity which is so important to First Nations peoples.

Despite the devastating effects of external management systems, the Canadian state, in a very paternalistic way, has attempted to determine how the territory of the Gitksan

should be managed from colonization to the period of globalization. This has continually been done with the interests of the state and industry, rather than the local community, in mind. The fact that the villages of Gitwangak and Gitsegukla experience an unemployment rate of approximately 98% while industry continues to remove resources from the territory demonstrates the point that industry is interested in profit rather than community health (Profiles 1998:6). The government accommodates Aboriginal rights only when the court forces those rights to be upheld.

Based on the problems caused by external intervention, I contend that the people who live in a particular community are the ones best suited to be its guardians and protectors. Thousands of years utilizing a specific landscape results in a level of intimate understanding of the ecosystem needed to ensure the protection of resources for future generations. Centralized, hierarchical approaches to management, business and government cannot provide the solutions or local political determination needed to deal with location specific problems facing communities (Nozick 1992:13). The Gitxsan world view is an alternative ideology based upon the wisdom of their ancestors which deals with and resists the destructive forces arising from outside interests attempting to control their way of life. For the Gitxsan, their concept of ownership is based on merging with the land. Spirits and powers are embodied in the territories of each House; as a result every House's territory is sacred space. The territory is equally shared with other beings, forming a reciprocal and moral bond among all beings. Decisions are made with the interests of future generations, rather than short term profit, as the ultimate goal. The Gitxsan possess traditional knowledge about their territories as well as time-tested management systems based on this

knowledge (Berkes 1999:129). Their knowledge of the balance needed to sustain their environment spans over 10 000 years (Harris November 2, 2001).

There is certainly something to be learned from Indigenous world views, and the challenge they present to the dominant system, because only Indigenous peoples have lived sustainably on earth for thousands of years. The same cannot be asserted for industrial society. Industrial society has caused the extinction of more species in the past one-hundred and fifty years than the total species extinction from the last ice age to the 1850s (Laduke 1997:28). The Western world has also caused the extinction of two thousand different Indigenous groups in the Western hemisphere alone (ibid). Despite its destructive nature, the dominant industrial paradigm, with a life of no more than two-hundred years, directs the actions of all global institutions. The Gitksan continue to preserve their dedication to their territories in the face of this threat.

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Figure 1 : *The View of Stekyoodenhlxw from Gitanmaax*



Figure 2: *The Poles at Kispiox.*



Figure 3: *Examples of Cutblocks on Gitksan Territory.*





Figure 4: *The Mill at Carnaby no Longer in Operation.*



Figure 5: *An example of the volumes of information housed at Gitksan Treaty Office.*



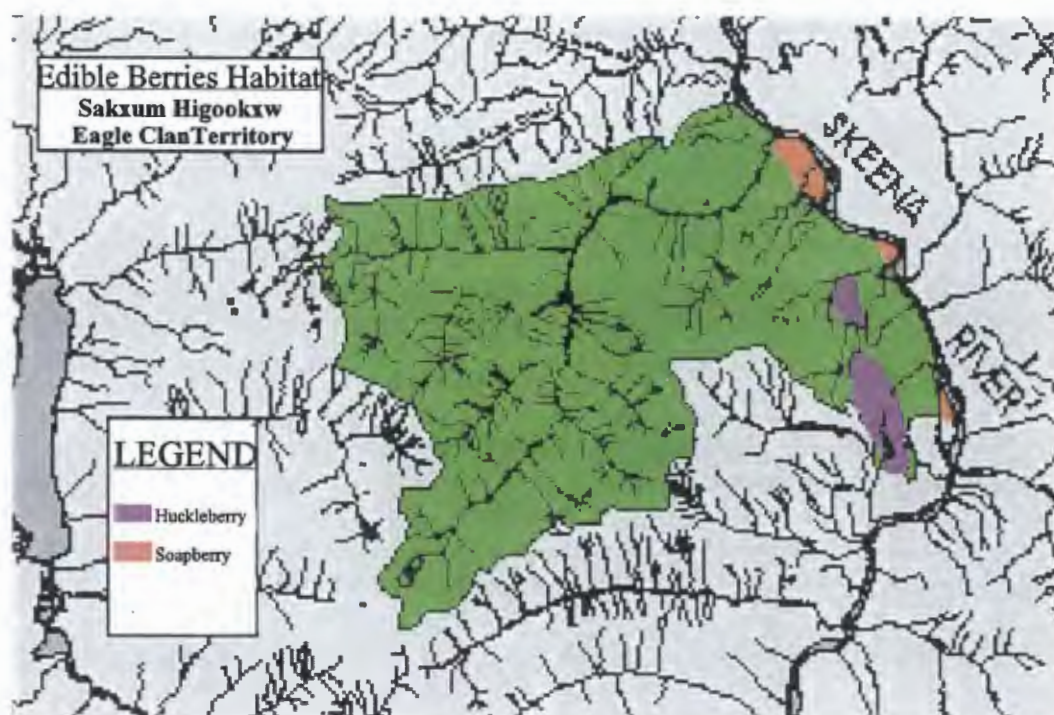


Figure 6.0: A Map demonstrating Edible Berry Habitat on Sakxum Higookxw Eagle Clan Territory

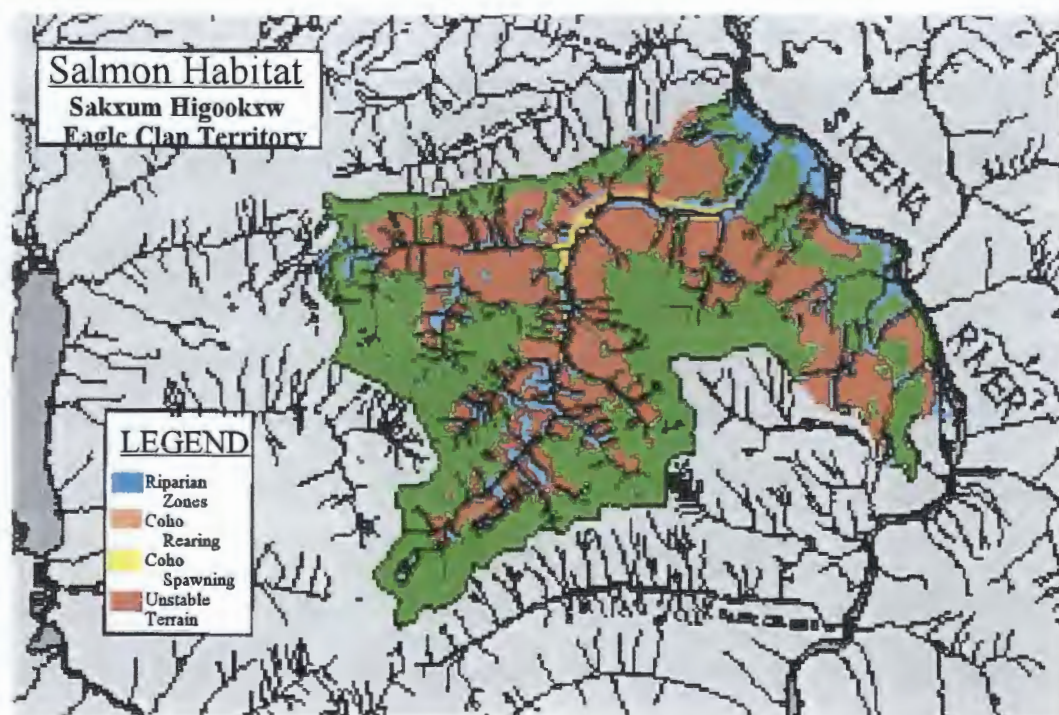


Figure 6.1: A Map demonstrating Salmon Habitat on Sakxum Higookxw Eagle Clan Territory

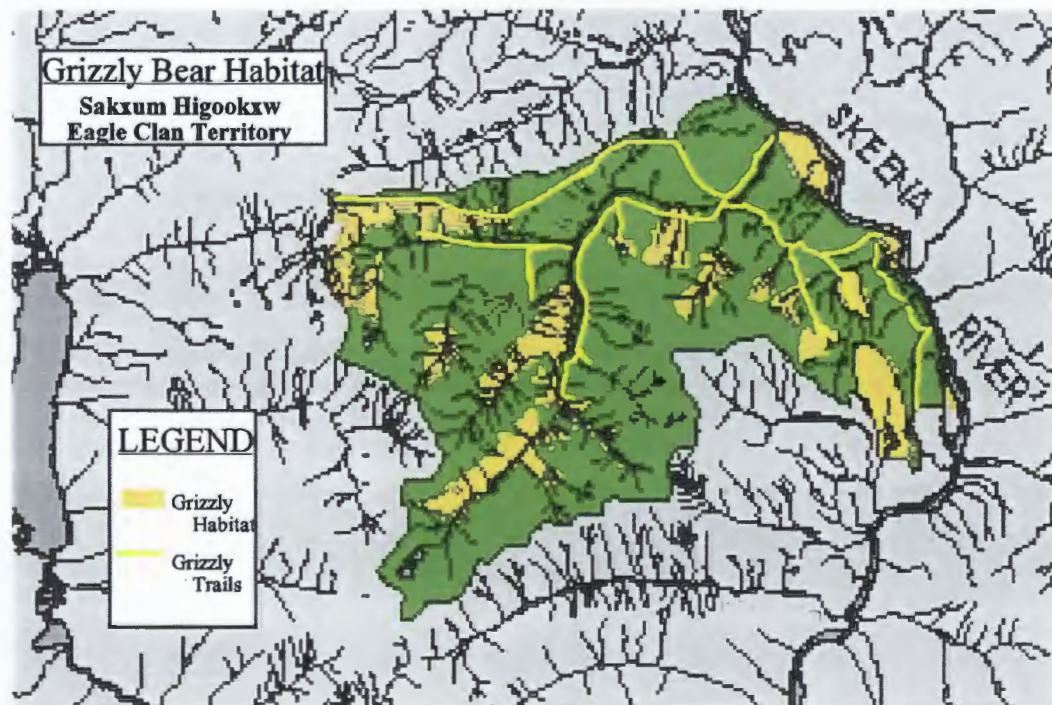


Figure 6.2: A Map demonstrating Grizzly Bear Habitat on Sakxum Higookxw Eagle Clan Territory



Figure 7.0: *A map demonstrating the borders of Gitksan territory within British Columbia.*

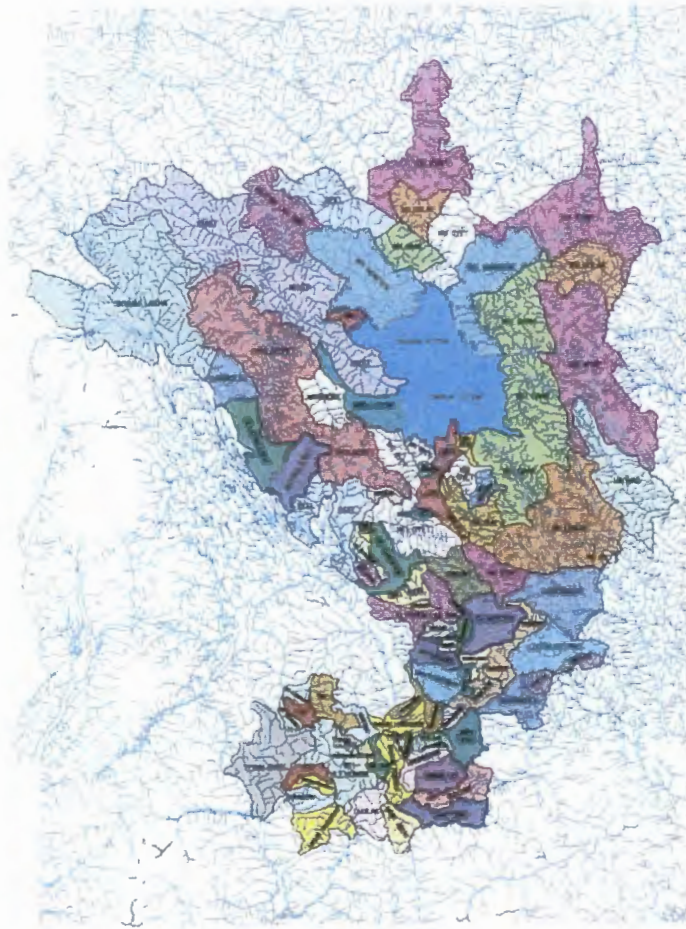
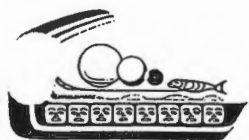


Figure 7.1: *A topographic map demonstrating the House groups territories as well as Gitksan external boundaries.*



Office Of The Hereditary Chiefs Of The Gitksan And Wet'suwet'en People

July 22, 1994

Ministry of Forests
Rm: 128
Parliament Building
Victoria, B.C.
V8V 1X4

VIA FAX

Attention: Andrew Petter, Minister of Forests

Dear Mr. Petter:

RE: SUSTUT/NORTH OF BABINE GITKSAN TERRITORIES

This confirms that the Gitksan Chiefs met on Thursday, July 21, 1994. The two issues discussed were:

1. Sustut/Bear Lake area
2. Sam Green injunction (Westar v. Don Ryan)

The decision was that there will be no timber harvesting between the Babine River and the Northern boundaries of the Gitksan territory, inclusive.

In the Sustut the chiefs are aware that block 702 has been clearcut and a bridge has been built to cross the driftwood river. In addition, Takla Track and Timber is doing the right of way logging. This activity did not respect the aboriginal rights of the Gitksan and agreements were never reached.

The result of the July 21st, 1994 decision is there will be no more harvesting of timber until an interim arrangement can be agreed upon. Inclusive to that decision is the Westar v. Don Ryan Injunction at Sam Green will not be lifted until proper planning is done, in the interim. Mr. Tom Patrick will continue to be the agent of the Gitksan Chiefs to protect the Sustut and Kotsine areas.

. . . /2

This confirms that Tom Patrick is still the agent for the Gitksan Chiefs to enforce the position in the Sustut and Kotsine areas.

Yours Sincerely,
OFFICE OF HEREDITARY CHIEFS

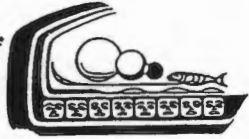


Gordon Sebastian
Gitksan Speaker

GS/ss

CC: Takla Track & Timber
Kispiox Forest District
Fort St. James Forest District
Gitksan Chiefs
Prince George Forest Region
Prince Rupert Forest Region

Figure 8: Letters to the Ministry of Forests regarding blockades.



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**Office Of The Hereditary Chiefs
Of The Gitksan And Wet'suwet'en People**

July, 25, 1994

Minister of Forests
Rm 128
Parliament Building
Victoria, B.C.
V8V 1X4

Attention: Andrew Petter, Minister of Forests

RE: SUSTUT/NORTH OF BABINE, GITKSAN TERRITORIES

Further to our letter of July 21, 1994, the following are immediate concerns that must be addressed.

1. The Gitksan Chiefs must be personally made aware of pre-harvest prescriptive plans and in receipt of written copies including maps.
2. Studies must be completed of animals in the area, including the grizzly population.
3. Areas to be protected:
 - a) medicinal plant areas
 - b) fish habitat
 - c) culturally modified trees
 - d) buffer zone extended around rivers, creeks, and Kitsegas. (10 mile radius around Kitsegas)
 - e) MOF maintain separate road to Kitsegas
 - f) logging road be separate from village road
 - g) development at Gunanoot Lake be reviewed
4. Gitksan people be included on any and all forest related activities, including studies that require only one day.
5. Recreational activities require licensing from Gitksan Chiefs such as big game hunting, Guide Outfitters, and recreational use of the rivers, including the Babine, Sustut, and Skeena.

This is to confirm that there will be no timber harvesting between Babine River; northward up to and including our northern boundaries.

-2-

I have been instructed to inform you of the decision by this letter and to copy this letter to all interested parties.

Yours sincerely,
OFFICE OF HEREDITARY CHIEFS

L Moore

for Gordon Sebastian
Gitksan Speaker

GS/lm

CC: Takla Track & Timber
Kispiox Forest District
Fort St. James Forest District
Gitksan Chiefs
Prince George Forest Region
Prince Rupert Forest Region

Figure 8: Letters to the Ministry of Forests regarding blockades.



Figure 9: *An example of the Gitksan fishing at Kisgegas.*

