

# **Transforming Our Nuuyum: Contemporary Indigenous Leadership and Governance**

**Stories told by Glasttowk askq and Bakk jus moojillth, Ray and Mary Green**

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*In this article, I examine whether our Nuuyum and its philosophical underpinnings can intertwine and have a productive relationship with contemporary forms of leadership and chief and council governance systems. I draw on old Haisla stories of place and identity to examine how they affirm our governing responsibilities within contemporary community leadership. I will illustrate how our cultural practices—such as knowledge of historical places, cultural teachings from stories of place, and cultural teachings derived through feasting—have all been affected and have shifted through colonial encounters. I will argue that despite the effects of colonialism, the philosophical underpinnings of our Nuuyum have remained at the core of who we are as a community, clan, family, and self.*

## I Acknowledgements

*Hemas—Moosmagilth! Gukulu—Ungwa! Hkenuukkundoqk, hkenuuk helk-inew, hkenuuk hanaksila, kitselas, haisla. Wuh, Lekwungen and Esquimalt.*

*Hello Chiefs, Female Chiefs! People! I am Kundoqk, I am from the Killer Whale Clan. I am from Kemano, Tmsishian, and Haisla territory. Thank you Lekwungen and Esquimalt people for allowing me to be a visitor on your territory.*

*Wuh! (Haisla language), Hychka (Hul'q'umi'num language), Thank you!*

My traditional name was gifted to my parents on their wedding day for their firstborn daughter by the late Walter Write, who is from the Kitselas/Tsmishian nation. My name means “journeying over the mountains with belongings on my back”; my parents are Glasttowk askq and Bakk jus moojillth (Ray and Mary Green). My maternal grandparents are the late Walter and Murial Nyce from Haisla, Kitselas territory, and my paternal grandparents are the late James and Agnes Green from Xanaksiyala, Haisla territory. Hereditary chieftainship comes from both sides of my family. The late Johnny Paul is my father’s grandfather and was the hereditary chief for the Xanaksiyala people. The late Walter Write is my mother’s grandfather and was the hereditary chief for the Kitsela/Tsmishian people. There are two *wa'wais* (trap lines) significant to my family. One belonged to my grandfather, Aiksdukwi'yu (Walter Nyce), which my brother Ray Green Jr. now owns. Q'epuwax and W. Geltuis belonged to my great-grandfather Wengulhamid and now belong to my uncle who is my father’s brother, Jim Green.

*Haisla Nuuyum* translates into a “Haisla way of life and its laws.” The laws refer to cultural teachings involving practices such as protocol and ethics

about how to respect and honor all living things.<sup>1</sup> Each Haisla person is taught to always remember who we are, where we come from, our traditional names, and their meaning. In sharing who we are with you, there is an expectation of reciprocity: you will share with me who you are, where you come from, and your cultural practices.

Throughout this article, I will incorporate Haisla terms and names whenever English words do not capture the entirety of the Haisla meaning. I will use footnotes to elaborate on and interpret teachings from Haisla Nuuyum, and it is important to remember that the English language and writing do not appropriately capture the essence of Haisla Nuuyum. Throughout this essay I will italicize stories and/or cultural teachings shared with me either by my father or by my mother. One central aim of this essay is to reinterpret and translate our Nuuyum into writing, so that younger generations can use this work for their learning and living. To that end, cultural teachings shared in this paper are Haisla laws.

## II Who Haisla People Are

Our Village is located on the northwest coast of British Columbia within the Douglas Channel.<sup>2</sup> We are known as the northern tip of the Kwagiulth Nation, and our Haisla language is understood from Kwakwaka'wakw territory (Northern Vancouver Island) through Oweekeno, Heiltsuk territory (Bella Bella), Misk'usa (old-Kitlope), Xanaksiyala (Kemano), all the way into Haisla territory.<sup>3</sup> Because of our social and trading relationships with neighbouring communities, our people also understand and communicate with Tsmishian peoples in their languages and through their cultural practices. Historically, members in our neighbouring communities travelled among various territories to trade for herring eggs, seaweed, soap berries, and wild meat in return for our *oolichan* grease, or *oolichans*.<sup>4</sup> Haisla territory is known to many people for how we harvest oolichans to make grease. Respect for each other's territories and traditional resources have enriched our relationships with one another as nations of people. Following a devastating smallpox epidemic in the late 1800s, a large avalanche wiped out Misk'usa (Kitlope) Village and forced the

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1 Kitamaat Village Council, "We Are Our History: Our Lands, Nuyem, and Stories as Told by Our Chiefs and Elders" (2005) at 62.

2 On the northwest coast of British Columbia, it is common for people to reference our community as the Village rather than as Haisla, Kitamaat, or the rez—in this sense, I have capitalized *Village*.

3 I. Lopatin, University of Southern California, "Social Life and Religion of the Indians in Kitimat, British Columbia" (1945); R. Olson, *Social Organization of the Haisla of BC* (Berkeley: University of California Press, 1940).

4 J. S. Lutz, *Makuk: A New History of Aboriginal-White Relations* (Vancouver: University of British Columbia Press, 2008) at 121.

people to relocate to Xanaksiyala (Kemano).<sup>5</sup> Because of the massive amount of fatal illnesses in Kemano, my great-grandmother shared with her family that it was time to leave the Village. There were significant numbers of inter-marriages between the Haisla and other communities (for example, marriages with Tsimshian peoples), and very few people were returning to Kemano. An especially painful era for our people occurred when many Haisla children were forcefully removed from their families and forced into residential schools. Due to a declining population from illnesses, the removal of children, and the encroachment of land by governments and industries, it was decided that the original Kemano peoples would integrate with the Haisla and that the two Villages would become one. Eventually, in the 1940s, Misk'usa and Xanaksiyala amalgamated with the Haisla people as well.

Although there are remnants of Misk'usa and Xanaksiyala Villages, no people live there today. During the summer of 2007, I had the opportunity to visit these old Villages for the first time. My late great-grandmother Annie provided historical accounts and cultural practices related to these places to her children and grandchildren. To her, Xanaksiyala meant a “place of many stories—*Nuuyum jiis*.” My great-grandmother had experienced an untouched Xanaksiyala lifestyle, but she also witnessed the numerous changes in nationhood Xanaksiyala people underwent because of encroachments on land, the enforcement of foreign laws, and the expansion of industry and Christian missionary influence.

*Kitlope* is a Tsimshian word meaning “People of the Rocks”, which describes the many territories distinguished by rock cliffs and jagged mountain peaks.<sup>6</sup> One story about this place concerns the “man who turned to rock”:

*His name was T'ismista. He was travelling by canoe with his two dogs and went to a place where young men learned to mountain-climb. Mountain climbing was important so that they could hunt for mountain goat. T'ismista and his two dogs beached the canoe and started walking towards the mountain. Once they got out of the canoe, they left their foot imprints on the rocks of the shore. When T'ismista arrived at the top of the Mountain, he stopped to rest and whistle for his dogs. When he stopped, he turned to stone. Some say he is standing and others say he is sitting down. Some people say his dogs turned to stone within that territory. Some say that every once in a while you can still hear T'ismista whistling for his dogs. Our people say that it is very dangerous to climb the mountain to see T'ismista. But, if you are travelling by boat in this territory and you are with someone who is knowledgeable about this story, you can see the man who turned to stone.*

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5 Haisla Totem Pole Repatriation Project, online: <<http://www.nanakila.org/pole/culture/index.html>>.

6 Kitamaat Village Council, *supra* note 1.

There are other versions of this story; each family or clan has its own experiences with and knowledge about T'ismista. There are also many different teachings about why he and his dogs turned to stone. Some say he did not listen to others who told him about the danger of walking in that territory. Others use this story to illustrate the area's rough terrain.

This beautiful territory of Kitlope is the only remaining untouched area of glacier, water, rock, and land on the northwest coast. Our Nuuyum that is still practiced today goes like this:

*When you are travelling, fishing, or visiting this territory, it is customary that everyone who enters the Kitlope Valley is required to wash their face in the glacial waters. This practice signifies your respect to the water, mountains, and all that surrounds this place. This practice also signifies that the place will become acquainted with you.*

Nuuyum from Kitlope illustrates not only the spiritual connection between people and the land but also the necessity of understanding the environment. In 1990–91, a logging company attempted to destroy this beautiful area, but our people succeeded in protecting this place through resistance movements. The Greater Kitlope Ecosystem partners supported our cause and united with our people to prevent future clear-cutting within this area.<sup>7</sup>

Trap lines are rich in places abundant with natural resources, such as those good for hunting, fishing, berry and medicine picking.<sup>8</sup> These wa'wais offered families vast territories to hunt, for trading purposes. Although no obvious borders or other signifiers indicated where each trap line began or ended, people understood due to their knowledge and cultural teachings about landscape. There were no written accounts, regulations, or policies regarding when to hunt, how much to hunt, and what to do with the hunted.

On the journey to Haisla territory, one particular point is the boundary between Xanaksiyala and Haisla. My father shared with me an experiential story about this boundary:

*A Xanaksiyala person living in Haisla territory who passed away would still be buried at Xanaksiyala. When you travel by gill-netter, this journey can take anywhere from five to seven hours. There would be many boats that would accompany the family of the deceased and all would stop at the boundary between Haisla and Xanaksiyala. When they were stopped, my great-grandmother would sing the "crying song" in the Xanaksiyala language. The crying song indicated the loss of the loved one and that during the burial all those who were present were to cry and mourn with the family.*

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7 In December 1991, Eurocan Pulp and Paper told Chief Gerald Amos the company would not log in his territory. See Grant Copeland, Wayne McCrory, & Ray Travers, "The Greater Kitlope Ecosystem: A Wilderness Planning Framework, online: Ecotrust <[http://www.ecotrust.org/publications/Greater\\_Kitlope.html](http://www.ecotrust.org/publications/Greater_Kitlope.html)>.

8 Kitamaat Village Council, *supra* note 1 at ii.

Even with modern technology non-Xanaksiyala people would be unable to determine the exact location of this traditional boundary. The last time a Xanaksiyala person was buried in that territory was in the 1970s. However, during the writing of this article, my late uncle Crosby passed away and was buried in Kemano. He was a Hemas from the Killer Whale clan, and, although my great-grandmother was not present at that time, as she passed in 1966, all the boats stopped at the boundary to mourn and cry. On my visit to Xanaksiyala, we too stopped at this boundary and my father shared the crying song with me. In the midst of ocean, mountains, and logs on the beach, I felt the essence of my great-grandmother's teachings through this song. At that moment, it was as if she was on the boat with us.

*When we arrived on the shore of Kemano Village, I was surrounded by the landscape of ancestral stories. There were many logs on the beach as we pulled onto shore. My father pointed out one particular log and shared that during playtime as children, that particular log had appeared very huge for them. He shared that they did not have many toys, but that their playtime was playing on logs, climbing mountains, and gathering rocks with his granny.*

Two aspects of this story I found extraordinary: first, that this log was still in the same place as it had been when my father was little, and second, how the presence of this big log brought back such clear and vivid memories.

My great-grandmother's house still stands at Kemano Village. Many of our family members have built cabins there for when they are fishing or visiting the Village. The burial place, which holds many of our ancestors, is still present at Kemano. During my visit to the burial place, I noted that one of the burial plots was much larger than the other graves; I was curious and asked why. My dad shared that during the flu or smallpox epidemic there were so many deaths that it required a mass burial for the people—about ten of them in one plot. At that moment, standing in our ancestral place, the sheer brutality of colonial force resonated with me. One of the plots had a carved log shaped like a fish that was used in the same manner as contemporary headstones. Another plot had a carved log shaped like a wolf. At other plots there were old pots, a sewing machine, and an old gun, all used as grave markers. In those days, it was customary to leave personal items of the deceased at the grave plot.<sup>9</sup> I was amazed that these gravesite remnants remained untouched after 70 years.

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9 In our Nuuyum it is not customary to talk about these burial plots in this public manner. Even in my visit to this place, I was conscious about how I observed and asked questions, as I did not want to be intrusive or rude. I asked permission to take pictures of these sacred places, so that I could remember these stories. I knew at the time that these pictures would be a reminder for my children and me so that we would know about Kemano. After my visit, I saw similar pictures taken by museum employees who then archived and uploaded these images to the Internet. As an Indigenous person, I often feel saddened to I see our stories and artifacts confined to these

As I walked around the Village, I could not help but envision our people living in this territory and the experiences of joy and trauma they encountered during that time. I imagined the difficult discussions and decisions that had to be made to vacate this place, and I imagined what they must have said to settlers and missionaries who wanted to show them a different life.

### III Locating Myself within Learning and Interpreting Haisla Nuuyum (Haisla Law)

While I do not speak the language fluently, I understand many of the meanings and processes within our language. For example, within our clan and feasting system, I know some Haisla names for our chiefs, but for the most part I know our *Hemas* (male clan chiefs) and *Mus Magthl* (female clan chiefs) by their English names. In our community there are four clans: Helkinew (Killer Whale/Black Fish/Fish), Iksduq'ya (Eagle), Qulu'n (Beaver), and Ka'nqas (Raven), though they are combined as one clan.<sup>10</sup> Historically, there were additional clans such as Frog, Wolf, Crow, and Bear clans.<sup>11</sup> Traditionally, our community only had one hereditary chief, but due to varying views, teachings, and knowledge about chieftain names, we now have two hereditary chiefs: Sammy Robinson and Greg Smith, both of whom are from the Beaver clan.

As a scholar I am privileged to learn and know about the Western methods, ethics, and protocols required for scholarly research purposes. The convergence of my identity and place of belonging in the Haisla Nation and my identity as a scholar offers me an opportunity to write in a manner that is respectful to Haisla people while at the same time meeting the expectations of conventional academic rigor. Within my immediate family, my parents are the last generation to speak Haisla fluently. My interpretations of cultural practices represent a constant translation from the central nature of Haisla Nuuyum into the English language, writing, and style of analysis. In addition, my storytellers who are elders, aunts and uncles in my community, and my father, consistently translate and reinterpret Haisla Nuuyum into English as well. My

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spaces. In the archives, I often feel that our ancestral knowledge is not kept in a sacred place and that these images of our stories become appropriated and misconstrued and the account of Kemano is not articulated accurately. In this observation, I thought it would be important to share my personal account and honour my ancestors and the imagery of place they left for our people. See Royal BC Museum, online: <[http://www.livinglandscapes.bc.ca/northwest/kitlope/part\\_3.htm](http://www.livinglandscapes.bc.ca/northwest/kitlope/part_3.htm) .

10 Although this reads as four clans, they really are diverse aspects within the makeup of our clan systems. For example, my clan comprises Black Fish, Fish, and Killer Whale. I am Killer Whale, my cousin is Black Fish, but we both belong in the same clan. Similarly, within the Beaver/Raven clan membership is clear and specific, and members define themselves as either Raven or Beaver, but both groups work together as one clan.

11 Lopatin, *supra* note 3; Olson, *supra* note 3; J. Pritchard, *Economic Development and the Disintegration of Traditional Culture among the Haisla* (DCL Thesis, Department of Anthropology and Sociology, University of British Columbia, 1977) [unpublished].

parents explained to me the different sets of responsibilities given to parents in relation to cultural teachings: it is the duty of my father and his family members to provide his children with cultural teachings, and the duty of my mother and her family members to nurture these teachings. My storytellers/teachers have cautioned me that the narratives shared with me represent only one version of cultural teachings; another family member might share about our Nuuyum with a different approach and practices.

Each generation has adapted our Nuuyum as our community started to expand and intersect with the town of Kitimat's economic expansions. My scholarship has been informed by and adapted to philosophies embedded within our Nuuyum, including my continued journey and commitment to studying Indigenous philosophies within Westernized institutions such as postsecondary colleges and universities. My vision is to continue to broaden the scope of diverse Indigenous epistemologies, theories, and philosophies within both academia and my community. While many of our people live in other towns and urban centres, the essence of our Nuuyum remains at the core of our people as a whole and individually. Given the continued centrality and vitality of Nuuyum among Haisla people, I want to examine whether our Nuuyum and its philosophical underpinnings can intertwine and have a productive relationship with chief and council governance systems and other contemporary forms of leadership.

#### IV Haisla Nuuyum as Leadership and Governance

In conversations with other Indigenous scholars, a key point of discussion is how cultural teachings might manifest in contemporary governance and leadership positions. In her book *Spirits of Our Whaling Ancestors: Revitalizing Makah and Nuuchahnulth Traditions*,<sup>12</sup> Charlotte Coté writes about reviving the Makah whale hunt and the development and establishment of the Makah Whaling Commission (MWC), which supports the inclusion of traditional practices within contemporary ones. She writes: "The MWC wanted to conduct a hunt that adhered to the cultural practices of the whaling ancestors, while at the same time incorporating into it modern technology and equipment to ensure the safety of the whaling crew and to assure that the hunt would be efficient and humane."<sup>13</sup> Yet an important consideration, and site of unease for many Indigenous scholars, is how state laws interfere with and inhibit traditional concepts of Indigenous law through their own policies and

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12 C. Coté, *Spirits of Our Whaling Ancestors: Revitalizing Makah and Nuuchahnulth Traditions* (Seattle: University of Washington Press, 2010).

13 *Ibid* at 151.



regulations.<sup>14</sup> In these contentions with the state, Indigenous scholars assert that the centralization of cultural practices is essential for effective Indigenous governance. Key to comprehending Haisla notions of leadership and governance is the specific cultural understanding and knowledge of identity, including Indian names, clans, and historical places of social, political, and spiritual significance to Haisla people. The interconnection between these knowledges and self-determination is important: knowledge of self, family, and community strengthens our quest for self-determination. The Mohawk scholar Taiaiake Alfred states, “In the indigenous tradition, the idea of self-determination truly starts with the self; political identity—with its inherent freedoms, powers, and responsibilities—is not surrendered to any external entity.”<sup>15</sup>

In this essay I will share stories about Haisla Nuuyum as told to me by my parents, uncles, aunts, and cousins, each of whom articulate varying versions of what our Nuuyum means for them. These accounts are inclusive of and interchangeable with Xanaksiyala (Kemano) and Tsmishian (Kitselas) teachings. Our Nuuyum involves knowledge of landscapes, languages, and ethics within Haisla feasting systems.<sup>16</sup>

Cultural practices have sustained substantial adjustments that may have resulted from shifts in the landscape, in demographics,<sup>17</sup> and the introduction of new technologies. Keith Basso has researched the relationship of the Apache people to landscape and language.<sup>18</sup> In his study, he details many accounts that illustrate how the knowledge of the land that we receive from our ancestors is directly linked to our identities as Indigenous peoples. He writes:

For Indian men and women, the past lies embedded in features of the earth—in canyons and lakes, mountains and arroyos, rocks and vacant fields—which together endow their lands with multiple forms of significance that reach into their lives and shape the ways they think. Knowledge of places is therefore closely linked to knowledge of the self, to grasping one’s position in the larger

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14 T. Alfred, *Peace, Power, and Righteousness: An Indigenous Manifesto* (Don Mills, ON: Oxford University Press, 1999); Coté, *supra* note 12; S. Grande, *Red Pedagogy: Native American Social and Political Thought* (Lanham, MD: Rowman and Littlefield, 2004); L. Simpson, ed, *Lighting the Eighth Fire: The Liberation, Resurgence, and Protection of Indigenous Nations* (Winnipeg: Arbeiter Ring Publishing, 2008); L. Simpson, *Dancing on Our Turtle’s Back: Stories of Nishaa-beg Re-creation, Resurgence, and New Emergence* (Winnipeg: Arbeiter Ring Publishing, 2011).

15 Alfred, *supra* note 14 at 25.

16 In 2007, I travelled with my father to visit Kemano, Kitlope, and other ancestral landscapes relevant to my people. At these different places, my dad shared a historical account of our places, our Nuuyum, and stories that belonged to each place and time period.

17 My storytellers have shared that due to intermarriages with people from surrounding territories, these newly formed relationships enhanced and broadened cultural practices from their own communities and that the unity of the relationship took on practices that accommodated both cultural teachings. In other instances, some of our people relocated to cities or very isolated territories, and these changes brought adaptations of our Nuuyum to where the people had relocated.

18 K. Basso, *Wisdom Sits in Places: Landscape and Language among the Western Apache* (Albuquerque: University of New Mexico Press, 1996).

scheme of things, including one's own community and to securing a confident sense of who one is as a person.<sup>19</sup>

For Haisla people, our history intersects with places that hold stories about our families, our Nuuyum, and our relationships to all who exist around our place. I will draw on old Haisla stories of place and identity to examine how they affirm our governing responsibilities within contemporary community leadership. I will illustrate how our cultural practices have been affected and have shifted through colonial encounters. I will argue that despite the effects of colonialism, the philosophical underpinnings of our Nuuyum have remained at the core of who we are as members of a community, a clan, a family, and as self. Our people adapted how they lived our Nuuyum against the backdrop of encroachments by settlers and that of the imposition of Western forms of economy and governance. Consequently, these interrelationships (such as *Indian Act* chief and council regulations, industrial and missionary influences towards our people) superseded cultural governing methods such as our clan systems. My argument in this essay flows from a strong, underlying belief that our Nuuyum remained within the spirit and core of our elders, and that it is the responsibility of our generation to draw on their knowledges in an effort to centralize traditional forms of governance and to transform leadership practices. The responsibility of my generation, then, is to appropriately centre the diverse traditional cultural teachings while simultaneously including those contemporary practices that enhance and strengthen our Nuuyum.

## V Theorizing and Survivance within Forces of Colonialism

Before I begin this section, I first want to apologize to my elders, my cultural teachers, and all the sacred children in my life for the theoretical, Westernized language I will be using here. I will be referring to concepts such as “subjectivity”, “power”, and “knowledge”, terms that are part of such intellectual pursuits as postcolonial and poststructural theories. For me, this theoretical framework provides a Westernized paradigm to critically analyze the nature of the state and its imposed control over and marginalization of Indigenous peoples. Moreover, I use this Westernized framework as a space to resist dominance by centralizing Indigenous knowledges within my writing. My second apology concerns my reference to historians, anthropologists, and ethnographers who studied our people in the early contact years and most offensively defined some of our characteristics as savagery. I, on the other hand, do not refer to native-settler history as savagery. Instead, I draw on this history and identify the resistance and resiliency of my people for withstanding the onslaught of colonizers.

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<sup>19</sup> *Ibid* at 34.

The various effects of colonization entail that we, as Indigenous peoples, find ourselves in a constant state of unlearning and relearning knowledges, ceremonies, culture, and traditions. Our way of life was subjected to colonial forces, so our subjectivity within our living forces is a commitment to relearn the old ways to thrive off the land and the water.<sup>20</sup> We need to re-hear our old stories and learn how to re-tell them to our children and grandchildren, and to all future generations.<sup>21</sup> Although aspects of Haisla living have been subjected to, and subjugated by, colonial forces, there are approaches that allow us to unlearn Western forms of living.<sup>22</sup> Indigenous peoples who attain higher education have creatively intertwined Western scholarly research paradigms, academic and government languages, and ideologies to better reflect Indigenous philosophies. Like our ancestors—who adapted and adjusted to their evolving environment—Indigenous peoples in the present moment continue to be in constant translation, interpretation, and dialogue with both Westernized ideologies and our cultural teachers, traditional practices, and historical knowledges.

The process of unlearning colonialism and reclaiming traditional Indigenous knowledges is deeply implicated in processes and practices of power. Power, as both a concept and an operation, has been deployed as a repressive tool against Indigenous communities, resulting in practices of both exclusion and assimilation. My understanding of power and its relationship to Indigenous peoples has benefited from Michel Foucault's conceptualization.<sup>23</sup> Foucault's work illustrates how dominant societies exercise power through disciplinary practices and punishment to organize, control, and manage marginalized groups. I understand Foucault's discussion of subjugated knowledges as it links to the ways in which various policies sought to fragment, dislocate, and marginalize Indigenous people and their communities. Colonial, state-created relations of power sought to subdue communities formerly vibrant economically, socially, and politically by cementing a set of hierarchical relations crucial to dispossessing our people in multiple ways.

In *Discipline and Punish*,<sup>24</sup> Foucault illustrates how imprisonment and

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20 J. E. Chamberlin, *If This Is Your Land, Where Are Your Stories? Finding Common Ground* (Toronto: Knopf Canada, 2004).

21 J. Cruikshank, *Life Lived Like a Story: Life Stories of Three Yukon Native Elders* (Vancouver: University of British Columbia Press, 1990); J. Cruikshank, *The Social Life of Stories: Narrative and Knowledge in the Yukon Territory* (Vancouver: University of British Columbia Press, 1998); P. Nadasdy, *Hunters and Bureaucrats: Power, Knowledge, and Aboriginal-State Relations in the Southwest Yukon* (Vancouver: University of British Columbia Press, 2003).

22 To unlearn, we as parents together with our children learn the Haisla language, then we start referring to each other with our Indian names, and taking the time to visit cultural teachers and elders to hear and experience our Nuuyum.

23 M. Foucault, *Power/Knowledge* (New York: Pantheon, 1977); M. Foucault, *Power* (New York: New Press, 1994).

24 M. Foucault, *Discipline and Punish: The Birth of the Prison* (New York: Vintage, 1997).

torture were used to force those who “needed” discipline or who deviated from societal norms to conform to hegemonic normativity. In this book, Foucault addresses the era in which torture was replaced by discipline and punishment, discussing how theorists of the time found it inconceivable that people would no longer be subject to torture: “If the penalty in its most severe form no longer addresses itself to the body, on what does it lay hold?” Although there was no torture, “It seems to be contained . . . [and] since it is no longer the body, it must be the soul.”<sup>25</sup> Foucault shows us that even without physical constraints, there existed what he refers to as “consistent surveillance and discipline,” controlling and enforcing dominant societal norms. Forms of control eventually shifted from physical dominance to more discreet methods of controlling, forcing, and torturing the mind and soul to maintain order within society.<sup>26</sup> As an example of surveillance and discipline, in *The Potlatch Papers: A Colonial Case History*,<sup>27</sup> Christopher Bracken provides an account of the early encounters between First Nations people in British Columbia and anthropologists such as Franz Boas and Gilbert Malcolm Spout who sought to map out land for the economic expansion of the settler society. Their form of mapping thus constitutes one example of the subjugation of Indigenous knowledges and ways of life.

While I reference Foucault’s articulations of power and control, which he examined through the lens of torture, my discussion here focuses on a different set of techniques, those methods of control and discipline used against Indigenous people in North America. Specifically, I am interested in the ways in which relations of power and techniques of discipline and control violently impeded our way of life. Some of these disciplinary powers were manifest in the systematic punitive measures used by colonial governments to repress Indigenous peoples for speaking our languages, in the creation of reserve systems, and in the drafting and implementation of state laws that defined and circumscribed Indian identity.

In the discussion of subjugation, discipline, and punishment, Foucault speaks to the context of these ideological relationships and how hegemonic status indicated subjectivity within each realm. For example, and in this manner, I look at power as a technique the state systematically employed to make our people invisible. When Foucault writes of notions of normalcy, he describes the processes by which a society becomes supposedly normalized, and how a society is complicit in ensuring a certain dominant status by defining and determining what is normal or correct, a standard of being that informs us of the opposite as well, the deviant or abnormal. Foucault writes:

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25 *Ibid* at 16.

26 *Ibid* at 295.

27 C. Bracken, *Potlatch Papers: A Colonial Case History* (Chicago: University of Chicago Press, 1997).

Like surveillance and with it, normalization becomes one of the great instruments of power at the end of the classical age. For the marks that once indicated status, privilege and affiliation were increasingly replaced—or at least supplemented—by a whole range of degrees of normality indicating membership of a homogenous social body but also playing a part in the classification, hierarchization and the distribution of rank.<sup>28</sup>

Thus the violent operations of power shape the subjugation of others through the willful absenting and discrediting of particular forms of economic, social, and political life. This thick spiral of Foucauldian theories about notions of power, knowledge, and subjectivity provides not only an intellectual space in which to understand dominance but also the realization that sources of hegemony are forever a part of the nation-state and of Indigenous peoples' relationships.

The work of Sandy Grande, a Quechua woman from Peru and an associate professor of education at Connecticut College, builds on this Foucauldian understanding. Grande moves beyond thinking through and within power and subjectivity and offers critical theorists a space to explore what she terms an American Indian Education and Revolutionary Critical Pedagogy, or Red pedagogy.<sup>29</sup> She explains Red pedagogy in the following manner:

What distinguishes Red pedagogy is its basis in hope. Not the future-centered hope of the Western imagination, but rather, a hope that lives in contingency with the past—one that trusts the beliefs and understandings of our ancestors as well as the power of traditional knowledge. A Red pedagogy is, thus, as much about belief and acquiescence as it is about questioning and empowerment, about respecting the space of tradition as it intersects with the linear time frames of the (post)modern world.<sup>30</sup>

Theories such as this one make clear the necessity of understanding our violent history and of educators synthesizing and placing centre stage Indigenous philosophies as a form of revolutionary critical theorizing and as a journey.

## VI A Shift in Haisla Living

Southwest of our community is an old cannery known as Butedale. Butedale employed many of our people during the expansion of the fishing industry. Many of the men fished, while most of the women worked in the canneries.<sup>31</sup> Haisla families lived in Butedale with their children and, because of the children's active role in the fishing economy, Indian agents and missionaries

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28 Foucault, *supra* note 24.

29 Grande, *supra* note 14 at 26.

30 *Ibid* at 28.

31 Lutz, *supra* note 4; D. Harris, *Fish, Law, and Colonialism: The Legal Capture of Salmon in British Columbia* (Vancouver: University of British Columbia Press, 2001).

viewed them as neglected—and apprehended them. Butedale thus became known among our people as the “pickup place” for Haisla children. Because the men were away from their homes to do commercial fishing and the women worked long hours at the Butedale canneries, children were seen as abandoned and forcefully placed in residential schools in Port Alberni and in Coqualeetza. Some children were moved to as far away as Edmonton. They were placed on steamboats at Butedale and travelled long distances to be left at these various residential schools.

Butedale also became the place for commercialized fishing and processing, which slowly replaced our people’s traditional ways of sustaining their families. My dad shared that, during those cannery years, segregation occurred between Chinese, white, and Indian people both within the cannery and in their homes.<sup>32</sup> Although Butedale was not a large place, it was divided by race, language, class, and culture.

During those cannery days, our people worked twice as hard to participate in the growing Western economy while also maintaining our Nuuyum. In *Makúk: A New History of Aboriginal-White Relations*, John Lutz writes about the economic explosion that occurred throughout British Columbia: “At the turn of the century the whole Village went to the canneries to fish and can fish.”<sup>33</sup> He continues, “As the cost of fishing technology grew and canneries consolidated, and as settlers arrived to work in the canneries, the importance of Native labor diminished. Canneries hired Japanese people to fish and Chinese people to work in the canneries and the state granted independent licenses to whites to encourage their settlement.”<sup>34</sup>

My father shared that, although our people were forced to participate in and contribute to this growing economy, they still faced racism and injustice. This racism illustrates not only the displacement and alienation of Indigenous peoples but also the consolidation of the colonial process and the plundering of our lands and resources. Racist ideologies manifest within and throughout state and religious perspectives about Native people, hence our people have been treated as “less than” and/or “wards of the state”, suggesting to non-Native people that we have no social order, laws, or governing systems. These racist attitudes have been influential in preventing our people from functioning within mainstream societies.

In Butedale today, as in Xanaksiyala territory, one finds remnants of old buildings all overgrown with trees and bushes. And so it is that Haisla roots include and intersect with Misk’usa, Xanaksiyala, and Tsmishian ancestors, histories, stories, and cultural practices.

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32 Lutz, *supra* note 4 at 207.

33 *Ibid* at 278.

34 *Ibid* at 203.

## VII Laws, Policies, and Regulations Affecting Nuuyum: A Way of Life

The influx of capital, Western governance, and economic growth initiatives have affected our Nuuyum. Just more than 50 years ago, Alcan sought and attained a place to build its industry on our traditional territory. The town of Kitimat was meant to accommodate Alcan's development.<sup>35</sup> Roads and railways were built to export aluminum, and cargo ships travelled through our waters. While our land and stories were undergoing massive modernization and forced changes as a result of colonization, our people adjusted.<sup>36</sup>

Since contact with settlers and settler institutions, many of our natural and cultural resources have been misappropriated, violated, and criminalized. In particular, the pollution from industrial developments has seriously affected our cultural practices. Since the building of Alcan and the continual exportation of renewable goods to other countries, their ships have affected the flow of the waters throughout the Douglas Channel, which in turn negatively affects the migration of the salmon and oolichans. Salmon and oolichans are important to the Haisla economy and culture and their intrinsic relationship to our traditions.

Western governing systems control and regulate an Indigenous way of life and have forced our people to conform to evolving national and industrial developments.<sup>37</sup> When Native people did not conform to evolving industrial movements that were part of colonial expansion efforts, more stringent laws were developed and imposed to control, regulate, and assimilate them into the Canadian body politic. For example, during the building of Alcan, Haisla people had to ask permission to enter the town of Kitimat, and if permission was granted they were provided with a pass that indicated the time of entry and the time they were expected to leave the town again. Another example: Although fishing is a livelihood for Haisla people, Westernized fishing regulations controlled who and when Haisla people could fish. These two examples show regulations that affected the ways in which Haisla cared for and protected their lands and people.

While the legal sphere structured the relations of colonial dominance, the colonial settler state colluded with and was supported by religious authorities. Missionaries were particularly influential, as they set out to "save" our people from what they defined as immoral and savage practices.<sup>38</sup> Missionaries were

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35 J. Kendrick, *People of the Snow: The Story of Kitimat* (Toronto: NC Press Limited, 1987).

36 C. Helin, *Dances with Dependency: Indigenous Success through Self-Reliance* (Vancouver: Orca Spirit Publishing, 2006) at 74.

37 D. Newell, *Tangled Webs of History: Indians and the Law in Canada's Pacific Coast Fisheries* (Toronto: University of Toronto Press, 1993).

38 T. Bolt, *Thomas Crosby and the Tsimshian: Small Shoes for Feet Too Large* (Vancouver: University of British Columbia Press, 1992); E. Titley, *A Narrow Vision: Duncan Campbell Scott*

instrumental in changing the ways in which our families functioned, the organization of gender, and the formation and expression of sexuality. Cultural rites of passages formerly important for young girls and boys were shunned. Cultural teachings during death, the use of traditional regalia, Indian names, and languages were forbidden. One Tsmishian community was even relocated to completely remove the people from any aspects of Indianness that they had lived with previously, including their traditional fishing and hunting practices, languages, and feasting practices.<sup>39</sup> One way in which our people negotiated their traditions with the establishment and consolidation of Christian ideology was by recasting the use of the church for Nuuyum. Our people utilized the colonizer's space to discuss important aspects of or issues relevant to Haisla people in meetings referred to as *Haisla Gou*, meaning that only Haisla people attended these gatherings. Here, community members would collectively discuss issues of community governance, discipline, or fishing and hunting practices jeopardized by newcomer laws. The United Church thus became a new meeting place for our people, a place where we could live our Nuuyum in conjunction with imported ideologies. Although there was a non-Haisla minister, this person and his family understood notions of Haisla Gou and did not expect to attend these special meetings, nor were these special meetings problematic for the minister or his religious ideology.

The church and the minister played specific roles during times of death or feasting. Our people gathered at the church for prayers after a death and started attending church on Sundays. There were choirs and brass bands. While this religious environment started shifting how we lived our Nuuyum, our people persisted in centering our Nuuyum at this intersection with Christianity. Our people needed to think through adapting to and incorporating some aspects of Christian teachings. Our elders knew that the strong force of the colonial regime might take full control of our way of life; therefore they found ways for the two cultures to coexist and work together, blending Nuuyum with Christian influences. This is one story my father shared with me about the role of a church in our Village:

*The United Church became a central meeting place in our community. In the old days, and every Easter, the entire Village would attend church. Everyone was dressed in their best clothing. During oolichan fishing season, while everyone was in church, one person waited by the river to watch for oolichans. When this person spotted the oolichan run, he went to the church, made the announcement, and everyone left the church and canoed, while still in their best clothing, to the oolichan fishing grounds. This is how important oolichans are to our people,*

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*and the Administration of Indian Affairs in Canada* (Vancouver: University of British Columbia Press, 1986).

39 Bolt, *supra* note 38 at 22.



*that our people will leave everything and anything at once in order to fish for oolichan.*

What I understand from this story is that, although the church was built for strictly Christian purposes, our people utilized the building as a gathering place to hear missionary teachings while simultaneously connecting with one another for cultural purposes. The church became a central part of Haisla existence, also providing space for the expression of our people's newfound skills, such as participating in the choir and the band, alongside older cultural mores.

Concurrently with missionary developments, our Haisla Nuuyum was superseded by the creation of the reserve system to manage, segregate, and confine our people to small pieces of land.<sup>40</sup> Legislation stipulated the definition of Indigenous people and "their" reserve.<sup>41</sup> Under federal fishery guidelines, for example, our people were only permitted to fish on specific dates and in particular places identified by the Department of Fisheries (DFO).<sup>42</sup> Rather than following the fishing teachings within our Nuuyum, our people had to apply for fishing permits. Fishing regulations affecting our Nuuyum came into full force by 1914.<sup>43</sup>

Moreover, during trade, intercultural ceremonies, and potlatching, our people spoke Chinook jargon to each other and with non-Haisla peoples.<sup>44</sup> In the early days of encounters, Chinook jargon allowed our people to communicate with settlers. Chinook jargon was a combination of common gestures and words for all groups of people to communicate with one another and Chinook was foregrounded so that our people could maintain our Nuuyum while at the same time communicating our way of life to and within industrial developments. While the *Indian Act* and Christianity were powerful influences in our territory, many of our teachings and practices prevailed. My mother said that one reason for this might have been the remoteness of our community, which kept the Indian agents and missionaries at bay. Our territory's physical isolation may have led to the survival of our traditions and Nuuyum.

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40 Once the reserves were created, our people were confined within these federally defined borders. Our people could not leave reserve lands for any purposes; if they left, they were jailed. Reserve living impeded the ability to fish or hunt as taught in our Nuuyum (according to seasons). Reserve living limited our mobility throughout our traditional territories, including the inability to interact with neighbouring First Nations communities for ceremonial purposes.

41 Indian status stipulated that a First Nations person be directly linked to a reserve identified by the state. In the event of intermarriages, the women and their children became members of her husband's band. Indian and reserve status provided specific federal resources for a specific level of living standard for status Indians. In doing so, successive federal governments once again manipulated Indigenous governing structures, replacing feasting with band councils.

42 Harris, *supra* note 31.

43 Lutz, *supra* note 4.

44 *Ibid* at 15.

## VIII Feasting: Haisla Philosophical Roots of Living and Learning Our Nuuyum

Haisla ontology is grounded in our feasting system. There are four clans in our feasting system and each clan has a Hemas and Mus Magthl. In Haisla feasting, one clan would typically be the host. A feast can be hosted for many different reasons: a memorial, a traditional naming, a *tsookwa* (cleansing ceremony), or for leadership purposes. Our people defined cleansing in many different ways: if a person had a near fatal accident while fishing or hunting, he might have a *tsookwa* feast, offering thanks to the spirit world for sparing his life. Similarly, if a person recovered from a severe illness, family members might *tsookwa*. Or, if someone committed a crime or an act of violence and went on to change these behaviors, the person and his or her family members would *tsookwa*.

As stated at the beginning of this essay, our Haisla feasting system includes four clans: Killer Whale, Eagle, Raven, and Beaver. The feast host holds many responsibilities: for example, during a feast for a traditional naming, the person receiving a name must know the account of the name, understand his or her upcoming responsibility as a name holder, and be responsible and respectful to his or her namesake. During one of my visits with my Auntie Sarah and my cousin Nina, we were talking about Indian names. We talked about those of us who carry the names of our aunts, mothers, or grandmothers and our duties as inheritors of names to respect the dignity of the name and leadership of the person who held it before. This particular visit provided me with important knowledge about name giving and receiving that I feel should be included in this section. In the old days before strong colonization, a particular process determined who would receive a chieftain's name. My parents shared:

*When a person who was in a high-ranking clan position passed on to the Spirit World, it was customary that this name would be passed on to the oldest sisters, oldest son. For a woman, the name would go to the oldest sisters, or the oldest daughter of the deceased. It would be the responsibility of the name receiver to cover the expenses for the burial of the deceased, including expenses for a headstone, and all expenses involved in hosting a feast. Usually this feast would take place one year after the deceased had passed.*

In the early stages of planning and organizing a feast, the person or family responsible for it would first contact the clan chief and request a meeting. At this initial meeting, the family would inform the Hemas and Mus Magthl of the reason for the feast, and together the family and chiefs would decide on a date. At this time the family would also identify the feast's cohosts, typically one man and one woman, one of whom would receive a traditional name. In

Haisla feasts, we have a custom of gender balance between the cohosts. The family then invites its clan members to another meeting to inform them of the intent and date of the feast. The cohosts will speak on behalf of the family and clan and will have the responsibility of ensuring that the proper feasting protocol is followed appropriately. Clan members are responsible for contributing money, food, or giveaway goods to the cohosts. Clans include as members all people who have received an Indian name and thus officially belong to a clan. Usually high-ranking members such as chiefs donate a large sum of money or an expensive gift such as a motor for a boat. Other clan members might donate pots, bowls, dishes, blankets, or towels. Younger children who receive a name usually donate smaller items such as tea towels, cups, or coffee mugs. If a family member does not yet belong to a clan or have an Indian name, they can still make a donation. During this time, certain women known as feast cooks will either be asked to make a stock pot of soup, or they will offer to cook.

In the initial meetings, members will declare their donations. The cohosts, together with their clan and family members, will then invite one other person to emcee the feast. Like the cohosts, emcees are also viewed as leaders by their clan and community. Emcees are chosen based on their relationship with the family or clan, as well as on their cultural knowledge and expertise about feasting protocols.

During a feast, a clan would ordinarily serve about 500 people, which necessitates collective and seamless collaboration. Our Nuuyum teaches us that, because we are hosting other clans and clan chiefs, our actions in the feast hall will demonstrate how we live and practice our Nuuyum, so we must be respectful and follow proper protocol. While each clan hosts a feast in a distinct manner, the same philosophical principles underlie all of them.

In addition to the emcee, cohosts, and clan members, people with knowledge of Indian names and their clans play an important role during the feast. Typically these people are recognized cultural leaders. Their duty is to *yoxwasayu*, meaning they must walk door to door to invite other clan members to the feast, and greet them on the day of the feast. My father has shared with me the way people were greeted and seated “in the old days”:

*The Haisla Village hall was located on a very big hill. The men from the clan who are hosting the feast were in place to greet guests and announce their arrival and would start watching out for people as they made their way to the feast hall. One person would wait at the bottom of the hill, another person would wait halfway up the hill, another person at the top of the hill, and another person at the door of the feast hall. The person at the bottom of the feast hall would announce the Indian name and clan of the approaching guest to the person who is waiting halfway up the hill, and this announcement would continue until the guest arrived at the door of the feast hall. The feast hall is organized according to clans, so in this case there would be four sections representing four clans. There would be host*

*men to greet the guest beside each clan section. By the time the guest reaches the feast hall, the seat is ready for him/her. The guest is announced once he or she arrives in the feast hall and they are seated according to their rank and clan.*

One month or two weeks before the feast date, the clan men will yoxwasayu. They will let the guests know who is hosting the feast, who will be *cenud*, which means the person who will receive a name, and learn what the name means. They will let the guests know to bring their own soup bowls, cutlery, and cups. It is protocol that invitations to a feast must be communicated through this face-to-face interaction.

In the earlier days of feasting, chiefs had prestige because of their roles as knowledge holders about vast places, histories, and identities. At one time, prestigious chiefs had an assistant, who acted on behalf of the chief. My father shared this account of this old feasting practice:

*A clan chief was always accompanied by a second person whose responsibility was to act on behalf of the chief. The second person sat on the chair before the chief sat down to ensure the chair was safe. He had the first taste of food to ensure the food was safe. He also spoke in the feast hall on behalf of the chief. If there was a mistake made in his speech, then the repercussion was on him and not the chief. In the old days, this was the cultural practice that was respected and honoured. And although this person represented the chief, he was not ranked as a chief.*

Today, chiefs do not have this type of assistant, but they are still seated according to their rank, served first, and allowed to speak first. The Indian names of assistants to chiefs are still used today, but these people are now viewed and ranked as equal to clan chiefs. From a young age on, Haisla people understand and live these cultural practices. Families and clan chiefs have understood and respected both their roles and the philosophy that substantiated them.

Welcoming people to the feast required that the clan chiefs, family representatives, and the emcee shared an account of the feast with their guests. Welcoming people was an important task, and it took time and patience to ensure that people understood the feast work that was about to happen. This feasting protocol is our people's method of preserving history within our clans and communities. The cultural significance of feasting is partially indicated by the length of time a feast might take: in the old days, feasting continued late into the night.

Both male and female clan chiefs played important roles in how our Nuuyum was lived, for it was their responsibility to teach Nuuyum protocols to the clan's families. Living these feasting protocols teaches our people responsible and respectful leadership. It is important to communicate feasting processes and protocols appropriately and effectively, so that young clan members and other people will learn our feasting Nuuyum. The qualities of leadership generated from feasting include approaching problems collectively, communicat-

ing respectfully, and developing a knowledge of landscape, seasons, ancestral places, and identities. These laws inform how clan members learn about each other, about territories, and about histories. In this manner, leadership illustrates the personal relationships between individuals and their connectedness to one another.

An important ethical component of feasting is what we call “witnessing”. Witnessing is a method of gathering and recording historical and statistical knowledge of our people, such as who has passed on to the spirit world, which families have newborns, and who will inherit chieftainship names. Haisla people also refer to witnessing as *tsookwa* (cleansing feast), and for us, *tsookwa* represents knowledge about the well-being of community members. Witnessing requires that each person in the feast hall understands the work done by the host, whether that refers to feeding the people, gifting them with monetary or dry goods, and ensuring appropriate protocol. The provision of food and gifts creates a reciprocal obligation, so that the guest must in turn remember details of the feast, for example, for a person who could not attend the feast. Hence the feasting system constitutes a reciprocal relationship: both the host and the guests are responsible and accountable for the historical knowledge created, affirmed through their participation. For Haisla people, this protocol constitutes a form of law—it is how we define Haisla Nuuyum.

## IX Responsibilities for Family/Clan Members Hosting a Feast

My mom shared with me the process by which our clan members prepare food and giveaway gifts:

*Gifting the people is categorized and organized according to ranks of chieftainship and according to which Clan they belong to. A month or two weeks prior to the feast, the Clan gathers at a meeting place to “tag” giveaway gifts. In this process the Clan must know who the Chiefs are and which Clans they belong to. They must remember past feasts and who were “newly” appointed Chiefs. They must remember the babies or young people who received names. In so doing, each person will be gifted accordingly. Chiefs receive comforters, cash, and sometimes larger gifts such as a boat, motor, or trap line. Those who are ranked second to Chiefs are gifted with comforters, blankets, large pots or bowls, and cash. The remainder of Clan members are noted as “commoners” and receive cake pans, bowls, towels, and small blankets. Young children are gifted with tea towels, smaller dish sets and blankets. If there are guests who do not have a Clan name, there are giveaway goods set aside for them. All guests receive a tea towel (women) or socks (men). All guests are provided with a loaf of bread, a box of crackers, oranges, and apples. The Chief ladies each receive a cake. Once these gifts are distributed, the host will make cash payments. In the event of a memorial feast, cash payments are for services provided to the family during the loss of their loved one. People who receive payment typically are grave diggers and people who provide food, prayers, and song for the grieving family, and there is*

*payment for the use of facilities like the church or the recreation center. Typically the meal served is what our people refer to as “wedding stew.” There are certain ladies in each Clan who cook a stock pot that is usually about 50 to 60 quarts. In order to feed 500 people there are usually five stock pots of stew prepared. During the day before the feast, the Clan members gather and cut vegetables and stew meat. At the venue where they will work on vegetables, whoever is the last person to arrive must cut onions for the stew, so people are usually on time, as they do not like cutting onions. On the morning of the feast day, the stew is cooked and simmered all day until it is time for feasting. The Clan hosts prepare the feast hall by setting up tables, chairs, and a table for the giveaway, by setting out baked goods, by preparing for speeches and name giving, and by generally ensuring that feasting protocol is prepared. At five o’clock, the feast begins and carries on until the feasting work is done.*

The ranking order of gifting is still the same today, but the gifts and cash have changed with the economy.

In our Nuuyum, the feasting process articulates community leadership, which in turn informs Haisla laws and governance. I have reflected on these feasting processes to examine how feasting philosophies could inform contemporary governing models.

## **X Weaving Stories and Histories**

Like other Indigenous people around the world, our people created and sustained relationships with settler systems to ensure we had a voice in, and made equal contribution to, the economic expansion. In describing this situation, I draw on the term “weave” to illustrate how Haisla Nuuyum and our cultural teachings have been affected by colonialism, and that Haisla Nuuyum simultaneously intersects with Western knowledge.

During industrial (economic), colonial (legal and political), and religious (moral) expansion, Haisla histories and Nuuyum became much more unsettled and complex. While our people recognized that industry was quickly expanding throughout our territories, they also saw the necessity of preserving our Nuuyum through all available means. Some people saved their vacation time to fish for oolichans or to plan and work for their feast. Rather than going fishing with their families, children were in residential or day schools; this too affected the length of time families spent in the fishing areas, as families did not want to be away from their children. Furthermore, English became the main language of communication within our Villages.<sup>45</sup>

Through these weaved stories and experiences, our people have incorporated various methods of learning, understanding, and living Haisla Nuuyum. We have heard stories and experiences about oolichan trails, other trading

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<sup>45</sup> The English language was forced on our people through varying colonial mechanisms such as residential and day schools, Indian agents, and missionary work.

trails, and such devastating events as floods, disease, and the disenfranchisement of generations of people. Our ancestors armed themselves with their cultural knowledge and practices as they met and engaged with newcomers who have put a new face on the northwest coast of British Columbia. The old teachings of our Haisla ancestors and way of life brought together the elements of respect, honor, and curiosity that were manifest through oolichan fishing, historical landmarks, and our feasting system. Our people lived highly complex, nuanced, and sophisticated lives, as demonstrated by the multi-pronged approaches they took to ensuring the survival of our cultural practices by adapting and maintaining them despite local incursions and economic demands.

## XI Reflection

Our feasting system continues to be a strong force that brings our people and clan members together, whether in naming and memorial ceremonies or during sporting competitions or fundraisers during crises. Vine Deloria Jr. has elaborated on the importance of clans: “Clan structures began to evolve as tribal populations grew. . . . Clans enhanced the life-world and never reduced it to a mechanical process.”<sup>46</sup>

On one occasion, our chief and council hosted a feast to commemorate a peace treaty between Haisla, Kitasoo, and Heiltsuk,<sup>47</sup> which had occurred in response to the BC treaty process requiring First Nations people to negotiate away pieces of land to settle an agreement with British Columbia and Canada. The peace treaty was made in ceremony in our feast hall, and the chiefs of the three Villages made an agreement with one another that they would not allow the BC treaty process to interrupt their communities’ relationships with each other.

During this peace feast, people were reminded about our cultural knowledge and respect for the water, land, and animals. They spoke of the importance of maintaining cultural relationships and responsibilities for the future generations of all three nations. Importantly, our people were reminded of how colonial forces have harmed our way of life, of how our cultural governing systems have been subjugated, and of how we must gather as people to reclaim and solidify the cultural practices relevant and distinct to our Villages.

The intentions of this peace feast, in terms of strengthening relations between Indigenous peoples, are echoed in the work of Taiaiake Alfred and Jeff Corntassel. They argue that Indigenous peoples and communities must be unencumbered by the state and should work towards a resurgence of governance

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46 V. Deloria, *For This Land: Writings on Religion in America* (New York: Routledge, 1999) at 178–79.

47 Kitimaat Village Council, *supra* note 1.

that reflects our cultural ways. They further argue that engaging in state politics distracts us from Indigenous methods of governance:

Colonial legacies and contemporary practices of disconnection, dependency and dispossession have effectively confined Indigenous identities to state-sanctioned legal and political definitional approaches . . . such compartmentalization results in a “politics of distraction” that diverts energies away from decolonizing and regenerating communities and frames of community relationships in state-centric terms, such as aforementioned “aboriginality”.<sup>48</sup>

In his 2003 keynote address to the Alaskan Federation of Natives (AFN) Convention, the Maori scholar Graham Hingangaroa Smith also refers to the “politics of distraction,” a tactic by which Native people are kept busy with bureaucratic demands, so that they will have little time left to complain, question, or rebel against the status quo.<sup>49</sup> These three Indigenous scholars argue that, rather than negotiate within Western regimes of governance, we must assert traditional forms of leadership inherent in our clan feasting to formulate a Haisla governing entity.

## XII Suggestions for Centring Haisla Nuuyum into Leadership and Governance

While many Indigenous communities are negotiating with settler, resource, and industrial companies and engaging in industrial economic development, these negotiations often do not include community and clan members in an ethical or transparent way.<sup>50</sup> Moreover, surrounding communities and other non-Indigenous towns typically are not included in the dialogue until well after the beginning of discussions. To that end, and to be inclusive of community, clans, and Haisla people, it is important to develop wide-ranging relationships at the inception of economic discussions or treaty negotiations. This will ensure a greater level of accountability, and that knowledge of the economic proposal may be discussed and negotiated in a productive and effective manner by all the people affected. Although some non-Indigenous people make attempts to consult, consultation continues to take place within Westernized forums. Instead I suggest that negotiations take place within the Haisla feasting system.

In my reflection on our current governing systems,<sup>51</sup> I want to examine if

48 T. Alfred & J. Cornthassel, *Being Indigenous: Resurgences against Contemporary Colonialism* (Oxford: Government and Opposition, 2005) at 600.

49 G. Smith, *Indigenous Struggle for the Transformation of Education and Schooling* (Auckland: University of Auckland Press, 2003) at 1.

50 Most times, clan and community members are not aware of the negotiations until well after the proposal has been presented and developed.

51 When I speak of “our” in this context, I am referring to other Indigenous nations as well, and not necessarily focusing only on the Haisla governing system.



our Nuuyum and its philosophical underpinnings can intertwine with the contemporary leadership of chief and council systems. Although Haisla people are elected into this system, it still remains a Westernized federal governing system. Currently, elders do advise this governing body, but I want to explore how and if this and a traditional governance system could coexist.

In our contemporary relationships, a key strategy for enhancing community input in economic development negotiations would be to centre on our Nuuyum. Visitors, such as non-Native negotiators, could begin by discussing economic proposals in our feast hall, rather than by negotiating in isolation with only band council members. Once the band council has been contacted by development companies, it would be beneficial and more in keeping with our traditional practices if the council recommended further discussions including all clan and community members.

Returning to our Nuuyum would require a re-evaluation of our current methods of governance, but it might offer a richer, more collaborative, and more ethical dialogue among our people and visitors. In the feast hall, the chief councillor would cohost the feast and work reciprocally at all stages of the process with our hereditary clan chief and the other four clan chiefs. Rather than a naming or memorial feast, the feast work would be an introduction of the visiting negotiator to our clan and community members. This cohosting would then become a forum uniting our clans, chiefs, and council as they discuss the proposed economic development that will affect our territory, resources, and connection to these places. And rather than reading a 50-page document about the proposal, information about it should be presented orally to the clan members in a feasting setting. By doing so from the inception of negotiation, these discussions could be sustainable and viable for our people. Moreover, if our clan and governing leaders decided together, feasting would provide a space for each clan to be represented, so that negotiations would be effective, relevant, respectful, and appropriate for our people and territory.

In most Indigenous communities, including our own, negotiations and discussions typically begin with the newcomer and chief and council. My suggestion moves beyond these two groups. Not only would the newcomers have the opportunity to present their proposal but our clan chiefs also could, in turn, share the history of our ancestral places, our Nuuyum, and its laws. In the feast hall, visitors would not be positioned as expert knowledge holders; instead, the responsibilities of knowledge would be shared and reciprocated as the visitors learn and understand how Haisla people sustain themselves and are connected to the territory. Feasting provides all key players with space and time to build and maintain relationships and to discuss concerns or questions about a proposal that will affect Haisla livelihoods.

After the initial feast of introduction, additional community feasts should follow for further knowledge exchanges. This method could take 5 to 20 years

before all parties involved would have a specific and clear understanding of one another, all intentions were understood, and all have had an opportunity to strategize.

Newcomers to our feasting such as business and economic developers will likely challenge a 5-to-20-year period just for discussions. They may argue that it is necessary to expedite development due to economic demands. Yet they need to recognize that their success depends on a foundational relationship between the people, their ancestral places and histories. They must consider and respect how Western laws have historically dominated our people and subjugated our Nuuyum. They must also know that these discussions are not only straining for them but also for our elders, clan chiefs, and the young people trying to understand future implications for the land and our children. There are significant, complex factors for the community to consider, which include the longevity of our land, the health of fishing places, the future of our cultural practices, and the time and costs involved in discussing economic sustainability within the territory. Many contemporary economic negotiations that occur mainly in Westernized settings have a Western agenda. Additionally, the parties often also do not come to agreement within 5 or even 25 years.<sup>52</sup> I am suggesting an alternate forum to discuss economic development outside of Western forms of negotiation, one that would be reflective of Indigenous communities and people. A change that centres Indigenous traditions and ways of governance will contribute to a positive shift in relations between Indigenous peoples and settler peoples.

Each Village on the northwest coast of British Columbia has knowledge and an understanding of all other communities. Settler laws such as the *Indian Act* and municipal boundaries have affected the ways in which these Villages now interact with one another. As a result, many Villages now manage themselves in isolation from each other. One approach to reclaim those old relationships would be to invite neighbouring Villages to a feast to discuss economic development proposals. Additionally, it would be strategic to invite local non-Indigenous peoples to hear about the presentation in our feast hall.

Such a feast would not indicate the acceptance of a proposal, but, rather, simply create awareness of it, as well as transparency. This method is transparent and generous in that non-Indigenous peoples are included, though non-Native people may not recognize it as valid knowledge mobilization. There

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<sup>52</sup> While I was discussing this process with my partner, he shared his experience as a treaty negotiator for the province, indicating that mainstream negotiators were quick to point out what was not working in negotiations and to suggest other Westernized negotiating techniques. In this, there were no recommendations to negotiate within Indigenous forums or techniques. It was made clear that negotiations all needed to take place in a Westernized forum until agreement was reached. I use the term “forum” to indicate that negotiations currently occur within boardrooms in Victoria or Ottawa, but that an Indigenous forum would mean a feast or long house, offering an alternate space.

continue to be hegemonic political and governing views about reserves and so-called rights within a reserve system. The reserve system is what non-Indigenous peoples know; they remain uninformed and ignorant about the philosophical aspects of the diverse traditional cultural teachings and practices of Indigenous peoples. The hegemony of the colonial settler state, and the privilege and authority of whiteness, means that they are never obligated to know. In contrast, through these colonial relations, Indigenous people have not only sustained cultural teachings but have also learned how to subvert colonial forces. My method is a call to non-Indigenous peoples to become responsible for understanding and respecting the philosophical teachings that have sustained Indigenous people on the northwest coast. It is also a call to our people to bring forth, live, and assert our Nuuyum. Local towns and Villages will not go away; all will continue to prosper and grow as the demand for capital and economy are a part of our everyday lives.

While this method may appear biased to non-Indigenous peoples because all relationships and discussions are situated within a feasting system, feasting is intended as a starting point to discuss a proposal that directly affects traditional territories. Our Villages find themselves in the situations they are in today as a result of Western forms of negotiation. These negotiations have been neither inclusive nor transparent. As a result, many Villages are seeking compensation for broken treaties and promises, and our people cannot fish for oolichans, pick berries, hunt, or gather traditional medicines as they once did. Future economic development and expansion must take on a new face. Discussions must shift from a dominant Western framework to one inclusive of the peoples whose lands will be affected by the developments.

### XIII Finding Our Way Back and Reclaiming

Although our people have moved toward Westernized modes of living, and Western lifestyles have expropriated our places, we will remember and reclaim our old stories. Basso describes how the land entraps our souls: “The Apache old people say that young people will continue to drift towards these aspects of life. However, the old people don’t seem worried because the land will ‘stalk’ our people and we will remember our stories.”<sup>53</sup>

This past year, while visiting the Lower Mainland, I met a man whom I recognized as a Haisla person. I introduced myself and asked, “You’re Haisla?” He responded, “No, I’m Kitlope.” That was the first time I had heard someone refer to himself as a Kitlope person. This interaction stayed with me, and I appreciate how his identity is linked to that very old place. For Haisla people, identity encapsulates many places, stories, feast names, and interac-

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53 Basso, *supra* note 18 at 63.

tions within an evolving society. This man's response illustrates to me how our souls are intertwined with our lands, regardless of whether we actively live on our traditional territories.

Many non-Indigenous people are not aware of our people, but they know the town of Kitimat, and they have heard of Alcan. Other people may refer to our people in reference to our oolichan grease. And, yes, some people involved with Native basketball in the North will know us as the first basketball team to win the All Native Basketball Tournament six years in a row. Our identities and places have never been static. In fact, our identities include many facets of places that have emerged and intersected through generations.

Today our ancient traditions of place and identity manifest in contemporary cultural practices in our feast hall. The older clan chiefs continue to address our people in the Haisla language, while younger people only speak English. Some leaders choose to translate their words, so that young people can understand Haisla Nuuyum. Stories are told today about many place names, the events that occurred at these places, and the families that belong to these places. These stories must be documented and preserved for our children.

Today, modern technology, industry, and various forms of regulation have affected how we need to learn our Nuuyum. In our feast hall, most people understand the meaning of their traditional names and the stories behind their names, which solidifies our knowledge of complex identities. Haisla traditional worldviews and ancient accounts form a story of community diversity. Our Nuuyum teaches us how to respect all living things, and it is a philosophical framework to preserve our cultural practices, histories, places, and identities. It is my hope that this piece of writing connects with and enhances the resurgence of our Nuuyum, and encourages the current and future generations to learn about our way of life.

Throughout this essay I shared and theorized stories and cultural teachings about varying places, feasting, and Haisla protocols, all of which I refer to as our Haisla philosophy and ontology. For me, these Haisla cultural knowledges indicate a historical account of how Haisla people flourished within and throughout a specific governance and model of law that has sustained our people for many years, including during encounters with settler encroachments. For our people, our *Haisla Nuuyum is our law*.

*Wuh, Hychka, Thank you.*

## Instructions for Authors

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awards, fellowships and deadlines. The Indigenous Law Journal is dedicated to developing dialogue and scholarship in the field of Indigenous law both in Canada and internationally. Our central concerns are Indigenous legal systems and legal systems as they affect Indigenous peoples. Priority is given to papers that fit within this mandate.

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