

Entwined Histories

Exploring Native-Newcomer Relations via
THE NATIVE VOICE



The
B.C. Provincial

VOTE!

For
Native Canadians

- The 19th Annual Native Brotherhood of B.C. Convention will be held at Bella Coola commencing April 5.
- Welfare Conference — The Regional Conference on Welfare will be held at the Empress Hotel on May

2, 3, 4. Indian Welfare will appear on the agenda for the first time in Canadian history. Mr. George Clutesi and Commissioner W. S. Arneil will speak in connection with Social Welfare.

CASE STUDIES IN CONTACT, COLONIALISM, AND RESISTANCE

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ENTWINED HISTORIES:

Exploring Native-Newcomer Relations via *The Native Voice*

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Overview of Resource and Prescribed Learning Outcomes

This resource package was designed as an outreach programme of the North Vancouver Museum and Archives. Its' development coincided with the exhibit, *Entwined Histories: Gifts from the Maisie Hurley Collection*. The exhibit is about Maisie Hurley, who was founder and editor of the *Native Voice* newspaper.

This programme was specifically designed as a unit of study for **First Nations 12** students in the province of British Columbia. It also meets prescribed learning outcomes for **Social Studies 10 and 11**. The package contains four case studies, which can be used together or independently at the discretion of the educator. A timeline of BC settlement history and preliminary discussion activities precede the case studies. Each case study provides an overview supplemented with newspaper articles from the *Native Voice*.

This outreach programme targets the following Prescribed Learning Outcomes within the province of British Columbia:

BC First Nations Studies 12

Skills and Processes:

- Apply critical thinking – including questioning, comparing, summarizing, drawing conclusions, hypothesizing, and defending a position
- Demonstrate effective research skills, including accessing information, assessing information, collecting data, evaluating data, organizing information, presenting information and citing sources.
- Demonstrate skills and attitudes of active citizenship, including ethical behaviour, open-mindedness, respect for diversity, and collaboration

Land and Relationships:

- Describe the location of traditional territories of BC First Nations
- Analyze the relationship of First Nations peoples and the natural world
- Analyze and exchange of ideas, practices, and materials involving First Nations pre-contact and post-contact

Contact, Colonialism, and Resistance:

- Analyze post-Confederation government policies and jurisdictional arrangements that affected and continue to affect BC First Nations
- Analyze the varied and evolving responses of First Nations peoples to contact and colonialism

Leadership and Self-Determination:

- Describe challenges during the 20th Century that led to the emergence of contemporary Aboriginal leadership, including reference to Aboriginal leaders and organizations and the Indian act.

Introduction: Maisie Hurley and the Power of *The Native Voice*

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The NATIVE VOICE

July, 1949

White Woman Honoured

By CONSTANCE COX

After Mrs. Maisie Armitage-Moore had completed her journey to the Southern part of B.C., visiting all the Native villages, she continued her journey North, accompanied by Constance Cox, who was her helper and interpreter. In all villages, Mrs. Moore received kindness and great respect. She gave them good advice, telling them to unite as one in the wonderful organization, THE NATIVE BROTHERHOOD of B.C., where they could speak as one voice, where there is unity there is strength.

She spoke on the matter of better education, and better health conditions, which remarks were received with great enthusiasm.

Mrs. Moore continued her journey down the Skeena to Kitwizguth (Skeena Crossing), where she held another meeting to a very large audience. There was much applause, showing great interest in her speech. When the meeting was over, the Old Chife, Arthur McDames, rose from his seat with great dignity, and stated that he wished to show his gratitude and that of his people to Mrs. Moore, who had come such a long way to show them what was right. He gave her the senior names of his house, and made her a Chief of his clan, the Clan of the Lathsalla,

frightened. The whale spoke to her and said, "No harm will come to you, I intend to make you my wife." With that he dove down to the bottom of the sea, and the big job began of turning her into a whale.

He hired a lot of Muskrats and Mink to carry water for him. They were to wash her chest and stomach so it would become white. He laid her down with the back to the fire so it would roast black, like the whales. While this was going on, the husband was searching for his dear wife. He got into his canoe and paddled out to sea, and as he was paddling along he came across a lot of Steelhead Salmon, and he asked them if they had seen his wife. They said if you paint our cheeks red, we will tell you. So he got out his bag of red earth and painted their cheeks. (That is why to this day, all Steelhead Salmon have red cheeks). They told him the whale had just passed with his wife, so on he went.

He met a flock of ducks, who up to that time were all blind, and upon enquiring of them as to the whereabouts of his wife, they replied, "If you will slit open our eyes, we will tell you what we know," so he got out his knife and cut open their eyes,



This picture was taken after Mrs. Armitage-Moore was made Chief Queen, having been given the senior name in the House of Gookshan at Skeena Crossing.

which belongs to the house of Gookshan, which means the gambler. The name she received was Simlouax, meaning Chief Queen of the Moon.

It is indeed a great honor to be taken into a native tribe, and given a Chief's name. There are not many white people that know the honor and what it means. Mrs. Moore was very touched, and I know she will always remember it as a great honor and trust they conferred upon her, and will live up to it to the best of her ability.

There is a legend coming from the House of Gookshan, the story of the Fin-back Whale: which goes as follows:

There was a hunter who had a very beautiful wife, her name was Simlouax (Queen of the Moon). He loved her very much. On each return from a hunting trip he would give her the Ermine skins to make herself a robe. She took the skins down to the river to wash them. She looked for a stone to sit upon, and there she sat washing them. When she rose up to return home, she found herself miles out at sea, for she had sat on the back of a whale, mistaking its back for a stone. She became very

and when they could see they all began to quack. (That is why ducks always make such a noise).

They showed him just where the whale had gone with his wife, so down to the bottom of the sea he went. There he met the muskrats and the mink busily carrying water. He asked them what they were doing. They said the Chief of the Whales had brought home a new wife and she has to be fixed up so she would look like a whale.

The man said he would pay them some windouth (which means something you put on the cheeks, made from herbs, which gives one a very grand and soothing feeling; it is only known to grow on the Queen Charlottes), if they would help him to save his wife by pouring water on the fire, making a great smoke to hide him while he rushed in and took his wife. This was done and he was able to save her and take her home. The whale was very angry, and to pacify him this Clan uses the figure of a Fin-back whale for a crest; and the eagle is also their crest.

Mrs. Moore was presented with a beautifully carved spoon, showing this crest, which she will always keep as a cherished memento of her trip.

The Native Voice

In 1944, Maisie Armytage-Moore, a non-native political activist, became the first woman admitted to the *Native Brotherhood of British Columbia* (a First Nations political organisation concerned with aboriginal rights – fishing rights in particular). Two years later Maisie founded the *Native Voice* newspaper with \$150 of her own money and became its first editor. The paper was the: “Official Organ of the Native Brotherhood of British Columbia, Inc.” She published it from the Vancouver law office she shared with criminal lawyer Tom Hurley, and from their apartment.

The *Native Voice* was the first native newspaper in Canada. It was widely circulated throughout North America, and became an important medium for discussing native-newcomer relations in both Canada and the United States. Articles and editorials were contributed by both native and non-natives. Stories about Maisie and Tom Hurley were often featured in its pages – some of them written by non-native friends such as Constance Cox and Mildred Valley Thornton (see previous page).

The Native Voice, January 1947, Volume 1 (2): 5



Editor Jack Beynon is surrounded by fellow members of the Native Brotherhood of B.C., as they eagerly scan and discuss the first issue of THE NATIVE VOICE. Seven thousand copies of Volume One, Number One, of the paper were immediately sent out to all tribes in B.C., as well as to the different points in Canada and the United States where they had been ordered.

In the picture from left to right are: Guy Williams, Kitamaat, B.C.; Bill Roberts, Campbell River; Jack Beynon, Carmen Humchitt and Ed Newman of the Bella Bella tribe.

In 1947, the first editorial stated: “Our views are undenominational and non-political and all are welcome to use the freedom of the press within the pages of the Native Voice.” The paper was unique because it focused entirely on issues of importance to native communities, ranging from political meetings to marriage announcements, fishing accidents to art initiatives.

The *Native Voice* was an important tool for uniting British Columbia's First Nations in political action. A diversity of cultures (and languages) are represented by the First Nations residing within the province, but all of them have experienced similar constraints upon traditional resource rights, and to their personal freedoms in relation to society at large under the *Indian Act*. We will explore some of these constraints through the case studies provided within this resource package, but first we will examine some of the historical circumstances that created these tensions.

Annexing of Native Lands

British Columbia, unlike other Canadian provinces, is largely without treaties. This means that most of the native peoples living within the province have not ceded their lands to newcomers. Several cases in indigenous law have supported this position since the latter half of the 20th century.

In the Royal Proclamation issued in 1763, the British Crown determined that native peoples in North America owned title to their lands until it was extinguished by a treaty. The validity of this proclamation was upheld by the Supreme Court of Canada in 1973 in *Calder v. British Columbia (Attorney General)*. Calder was another founding member of the Native Brotherhood, the sponsoring body of the *Native Voice* newspaper.

Native peoples in British Columbia, like other indigenous peoples around the world, have been required to prove they occupied their traditional lands in a court of law as part of the modern land claims process. Former British colonies, such as Canada, Australia, and New Zealand, have previously relied upon the doctrine of *terra nullis* (empty land) in their dealings with aboriginal peoples. This means that BC First Nations have had to give evidence, of a type that would be accepted by a court of law, proving they were the original occupants of their lands. Prior to 1997, and the landmark court case *Delgamuukw v. British Columbia*, oral history could not be used as evidence – it had to be something tangible, such as archaeological findings or historical records.

Land use and fishing rights are entwined with the question of land ownership, and have often been a source of tension between natives and newcomers. In the past, some newcomers argued that native peoples did not own their land, because they did not farm or clear it. European concepts of land ownership required the establishment of clearly defined boundaries – fences, roads, railways, fields, houses, etc... Undeveloped land was viewed as un-used land. Land that was used by First Peoples for activities other than settlement, such as harvesting and spiritual matters, was frequently annexed by settlers. This in turn affected the ability of First Nations community members to pursue traditional activities such as: hunting, fishing, gathering, and spirit questing. The legacy of this is that today the issues of land use and resource development remain critical to First Nations and all levels of governance throughout Canada.

Many First Nations sites were also renamed as newcomers undertook mapping and surveying of the region. An example is *Xeyxelemos* / Lady Franklin Rock, near Yale, a Coast Salish transformation site frequented by members of the Stó:lo community and the Yale First Nation.

Today, history is often told from many perspectives to showcase our nation's diverse cultural heritage, but in the past history was usually told from the perspective of European Canadians. Many places are now being identified by both First Nations and Euro-Canadian names. In North Vancouver, Cates Park is identified as *Whey-Ah-Whichen* ("Faces the Wind" in the Tsleil-Waututh language) on new signage. Since the 2010 Winter Olympics, new signage also provides Squamish place names along the Sea-to-Sky highway between Horseshoe Bay and Whistler. For example, *Ch'axáy* now appears with Horseshoe Bay, *Shisháyu7áy* at Britannia Beach and *Siýam Smánit* for the Chief Mountain at Stá7mes / Stawamus.

Consider what the privileging of one community's history over another's tells us about power relations within our society in the past, and what these new initiatives tell us about how native-newcomer relations are evolving today. Investigate the similar circumstances faced by Canadian First Nations and the Aboriginal peoples of Australia by researching the Australian court cases *Mabo v Queensland* and *Wik Peoples v Queensland*.

A Century of Protest Actions

When British Columbia entered Confederation, native peoples in the province began petitioning Ottawa about concerns over land encroachment, fish and game conservation, and other problems arising from contact with settlers. This led to the creation of two different Royal Commissions to investigate these concerns, one in 1876 and another between 1913-1916.

At the end of the 19th century, at various places throughout the province, First Nations were engaging in protest actions. The Nisga'a, for example, resisted attempts to survey their land in 1876, resulting in a federal-provincial investigation to address their concerns. Native activism began to gather strength in the 20th century as distinct communities began uniting through political organizations, such as the Indian Rights Association (1909), Interior Tribes of BC (1915), Allied Tribes of BC (1916) Native Brotherhood of BC (1931), and the Union of BC Indian Chiefs (1969) – to name a few.

Some of these organizations were short lived, others amalgamated into new entities, while some – such as the Union of BC Indian Chiefs, are still in existence today. The issues that led to their creation are still being negotiated and many communities have now entered the new Treaty Process which was implemented by the federal and provincial governments in August of 1990.

There are 195 First Nations in British Columbia. Today 60% of them are engaged in the Treaty Process, but only a few Nations have signed modern-day treaties:

- Nisga'a Nation Final Agreement (May 11, 2000)
- McLeod Lake Indian Band, Treaty No. 8 Adhesion and Settlement Agreement, (March 2000)
- Tsawassen First Nation Treaty (April 3, 2009)
- Sechelt First Nation signed Self Governance Agreement (1986); Still involved in Treaty process today

For more information on why the province has now decided to participate in the Treaty Process visit the BC Ministry of Aboriginal Relations and Reconciliation at:
<http://www.gov.bc.ca/arr/treaty/negotiating/why.html>

Native-Newcomer Relations in British Columbia

Time Immemorial

Origins of BC First Nations in their Traditional Territories

1763

The Royal Proclamation acknowledges that native peoples have pre-existing rights to their lands, until extinguished by a treaty.

1782

Small pox spreads across North America from Mexico decimating Native villages on the Northwest Coast. It is estimated that 62% of the native population died in this **epidemic**.

1791

Spanish Explorers “discover” the Gulf of Georgia

1792

Spanish and British ships explore Burrard Inlet

1808

Simon Fraser travels up the Fraser River encountering Salish peoples

1824

A Small pox or measles **epidemic** erupts

1827

Fort Langley is established by the Hudson’s Bay Company. Fur trade along the Fraser River intensifies.

1848

Measles **epidemic**

1849

Colony of Vancouver Island is established

1850-54

Douglas Treaties signed with 14 communities on South-eastern Vancouver Island.

1858

A gold rush brings thousands of American miners to the Fraser River. Settlement intensifies.

1862

Small pox **epidemic** kills approximately one third of native population in British Columbia.

1863

St. Mary’s residential school is opened in Mission.

1864

Governor Douglas directs the Royal Engineers to consult with Aboriginal leaders while surveying reserve lands, noting each village may claim up to 300 acres.

- 1867** Joseph Trutch, Douglas's successor, has reserves resurveyed, and reduced in size, after sympathising with settlers who claim native peoples are occupying prime land without clearing or farming it.
- 1871** The province of British Columbia enters **Canadian Confederation**. The federal government becomes responsible for native peoples and reserve lands under section 91 (24) of the British North America Act.
- 1874** Stó:lō leaders, Chief Alexis (Cheam) and Chief Ayessick (Hope), petition Ottawa about aboriginal rights, in particular the reduction of reserve lands and impediments to their efforts at farming.
- 1876** The **Indian Act** is enacted by the Parliament of Canada. The act defines who is, and who is not considered, a native person in Canada. This in turn determines who is eligible to live on reserve lands. Native people become wards of the state (Canada), and Indian agents are put in charge of their affairs.
- A special commission is established to listen to aboriginal grievances.
- 1878** The federal government bans the use of salmon nets in freshwater, initiating the regulation of native fishing practices.
- 1881** Indian Act amended to make Indian agents legal justices of the peace, able to enforce regulations.
- 1882** Indian Act amended to grant Indian agents the same legal powers as magistrates.
- 1884** Attending school becomes mandatory for native children; the federal government begins to oversee **residential schools**.
- 1885** Indian Act amended to make traditional religious ceremonies (such as the Sun Dance and Potlatches) illegal.
- 1887** The Nisga'a impede land surveyors resulting in a federal-provincial complaints commission
- 1888** The Fisheries Act restricts native fishermen to fishing for food; sale and barter of fish prohibited. Commercial fishing now requires a license – the majority of these are issued to Canneries.
- 1894** Fisheries policy requires aboriginal nets to be tagged with special markers.

1895	The Indian Act is amended to outlaw all dances, ceremonies and festivals that involved the wounding of animals or humans, or the giving away of money or goods.
1899	Treaty 8 includes eight First Nations communities in North-eastern BC.
1905	The Indian Act is amended to allow aboriginal people to be removed from reserves near towns with more than 8,000 residents.
1906	Skwxwú7mesh Chief Capilano, Quw'utsun Chief Charley Isipaymilt, and Secwepemc Chief Basil David travel to London, England to discuss the need to settle land claims with King Edward VII, and are given an audience.
1908	Skwxwú7mesh Chief Joe Capilano and twenty other BC native leaders travel to Ottawa to petition Sir Wilfred Laurier about aboriginal rights and title.
1909	Indian Rights Association started at Spences Bridge.
1911	The Indian Act is amended to allow municipalities and companies to expropriate portions of reserves, without surrender, for roads, railways, and other public works.
1913	Nisga'a Land Committee travels to Ottawa to present a land claim petition
1914	An amendment to the Indian Act requires Indians to seek official permission before appearing in "aboriginal costume" in any "dance, show, exhibition, stampede or pageant."
1913 -1916	McKenna-McBride Royal Commission investigates the Indian land problem in British Columbia and recommends adding to, reducing and eliminating reserves throughout the province.
1915	The Interior Tribes of BC is formed in Southern British Columbia. They support the Nisga'a petition and send one of their own petition to Ottawa.
1916	The Allied Tribes of BC is established to defend aboriginal rights and title. It is created from two organizations: the Indian Tribes of BC and the Interior Tribes of BC.
1917	The aboriginal food fishery becomes licensed and shares the same regulations as the commercial fishery.

1918	Indian Act amended to allow the Superintendent-General to lease out uncultivated reserve lands to non-aboriginals if the new lease holder used it for farming or pasture.
1920	Indian Act amended to allow the Department of Indian Affairs and Northern Development (DIAND) to ban hereditary rule of bands. DIAND was also given the power to force involuntary enfranchisement (loss of aboriginal and treaty rights) on any status Indian they deemed fit, regardless of whether or not they possessed land off reserve (an earlier requirement).
1923	Native peoples are allowed to become commercial fishermen in BC
1927	A provision made to the Indian Act curtails the ability of native peoples to secure legal representation by requiring the Superintendent General to approve any legal appointments. Stiff penalties are enforced on violators. This becomes a major impediment to native land claims.
1931	Native Brotherhood of British Columbia established by Alfred Adams (Haida) using the Native Brotherhood of Alaska as a model. Communities belonged to branches with their own vice-presidents and secretaries (examples: Nass River, Kwakwaka'wakw, Nuu-chah-nulth, Island Salish, Mainland Coast Salish).
1936	The Indian Act is amended to allow Indian Agents to direct Band Council meetings, and to cast a deciding vote in the event of a tie.
1942	First head office of the Native Brotherhood established in Vancouver by Business Agent Andrew Paull (Skwxwú7mesh).
1943	Native American Indian Brotherhood established by Andrew Paull (Skwxwú7mesh). It becomes a rival of the Native Brotherhood.
1947	Amendments to the Indian Act considered by Special Joint Parliamentary Committee in Ottawa.
1949	BC First Nations are allowed to vote in provincial elections. Frank Calder (Nisga'a) becomes the first native person elected as a Member of the Legislative Assembly in BC.
1958	Prime Minister Diefenbaker appoints James Gladstone (Kainai Nation) the first Native Senator in Canada.
1960	BC First Nations are allowed to vote in federal elections.

- 1965** Indian Claims Commission established by the federal government.
- 1969** Calder vs. the Attorney General of BC. The Nisga'a Tribal Council takes legal action against the province of British Columbia arguing that legal title to the Nass Valley had not been ceded in accordance with the Royal Proclamation of 1763. BC Court of Appeal rules that aboriginal rights only exist if the government recognises them.
- In the 1969 white paper, the federal government proclaims that assimilation has been successful and suggested that discrimination would be ended by repealing the Indian Act, abolishing the Department of Indian Affairs and Indian reserves, and transferring many federal responsibilities for Indian affairs to the provinces.
- Many new First Nations political organizations emerge in response to the White Paper, among them the Union of BC Indian Chiefs.
- 1971** The federal government shelves the White paper after two years of fierce opposition from native peoples across Canada.
- 1973** The Calder Case goes to the Supreme Court, the judges accepted the argument that aboriginal title had existed, but were split on whether the Royal Proclamation extended to BC.
- 1982** The Constitution Act recognises the rights of Aboriginal people.
- 1985** Bill C-31 amends the Indian Act by changing the meaning of "status." This eliminates discrimination against women, and allows for reinstatement of status to those who lost or were denied status in the past. This amendment allows Indian Bands to determine their own membership rules.
- 1990** The Sparrow decision, Supreme Court of Canada, recognises "a strong measure of protection" for aboriginal rights and rules that aboriginal and treaty rights are capable of evolving over time and must be interpreted in a generous, liberal manner.
- 2000** Indian Act amended to allow Band members living off reserve to vote in Band elections and referendums.

Initial Inquiry Activities

Do you use email, texting, or Facebook to talk to friends? Do you share information and invite friends to events using one or more of these mediums?

- How do you communicate?
- Does technology make it easier to notify your friends about important events?
- Without these tools, would it take longer, or be more difficult, to contact people?
Would you be able to notify everyone that you wanted to?

Have you ever participated in school or class elections? What about fundraising events for your school, sports team, local charity or other organization?

- If yes, how did you advertise?
- How many people were involved? What types of jobs did they perform?

Have you ever participated in social activism ?

- Have you attended a political protest or rally? (For the environment, anti-poverty, women's rights?)
- If yes, how did you learn about it?
- Did you know many of the people you met there? Were they from the local area, or did they travel to the event from somewhere else?
- Have you visited the websites of any of these types of organizations? Did you learn something from doing so?

The *Native Voice* was the first newspaper to focus on native issues in Canada, how do you think it helped native people in British Columbia and the rest of Canada? And American Indian tribes in the United States?

- Have you read a native newspaper? If yes, where did you get it? If no, where might you find one?
- How was it the same or different from other newspapers you've read?
- If you have not read a native newspaper, what types of articles would you expect one to have? What topics might be included?

Case Study Lessons and Research Activities

Assign each of the groups one of the three case studies.

- Have each group read the case study.
- What was the topic and how was it covered in the *Native Voice*?
- Did change occur? Is this still an issue today?
- Have students consult additional resources such as the maps, newspaper and book articles, and websites provided.
- Students should present their case study analysis to the rest of the class.
- Each Case Study contains “Questions to Consider.” Suggest to students that they may want to use these to structure their presentations.

Discuss the following questions with the class:

- What was the point of contention, if there was one, in each of the cases?
- How are the cases similar? How are they different?
- Did the *Native Voice* provide multiple perspectives on the issue in question?
- When it comes to the news, are all opinions valid? Should informed (or expert) opinions be given more attention or should we hear all sides of the issue?
- Do you think native issues would be given the same amount of attention in a non-native newspaper?

Creative Responses

Land has different meaning for different cultures in our province. Choose a place from one of the case studies and consider how it is viewed by natives and newcomers. Create an art piece, such as a collage or poem to illustrate these different perspectives. (For inspiration research the artwork of artist Jane Ash Poitras). Show how First Nations individuals or communities are visible in your area.

Consider your case study topic and write an editorial for the *Native Voice* expressing your views on the topic, be sure to consider how the issue affects people today. Provide details about how you came to your opinion.

Research a Native Newspaper

Search on the internet for Native newspapers in Canada. Individually or in small groups, select a contemporary native newspaper. Examples:

- Turtle Island News
- The First Perspective
- Nunatsiaq News
- Windspeaker
- Raven's Eye
- Alberta Sweetgrass
- Indian Country News
- Tekawennake
- Kahtou News

Consider the following questions:

- When was this newspaper started? What type of organisation was it associated with?
- What types of issues is the organisation focused upon?
- Why is this newspaper important to this organization?
- Who do you think reads it?

Newspaper Article Analysis

Select an article from your native newspaper. Search mainstream newspapers from the same period to investigate whether they covered the same story and respond to the following questions:

- Did the newspaper cover the story?
- How was the coverage similar or different from that of the native newspaper?
- What would you think if you only read one of these papers? How does the media shape our opinions?

Glossary

Aboriginal Rights and Title

Aboriginal rights, which are separate from Treaty rights, are the practices, customs and traditions unique to First Nations that First Nations participated in prior to contact with Europeans. Aboriginal rights, such as the right to hunt and fish, are constitutionally protected and cannot be extinguished by any government. Aboriginal title, is an Aboriginal right, that is the right to the land itself; it is considered a communal right.

(For more information see http://www.otc.ca/pdfs/aboriginal_rights.pdf)

Band

A band is an organizational structure defined under the Indian Act of Canada which represents a particular group of First Nations people. The term “Nation” is now more commonly used though in some areas a ‘Band’ or bands can comprise part of a Nation.

Bill 267

An amendment to the Indian act that was introduced in June 1950, but was rejected due to a lack of consultation and its failure to give First Nations the federal vote and a means to appeal decisions made by Indian Agents on their behalf.

Colonialism

The term colonialism generally refers to a period of history (15th - late 19th centuries) when European nations, such as Britain, France and Spain, established colonies on other continents. Colonizing nations sought to acquire new lands to expand their resource base and to signify their political power. Settlers often moved to these “colonies” to improve their circumstances, escaping religious or political persecution or with the intention of changing their economic status for the better. Indigenous peoples were frequently displaced by these newcomers, or adversely affected by the new diseases they introduced and assimilation efforts of missionaries and colonial governments.

Cultural Property

Cultural property is material of importance to the cultural heritage of a group of people. It includes artistic, historical, religious, and cultural objects, as well as songs, stories and dances, and the right to use and control how this information is shared.

Enfranchisement

Prior to 1960, under the Indian Act, native peoples in Canada had to **voluntarily** relinquish their legal status as Indians (and thereby their Aboriginal rights) to gain Canadian citizenship and the ability to vote in federal elections. Prior to an amendment made to the Indian Act on June 28, 1985 (Bill C-31), **involuntary** enfranchisement occurred when a First Nations woman married a non-native man; she and her future children lost their Indian Status and associated Aboriginal rights.

Epidemic

A widespread outbreak of infectious disease.

First Nation

A term used to refer to the indigenous peoples of Canada. It recognises them as the first occupants with sovereignty to the land. This is a response to the concept of terra nullius.

The Indian Act

In 1876 the Indian Act was introduced by the Parliament of Canada in an attempt to consolidate all existing legislation that covered First Nations and their relationship to Canada. It set native peoples apart from other Canadians, initially denying them citizenship status and making them into wards of the state. Representatives of the government, called Indian agents, were responsible for managing native lands and other daily activities. Issues as diverse as medical, food, land use, tribal membership were not recorded as dealt with until it was gone over by Chief and Council with the 'Agent.'

Indigenous Peoples

Indigenous peoples are people, communities, and nations who claim a historical continuity and cultural affinity with societies endemic to their original territories that developed prior to exposure to the larger connected civilization associated with Western Culture.

Self-government

Self-government is a term referring to the ability of First Nations to govern themselves within the framework of the Canadian Constitution. Through self-government, First Nations would make decisions about matters that affect them, such as health, education and child welfare without the guidance or required signature of an Indian Agent. (<http://www.gov.bc.ca/arr/treaty/faq.html>)

Terra Nullius

A Latin expression deriving from Roman Law meaning 'land belonging to no one' (or 'no man's land'), which is used in international law to describe territory which has never been subject to the sovereignty of any state, or over which any prior sovereign has expressly or implicitly relinquished sovereignty. Sovereignty over territory which is *terra nullius* may be acquired through occupation.

Treaty

A treaty is a formal agreement, between two or more states, in reference to peace, alliance, commerce, or other international relations.

Case Study 1: Amendments to the Indian Act

What is the Indian Act?

In 1876, the Parliament of Canada passed the **Indian Act** to manage the affairs of the native peoples of Canada. The Act not only defined who was and was not a native person in Canada, but made native people wards of the state - giving control over their daily lives and lands to the government. The **Indian Act** was viewed as a temporary measure to oversee native peoples until assimilation had been accomplished, and they no longer required a separate status within Canadian society.

The Act was designed to protect the land that First Nations still had left to them by declaring it "Crown Land set aside for the use of a Band of Indians."

A theme throughout the Indian Act is the assimilation and "civilizing" of the Indians. Their Indian status was regarded as a temporary stage on the road to assimilation. The Indian Act also essentially made "Status Indians" wards of the Crown, and regulated their lives.

Restrictions ranged from rules about how they would elect leaders to how their children would be educated and how their estates would be dealt with after death. First Nations were allowed virtually no self-governing powers.¹

The **Indian Act** is considered paternalistic, because it determined the status of a native person in relation to the head of their household. For example, a native woman who lived with her parents was considered a status Indian. If she married a non-aboriginal person, she (and her future children) were no longer considered to be status Indians and as such had no aboriginal or treaty rights. If the marriage broke down, the woman and her children were not allowed to return to the reservation she came from. Conversely, if a Euro-Canadian woman married a native man she, and her future children, became status Indians. If the marriage ended, and she did not remarry, she could continue to live on the reservation. Métis people were not considered to be status Indians under the Indian Act; they were enfranchised.

A Superintendent-General of Indian Affairs was responsible for managing the affairs of all status Indians, which was accomplished on a daily basis through his representatives - Indian Agents. In the early 1880s the Act was amended to give these agents more legal powers, in effect making them officers of the court. Amendments were also later made to control how Band Councils would be organized, to determine how status Indians could be "involuntarily" enfranchised, and to restrict native ceremonial life (refer to the timeline for some of these amendments).

Since its inception, the Act has been amended more than 20 times. In 1927, an amendment was made to prevent native people from hiring lawyers without the approval of the Superintendent- General, effectively blocking potential land claims in an era when native political organizations were gathering strength.

¹ From the website: http://firstpeoplesofcanada.com/fp_treaties/john_fp33_indianact.html

In this Case Study we will examine one proposed amendment to the Indian Act, **Bill 267**. This Bill was introduced on June, 7, 1950. The following archival news clippings contain responses to the proposed amendment as they were covered in the pages of the *Native Voice*.

BC First Nations were at first hopeful about the new legislation, but once they, and others, had reviewed the proposed amendments there was immediate protest. **Bill 267** was criticized because it denied native peoples the federal vote and rejected recommendations of a claims commission or regional advisory board to create external check on Indian administration (a form of “Internal Affairs” to regulate the actions of Indian Agents)².

Walter Harris, the new minister of the Indian Affairs Branch within the Ministry of Citizenship and Immigration, withdrew **Bill 267** two weeks after he introduced it, expressing his intention of resubmitting it in a year’s time after consultation had occurred.

² For more information on this topic, research the Musqueam legal victory: *Guerin v. The Queen* [1984] 2 S.C.R. 335.

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Indian Act Revision At Next Session

—See Story Page 3, Editorial Page 4



CHIEF WILLIAM SCOW, Native Brotherhood of B.C. President
... first part of objective about to be realized.

PM Confirms Indian Act Revision

News that the Indian Act will be revised at the coming session of Parliament at Ottawa is the cause of Native Brotherhood President William Scow's smile in the picture appearing on page one. Chief Scow has received this word in the form of a letter to The Native Voice from J. L. Gibson, member for Comox-Alberni.

Mr. Gibson wrote that, "I was glad to have the assurance from the Prime Minister the other day in the House that a revised Indian Act would be introduced in the House of Commons during the next session. I believe that the new provisions will give our Indian population a chance to develop to the extent to which they are undoubtedly capable."

Revision of the Act has been one of the basic policies of the Native Brotherhood of B.C. under the leadership of both the late president, Alfred Adams, and today's president, William Scow.

It will be recalled that in the first issue of The Native Voice, which was published in December, 1946, the lead story referred to establishment earlier in the year of a joint Senate-House Committee to consider revising the Indian Act.

According to the plans set forth by the committee, the 1948 session of parliament was to have been the one at which revision of the Act would take place.

The resolution establishing the committee stated as follows:

"Resolved—That a joint committee of the Senate and House of Commons be appointed to examine and consider the Indian Act, Chapter 98, R.S.C., 1927, and amendments thereto and to suggest such amendments as they may deem advisable, with authority to investigate and report upon Indian administration in general and, in particular:

- "1. Treaty rights and obligations.
- "2. Band membership.
- "3. Liability of Indians to pay taxes.
- "4. Enfranchisement of Indians both voluntary and involuntary.
- "5. Eligibility of Indians to vote at Dominion elections.
- "6. The encroachment of white persons on Indian Reserves.
- "7. The operation of Indian Day and Residential Schools.
- "8. And any other matter or thing pertaining to the social and economic status of Indians and their advancement, which, in the opinion of such a committee should be incorporated in the revised Act."

What specific changes will be contained in the revised Act are not known, but the Native Indians of Canada are looking for a status equal to that of any other citizen.

Indian Bill of Rights in April

OTTAWA.—Legislation establishing a new bill of rights for Canada's 135,000 Indians probably will be introduced in the Commons late in April, Immigration Minister Harris

said on March 21.

He spoke after several Opposition members urged better treatment of Indians. He said it has not yet been decided what procedure will be follow-

ed to give Indian bands an opportunity to make representations on contents of the legislation.

John Diefenbaker (P.C., Lake Centre) suggested that repre-

sentatives of Indians in each province and particularly Indian chiefs be brought to Ottawa by the government to discuss the legislation.

Mr. Diefenbaker said Indians wanted to see their treaty rights preserved. They wanted full citizenship rights, but in asking for that they wanted their full treaty rights respected. They were fearful that if they accept the right to vote they will lose treaty rights.

He believed the time had come when Indians should be permitted to take action against the Crown for neglect or mismanagement of funds.

Angus MacInnis (C.C.F., Vancouver East) said the franchise has been extended to Indians in British Columbia. He did not think it could be very long maintained that the Indian is a citizen when he is considered a British Columbian, but a ward of the State when he comes under the jurisdiction of the Federal government.

Indian Mother Tells Tragic Story Of Struggle For Bare Existence

Fort St. James, B.C.

February 22, 1950.

Mrs. Maisie A. Moore,
Vancouver, B.C.

My dear Friend, Mrs. Moore:

It took me a long time to make up my mind to write to you to let you know we are finding our lives in a poor condition. This winter has been so cold, my husband, an invalid from an accident, myself an ex-T.B. patient at Miller Bay Hospital.

If you find it suitable you can print this in the Native Voice. I left hospital at Miller Bay in Prince Rupert on August 6, 1949, fully discharged and cured of this dreadful disease.

The poor conditions in which I found my home and husband

she is of no help to us. It's so little for a large family to live on. Understanding that we were both unable to help ourselves no way of getting even extra money. I had a complaint to the Indian Agent again and again for clothes so he gave \$25 for my children, for which I took rubbers, yarn and yard goods for them. Yet my husband had to use one thin summer underwear through all this cold spell, so I begged again to the Indian agent only then did he give him a pair of wool underwear.

TONIGHT, we had some trouble when one doctor and Indian Constable came into our home and started bawling out my poor husband for complaining about his undernourished son (6 years old).

and buying her own food. I don't see any reason for the constable to chase her out of my house. Which he tried to do. But he did not succeed, but he is coming back today to chase her out.

My little boy needs milk. I asked this constable to increase baby's milk ration to a full case but he refused me saying I had enough to buy me more milk. My baby gets one can a day, she is 5 months.

Must close now hoping to hear from you real soon.

So long and God Bless and prosper you.

Sincerely a friend,

(signed) Mrs. FRANCESCA.
ANTOINE

"Do Not Want To Be Second Class Citizens"

—Chief William Scow

Failure of the federal government to provide Canadian Native Indians with a "Magna Carta" in its Bill 267, was criticized on July 14 by President William Scow on behalf of the Native Brotherhood of B.C. during a meeting with federal Citizenship Minister Walter Harris.

Chief Scow stressed that Native Indians "do not want to be second class citizens" of this country.

Considerable interest expressed in Chief Scow's written statement has prompted the Native Voice to reproduce his remarks as they appeared in a recent issue of our publication.

Below is the complete text of Brotherhod president William Scow's declaration:

To the Honorable
Walter J. Harris,
Minister of Immigration
and Indian Affairs,
Vancouver Hotel,
Vancouver B.C.

Dear Sir: The Native Brotherhood of British Columbia feels highly honored by your kindness in Vancouver and at this time I in your request that we meet you extend to you my greetings and the greetings from the Executives, Chiefs and Members of the Native Brotherhood of British Columbia, of whom I am President.

We know that you are a very kind and understanding man and thank you for your final decision on Bill 267. Organizations throughout Canada presented briefs. The Brotherhood was one which also appeared before the Parliamentary Committee where they also presented their brief. We were given the assurance out of all the presentations throughout Canada that a new day was being made for the people. With all this publicity, the people were happy for what the Minister and members of Parliament called an Indian Magna Carta for our people.

It took the Committee upwards of four years of careful study BUT TODAY they have failed to give us a Magna Carta (British Columbia). Therefore Mr. Harris, it is now up to us to do what we can for the people.

The problems of the British Columbia Indians are different from those of the Indians of other Provinces. I know many people do not know what the Natives are doing. What is the Government doing for them? They should be proud of them.

This Bill 267 does not encourage them in their line of endeavours. They are not considered wards nor are they looked upon as ignorant by the Fishing Industries—the Fishing Industries accept them as equals and they are placed in responsible positions by such companies as B.C. Packers, Canadian Fishing Company, Nelson Brothers Fishing Company, Anglo-B.C. Packers, J. H. Todd and many others. Our people are entrusted with equipment worth many thousands of dollars.

I am pointing this out to you, Mr. Harris, to try and show you the struggle that Native People of the Province of British Columbia are having. We appreciate the recognition given us by the Fishing and Logging Industries of the Province and, sir, for your honest consideration, LET US DO AWAY WITH THE INDIAN ACT for people of this Province.

Speaking of the B.C. Provincial

Government, they have indicated to the Federal Government what they thought of the Indians of the Province when they granted the franchise to our people.

We accepted with a hope that the Federal Government would also make the final miracle by giving us the Federal vote and making us first class citizens of this land of ours.

I AM AFRAID WE DO NOT WANT TO BE SECOND CLASS CITIZENS; we feel it is contrary to the Declaration of Human Rights which reads:

WHEREAS recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of FREEDOM JUSTICE and PEACE in the world.

Sir, let us work towards obtaining the fulfillment of these rights.

CHIEF WILLIAM SCOW,
President of the
Native Brotherhood
of British Columbia.



CHIEF WILLIAM SCOW
Native Brotherhood President

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More Natives Reject 267

Word has been received by The Native Voice that the Natives of the Stoney Creek Reserve at Vanderhoof and the Natives of Fort St. James have unanimously rejected Bill 267.

This appears to be the general trend among Natives of the province, following as it does the action by other Natives in the province.

The recent Skeena River meeting reported in the July issue of The Native Voice, took a very strong stand against the extremely unpopular bill.

Walter Skulsh Passing Mourned

KISPIOX, Sept. 25.—Hundreds of Skeena river and north coast people learned with deep regret this week-end of the passing of Mr. Walter Skulsh of this village. His funeral yesterday was the largest in recent village history. Many from Kitseguekla, Kitwanga, Kitwano, Hazelton, and some from Prince Rupert attended the services which were conducted by Rev. J. H. Matthews, with Mr. Leonard Leighton of Metlakatla as organist.

Walter Skulsh was born 56 years ago in July. In his early manhood he was noted for his athletic skill when at Port Simpson, Prince Rupert and other gathering places. He won many races against opponents from as far south as Vancouver.

He was a charter member of the Hazelton athletic association.

It was, however, because of his earnest and untiring efforts on behalf of his people that he will be longest remembered and most revered. As an officer and a strong advocate of the Native Brotherhood in this area, he worked for the day he did not live to see—the day when his race would at last win full Canadian citizenship. He was a loyal member of the United Church and served in various capacities in his village.

Until a year ago this July when he had to stop fishing to undergo an operation in Prince Rupert, Walter Skulsh was in robust health. He never fully recovered after that time and his death took place in his home, surrounded by sorrowing friends and relatives, on Friday, September 22.

All his working life Mr. Skulsh was in the employ of the B.C. Packers and for years was the company's hiring man here.

Through his immediate employer, Mr. T. Wallace of Sunny-side, the company has expressed its regrets in a tangible manner.

Civil Liberties Union Points to Bill's Defects

We are reprinting the letter sent to federal M.P.'s by the Civil Liberties Union shortly after the contents of Bill 267 were announced. The letter, which pulls no punches in its criticism of the Bill, is printed in slightly abridged form.

For particulars of the nature of, and the reasons for, the interest in the Indians of the Vancouver Branch of the Canadian Civil Liberties Union, I would refer you to the brief which it submitted in June, 1947, to the Special Joint Committee on the Indian Act, and which may be found in the Committee's Minutes of Proceedings and evidence, 1947, No. 41, pp 2015-2032.

In this brief we urged a basic reform of what might be called the motivation of the Indian Act. This Act, as it stands, is a negative and unimaginative collection of measures with no objective beyond that of governing an inferior or a subordinate population which, it seems to assume, will remain subordinate. In both these respects we believe it to be wrong and harmful.

The Indian Act, we argued, should be creative and constructive. Its motivation and explicit objective should be to raise the Indians, by educating them in all possible ways, and by improving their conditions, to the level of fully responsible citizenship. And we proposed a method whereby they could be made self-sufficient and responsible within approximately one generation.

We were greatly disappointed by the inadequacy of the revision of the Indian Act now before the House as Bill 267. We were also shocked by the proposal to rush it through the House during the hurried remnant of the Session, when it cannot possibly receive the serious debate it deserves, and which is contrary to the promises that both the Indians and organizations interested in their welfare should have an opportunity to study it fully.

Although we have not been so optimistic as to expect that an ideal bill would be presented, we certainly did not foresee the introduction of anything quite so negligible as Bill 267.

It is an ironic and tragic contrast to the hopes and promises that were expressed on the floor of the House when the creation of the Special Joint Committee was being discussed, and that were later reiterated by the Committee itself. It is a far cry from being the "Magna Charta of the Indians," which the Joint Committee said

Both in the church and at the graveside the weight of his loss was suitably acknowledged by Chief Councillor Silas Johnson, Mr. W. Wales of Hazelton and others.

that it would produce. And it is an instance of trying to propitiate the Indians by listening to their grievances rather than by remedying them.

Instead of using the invaluable evidence that was painstakingly collected by the Joint Committee, and conscientiously formulated and presented by the individuals and organizations, Indian and white, who were its witnesses, to frame an informed and statesmanlike measure, the makers of this Bill ignored it, as they also ignored many of the Committee's recommendations.

The mainly administrative and trivial improvements that they proposed could have been made, and probably would have been made, in the course of events, without any committee and without witnesses.

The vital points concerning non-sectarian education, enfranchisement, and the vote, the defining of the extent of the Government's obligation to the Indians through treaties, promises and agreements, the establishing of a formula for the gradual but continuous transition from wardship to citizenship of qualified Indians—all of these and many others of like importance were, it seems to us, callously and cavalierly left untouched.

Bill 267 is a travesty of the Special Joint Committee's slogan "Help the Indian to help himself," for it leaves him in precisely the depressed state to which our laws have brought him, and it is equally a travesty of Canadian professions in the United Nations.

The idea that by delaying discussion of Bill 267 for two weeks the Indians are given a chance to study it and make representations, is obviously misleading. Apart from appearances, there seems to be little reason why they should be asked for opinions, since the Bill has been framed largely in disregard of the representations they have been making vigorously since 1946. And were it not that they have the drowning man's feeling of desperation, they would probably not clutch at this straw.

However, representations will doubtless be made, and few members of the House or the public will realize that they come from a relatively small number of Indians who happen to live near cities or towns, or live within a reasonable distance of Ottawa and have some degree of organization or direction.

In the meantime, we will submit to the Minister both a request

Natives Talk Of Own Party

We recently had a visit from our old friend, George Wilson of Bella Bella.

George reports that the popular feeling among the Natives of the central district is to form a non-partisan political party which will back their own candidates; in fact, their own political party.

Wow! What they can do in the Mackenzie district!

George went on to say that when he interpreted for Chief Moody Humchitt at the last Brotherhood convention, one of the biggest held by the Brotherhood, the Chief said that the Bella Bellas were going to form a political party.

At that time they did not know what kind of party, but now they know—non-partisan. Other parties would be formed by Indians all over British Columbia.

Good! The Native people are beginning to realize the power of their vote.

for postponement and the brief which we submitted to the Special Joint Committee, plus some additional material. We propose also to send copies of this revised brief to all members of the House of Commons and the Senate, and to sympathetic organizations and the press across Canada, asking them to make representations to their members or to the Minister. We are doing this in the hope that the point of view presented in it will arouse greater interest in the Indian situation, and will result in the passing of a Bill which at least attempts to deal intelligently with it.

Yours sincerely,
HUNTER LEWIS,
Chairman, Committee
on Indian Citizenship.

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Give the Indians Justice This Time!

By JOHN LAURIE
(In The Western Farm Leader)

DO YOU believe in Justice? Should a government keep its pledged word? Let's not double-cross the Indians this time!

In 1946 the Federal Government set up a Joint Committee of the Senate and the House of Commons to revise the Indian Act of 1878. In 1947, Indians from all over Canada presented briefs or direct evidence to this Committee. A year later, the Committee made its recommendations which were approved by both Houses. The Indians were assured by the Prime Minister himself last May that they would be consulted on the terms of the revision and that their representations would be sympathetically considered.

HASTY AND ILL CONCEIVED

However, late in June, a hasty and ill-conceived Bill was introduced into the Commons and immediate action was requested. The organized Indians of Alberta received for distribution 50 copies of Bill 267, exactly ten minutes before a telegram asking for their reaction by immediate wire. Probably the same thing happened all over Canada. Protests poured into Ottawa and, in spite of a docile government following, which voted to proceed with the Bill, the Minister very wisely withdrew it.

WOULD VIOLATE EVERY TREATY

A glance at Bill 267, through the eyes of the Indian, shows why this almost indecent haste had been considered. We doubt that any Indians in Canada approve very much of it or see in it anything but a long-range plan to break up the reserves, to destroy Indian status and, worst of all, to violate every treaty and agreement ever made by the Crown with the Indians.

Discretionary, that is arbitrary, powers are entirely vested in the Minister or in the Governor-in-Council. There is no appeal to the law courts; if enforced, Clause 100 forbids the Indians to raise funds to advance any claim they may have. Thus, to British subjects, to the "Queen's children," the basic right to appeal to the courts is denied. The cause may be just or unjust but the Indian cannot carry it into the courts.

ALMOST IMPOSSIBLE DEFINITION

Clauses 11 and 12 give an almost impossible definition of an Indian. Clause 12, in fact, regulates the status of children who will not be born for two generations. If the mother and the grandmother of such children are of non-Indian

status these children must leave the reserve at age 21. Nor may they share in their father's or grandfather's common interest in any moneys or lands belonging to that particular band. Such persons, instead of being one-quarter Indian, as the administration seems to think, are much more likely to be three-quarters Indian. There is, therefore, no security whatever. Canada, subscribing to the principles of the United Nations and the Atlantic Charter, refuses to recognize the precept, "freedom from fear."

REPORT SUPPRESSED

We have seen enough people expelled from Indian status in northern Alberta. In spite of the report of Mr. Justice W. A. MacDonald, although his report was concurred in by counsel representing the Government and the Indians, few were restored to Indian status. Instead, the report was suppressed.

Clause 113 gives the Minister power to appoint a committee — two white, one Indian—to "enquire into and report upon the desirability of enfranchising within the meaning of this Act an Indian or a band whether or not the Indian or the Band has applied for enfranchisement." Subsection (b) provides that the decision of such a committee shall be considered an application for enfranchisement. In other words, a progressive Indian who is a good example to his fellows may be summarily expelled, almost without reimbursement, from his reserves. He is then a citizen, and it is his inherent right to starve on the roadside as a citizen.

MEANS BREAKING UP RESERVES

Clause 111 (2) provides that any Indian, voluntarily taking the franchise, may be authorized by the Minister to purchase "any lands within the reserve of which the enfranchised Indian had formerly been in lawful possession, or over which he exercised rights of ownership." This definitely means that the reserves will be broken up into disconnected plots of land out of Indian jurisdiction.

Clause 57 gives the Federal Cabinet power to make regulations "authorizing the Minister to grant licenses to cut timber on reserve or surrendered lands." Clause 58 empowers the Minister, without the consent of the Indians, to dispose of "wild grass, dead or fallen timber, or sand or gravel, clay and other non-metallic substances upon or under lands in a reserve."

Clause 19 allows the Minister to authorize the internal survey of a

reserve and to subdivide the reserve into lots or other subdivisions, while Section 20 provides that individual Indians may be issued certificates of occupancy.

Another clause permits the Minister to lease unoccupied lands in any reserve to anyone at all who may wish to exploit these lands. "AS LONG AS SUN SHINES"

Yet in 1873, Lieut.-Governor Morris told the Indians: "We wish to give each band who will accept of it a place where they may live; we wish to send a man that surveys the land to mark it off so that you will know it is your own and no one will interfere with you."

In 1874, the Indians were assured by the same man that Indian lands might be sold, leased or otherwise disposed of "with the consent of the Indians entitled thereto first had and obtained." In 1877, Lieut.-Governor David Laird stated at Blackfoot Crossing: "A reserve of land will be set apart for yourselves and your cattle upon which none others will be permitted to encroach." Mr. Laird also stated: "When your reserve will be allotted to you, no wood can be cut or be permitted to be taken away from them without your consent." And we quote again from the words of the Treaties: "Therefore the promises we have to make to you are not for today only but for tomorrow, not only for you but for your children born and unborn and the promises we make will be carried out as long as the sun shines and the water flows into the ocean."

PLANNED TO BREAK EVERY PROMISE

Bill 267, it appears, is designed to break every one of these promises and to throw the Indian into a competitive world for which the Federal Government has, for a century, done little to prepare him. But the point is this: Were the representatives of the Crown merely trying to induce the Indians with soft words to part with the lands

they had used for centuries? The Indian today is asking himself: "What is the value of the pledged word of the Government?"

We have seen hunting and fishing rights go by the board. Are the treaties and the right of an Indian to be an Indian also to go by the board? Bill 267 should be protested by every decent man and woman in Canada. We have had no vicious Indian wars. The Indian has been docile and once he signed the treaty, has kept his honorable word. Should the Government not set the example and keep its word?

WAS TRIED AND ABANDONED

In the United States this plan of breaking up the reserves was tried and it was abandoned. Between the years 1937 and 1939, the U.S. administration spent nearly \$2¼ millions to recover title for the Indians to 170,000 acres. Louis Balsam admitted at the University of Toronto that hardly 1 per cent of alienated Indian lands had then been recovered for Indian use.

TWO ESSENTIAL THINGS

Two things must be done: First, the Indian or band of Indians must be given the right to carry any disputed decision of the Minister or the Governor-in-Council to the Supreme Court of the Province where the Indian or band is located. (THAT'S British Justice!) Second, the Minister or the Governor-in-Council must NOT be allowed to exercise discretionary (arbitrary) powers concerning Indian status, Indian reserves, or Indian funds.

When it wished to extinguish Indian title and right to almost all Canada, the Crown was careful to secure the consent of the Indians. In this day of supposed enlightenment, the Government should get the consent of the Indian first in any or all matters which concern him or his descendants until the sun stops shining and the water no longer flows into the sea.

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Questions to Consider

- How was Bill 267 covered in the *Native Voice*? Are the opinions of both native and non-native individuals featured in the articles?
- First Nations were surprised by the contents of **Bill 267**. What does the failure to consult say about attitudes towards native peoples in the 1950s?
- Prior to 1960, First Nations were required to surrender their separate status as Indians, and all associated rights, in order to vote in federal elections. Why do you think that was?
- Should the government tell individuals of mixed ancestry what culture they belong to? Should native people still have to carry status cards to gain access to their aboriginal and treaty rights?

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On the War Path: The Image of the "Indian" and the Second World War.
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UBC First Nations House of Learning, Xwi7xwa Library: <http://www.library.ubc.ca/xwi7xwa/>

The Native Voice website:

<http://www.nativevoice.bc.ca/>

The Union of BC Indian Chiefs website:

<http://www.ubcic.bc.ca/>

Canada's First Peoples website, Canadian Studies Program, Canadian Heritage:

http://firstpeoplesofcanada.com/fp_treaties/john_fp33_indianact.html

Case Study 2: Attaining Canadian Citizenship: Native Voting Rights

What does it mean to be Enfranchised?

This case study is about **enfranchisement**³ for native peoples in Canada. In 1876, the Parliament of Canada passed a piece of legislation known as the **Indian Act**. This Act was designed to protect native peoples in Canada, while reducing native-newcomer conflicts. Under **the Indian Act**, native people became wards of the state; they were not allowed to manage their own affairs. Indian Agents were appointed by the Superintendent of Indian affairs to make business decisions on behalf of Native peoples, and to oversee aspects of their daily lives such as: healthcare, education, employment, land use and leases (for agriculture, forestry, residential and commercial development).

Native peoples were not considered citizens of Canada under the **Indian Act** and so were not considered eligible to vote in provincial or federal elections. In 1945, at the end of World War II, British Columbia passed a law to allow Asian veterans to vote within the province. It was argued that men who fought for our country should be able to vote in our country. First Nations men also served in the military, but for them voting rights were conditional on enfranchisement (voluntarily relinquishing their status as Indians).⁴

In 1949, the province of British Columbia passed an amendment extending provincial voting rights to all Chinese Canadians. Two years earlier, in 1947, Chinese Canadians were given the right to vote in federal elections.

Status Indians within the province of British Columbia also obtained provincial voting rights in 1949, but they could not vote in federal elections until 1960 – unless they were enfranchised. To renounce their status meant they were no longer eligible for their aboriginal or treaty rights (if their nation had signed a Treaty), they were no longer able to live on reserve lands, nor could they access any of the services provided to Status Indians living on reserves. They also relinquished their aboriginal rights relating to land use, such as: hunting, fishing, and harvesting.

³ Defined by freedictionary.com as: “a statutory right or privilege granted to a person or group by a government (especially the rights of citizenship and the right to vote)”

⁴ Keith Thor Carlson writes about the unfair treatment of native veterans in “Stó:lô Soldiers, Stó:lô Veterans,” a chapter from the 1997 book, “You Are Asked to Witness.” See pages 125-138.

The Role of Native Political Organizations

The ability to vote was seen as a stepping stone to political representation, and then self-determination for First Nations people who would thereby become full citizens within the nation of Canada. With the advent of the provincial vote in British Columbia, **Frank Calder** of the Nisga'a became the first native person elected as a member of the legislative assembly in the province on June 15, 1949.

However, before this occurred native political organizations, such as the **Native Brotherhood of BC**, sent representatives to native communities throughout the province to educate them about the significance of their newly acquired voting rights, and the process itself. Maisie Armytage-Moore,⁵ the editor of the *Native Voice*, travelled throughout northern BC in the spring of 1949 and in her "Northern Report" stated:

I spoke on the work of the Brotherhood and the great advancement made under the capable guidance of our President, Chief William Scow, and his capable and united executive, who have fought so long and unselfishly for the rights of the Indians of British Columbia. I asked them to use their wisdom in casting their vote and not to be taken in by political promises of inexperienced political parties who would promise them anything to gain their vote. I reminded them that the door had been opened and it was the first time that any Government in power had ever done anything for them, and not to jeopardize the gains made but to stand solidly. Being trappers, I hope they would not be fooled by traps set and baited by Indians, but when the time came would choose their own representatives, men picked by them without the help of political parties.

(*Native Voice* 1949:1)⁶

⁵ Maisie later became known as Maisie Hurley after she married criminal lawyer, Tom Hurley. They were unable to marry for several years because she was married to someone else. They had a Catholic ceremony in 1951 after her first husband died.

⁶ Maisie may be referring to Frank Arthur Calder of the Nisga'a here. He was the leader of the rival political organization, the Native American Indian Brotherhood.

INDIANS GRANTED B.C. VOTE

THE AMENDMENT TO "ELECTIONS ACT" MEANS TO B.C. NATIVE INDIANS:

- The right to vote at elections.
- Be a candidate in the elections.
- Preserves any rights in the past.

THE AMENDMENT DOES NOT MEAN:

- The granting of full citizenship rights such as:
 - Old Age or Mothers' Pensions
 - Social Service
 - Change in Educational or Health Policy

What Do You Say?

William Scow, President Native Brotherhood of B.C.: "It is a great step forward."

Reginald Cook, Alert Bay: "For the first time in over one hundred years, Indians will be considered adults."

Mr. Pahl, Hartley Bay: "Encouraging advancement."

Dr. G. H. Raley, Vancouver: "The Brotherhood is to be congratulated on their splendid work."

Kitty Green, Port Simpson: "I hope this leads to better education, that our children will enjoy the same educational privileges as others."

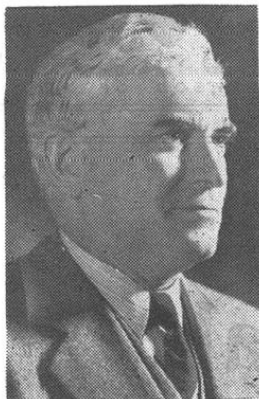
Tim Moody, North Vancouver: "This is a start to some kind of equality. What tickles me is that the youngest province in the Dominion has taken the lead, and most of our young people think it is wonderful."

John Bowe, Vancouver: "I am certainly glad the Indians now have the vote as it is a good start."

B.C. Indian Arts and Welfare Society: "We offer our congratulations to the Native Brotherhood of B.C. for their efforts in these many years."

White Eagle, Hatzic: "I do hope they don't mix their vote with the other people in the different ridings... I have always maintained as you know, that the Indians are the first citizens of Canada, and they should elect their own representative to the Dominion and Provincial parliaments."

Ed Kelly, one of our good Indian workers: "This is a great step towards advancement—but it is going to take a few years before the majority of Indians get knowledge of the voting system. The younger ones will all vote eventually. A certain percentage of our older people will vote, and some won't, because they don't understand. But from now on the Native people will study the power of the vote and take notice."



The Premier of B.C., Byron Johnson, who took the first and most forward step ever taken by any Provincial Government in Canada when he granted the Indians the vote.

Maisie Armytage-Moore: "It is my privilege to have many Indian friends and knowing them I feel sure that they will be cautious and give the vote careful study before doing so. Each Indian will, when he accepts the vote, feel a deep responsibility and take it as a sacred trust, studying what is best for his fellow Indians."

"This gaining of the vote has been so unexpected and sudden it leaves many bewildered, and in many cases suspicious, fearing for the safety of their rights."

"There is need for careful instruction and enlightenment as to the benefits of their new citizenship. We are all standing by them, respecting, loving and ready to help to the end."

Ellen Neel: "When I heard the news I was tickled that our people will now have the vote. It is a good beginning."

Big White Owl, Toronto: "The granting of the vote to B.C. Indians in the forthcoming provincial election and all future elections, and the opportunity of placing a candidate in the campaign, is surely a wise and progressive move. If this franchise is granted to Indians without being obligated to forfeit aboriginal rights then indeed it is the first and most forward step ever taken by any Provincial Government of Canada."

Mrs. C. H. Joy, Port Alberni: "I would like to tell you how much we enjoy your publication and how pleased we are that the voting for Indians is now an accomplished fact."

Dr. Peter R. Kelly: "This has opened the door to the way that leads to everything. I have visited the Attorney-General and the Premier. They gave the Indians of B.C. the first real chance they ever had. Mr. Attorney-General assures me he wishes to help and explained that the vote in no way jeopardizes Indian rights."

"I sometimes have felt very discouraged since my last trip to Ottawa, but now I am full of hope."

Guy Williams: "Indians now will have a very powerful weapon in their hands to back up demands for the rights of citizenship."

Questions and Answers

THE NATIVE VOICE will include in its columns a QUESTION AND ANSWER BOX for those who have questions on the vote, facts about opportunity for education, or anything of interest generally both to white friends and our own people. We will try to find the answer for you to the best of our ability.

We would be glad to receive your suggestions about WHAT I WOULD LIKE TO READ ABOUT IN THE NATIVE VOICE. Suggestions will be published and followed as closely as possible.

We look forward to your questions and suggestions.



HON. GORDON WISMER
Attorney-General

Victoria, B.C., March 14th, 1949.

The Native Voice Publishing Co. Ltd.

It is a great pleasure for me to extend to the Native Indians of British Columbia my warm and personal greetings.

I feel that in granting them the franchise, this Government has recognized a principle which should have been invoked long ago. These new voters are the only true Canadians; the rest of us came to this country from other lands and it is only fit that they should have a voice in the affairs of their own country.

I might point out that the amendment to the "Elections Act" does not grant to the Indian any more than the franchise itself, but this is a priceless possession to all free men in a free country and thus for the first time the Indians of British Columbia will have an opportunity of voicing their claims to all of the other privileges which are accorded Canadian citizens. It also PRESERVES ANY RIGHT HE HAD IN THE PAST, but it gives him only the additional right to vote in the election OR BE A CANDIDATE IN THE ELECTION.

This is the first and most important right and privilege and through the exercise of the franchise their voice will be heard in Council, not only on their own just claims, but on all other matters relating to the progress, prosperity and development of this great Province.

It seems to me that this step of the Province of British Columbia will have a profound effect upon their very reasonable request that they be given the vote at Federal elections.

I know that they will play their part as good citizens and that they will give due consideration to the issues and the candidates when they cast their ballots.

As it stands now, the Indian is in a position effectively to demand his rights.

I wish, as Attorney-General of this Province, to tender my sincere congratulations and all good wishes for the future progress of our newly enfranchised Canadians.

Yours very truly,

G. WISMER,
Attorney-General.

A NEW DEAL

Editor, Native Voice:

The news of the extension of the right to vote for Indians is a pleasant surprise. I was getting ready for bed when the news came over the air last night. It was so unexpected and isn't this what we have been clamoring for the last 100 years? Clamoring for the removal of a false racial barrier? Now this may be the turning point in our long history.

We are stepping on the threshold and there is no turning back. This is a long, hard won fight. Two of our young people were excited about the news this morning—Joe Hopkins and Bob Barton; but many yet do not realize the importance of this privilege for our future welfare.

This is a new deal and something always comes out after a deck of cards is shuffled.

WILLIAM FREEMAN
Klemtu, B.C.

PHILPOTT EXTENDS CONGRATULATIONS

Editor, The Native Voice:

Just a few lines to congratulate your fine paper on the victory won by the granting of the vote to natives in British Columbia. I regard this as the turning point in the fight for full human and equal rights for "Indians" in all Canada. Of course, there is a tremendous job still to be done. But this great advance in B.C. is the crucial victory in the whole movement.

Many people and agencies have contributed to this great victory. But your paper seems to me to have "sparked" the awakening. You are small, no doubt. But as a wise book says "Behold how great a matter a little fire kindleth."

The beacon fires lit in B.C. will soon be taken up from coast to coast. At last the first American is coming back into his own heritage.

Yours as ever,
ELMER PHILPOTT

Two Historic Elections

On June 15 next and again on June 27, Native Indians will, for the first time in Canadian history, have the opportunity to take part in the democratic process of selecting representatives to the Legislature of British Columbia and the Parliament of the Dominion of Canada. To the newly enfranchised citizens, The Native Voice wishes to impress you with the importance of these historic elections.

We hope that EVERY eligible Native Indian voter will go to the polls on June 15 and again on June 27 and vote for the candidates of their own, free choice. The Native Voice does not presume to tell its readers, free Canadian citizens, whom to vote for.

Remember, the ballot is secret! Under the system in which Provincial and Dominion elections are conducted in Canada no other person may know how the individual voter marks his or her ballot paper. This secrecy is guaranteed by law.

Vote for whomsoever you choose but Get Out and Vote!

Provincial Election

June 15

Dominion Election

June 27



The Voice of the Native Canadian

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Natives Unite

The Indians of Canada are divided into two categories, Treaty and Non-Treaty. The Natives of British Columbia are non-treaty. The others have certain rights secured to them by treaty, which rights they are afraid of jeopardizing or losing if they take the position of equality with the white inhabitants to which they are entitled and from which they should not be debarred.

The Natives of British Columbia have made a long step forward. They have secured the Provincial vote. They have given up no right. They do not think that the vote is an end in itself but they know it is a means to an end. The natives need no longer approach Governments as beggars. They now go with the same spirit as was shown by their forefathers demanding rights and not asking for favors. No longer need they be satisfied with the crumbs that fall from the rich man's table.

They will sit at the table and the time may not be far distant when one of the natives shall sit at the head of the table. No high-spirited proud people can manifest and maintain the spirit and the soul of their forefathers on alms.

Canada was not made for slaves. The provisions of the Atlantic Charter did not exclude the Natives of Canada from its beneficent maxims. Freedom from fear, freedom from want, freedom of speech and freedom of religion.

It is humiliating to the Natives, and should be a reproach to the other inhabitants of Canada to see so many of the original owners of Canada showing by their demeanor and by their lack of education that they might be considered an inferior people, their spirit bent but, thank God, not broken.

The Natives of British Columbia have had put into their hands a strong weapon—if they use it with judgment they can improve their conditions, with regards to education and in other ways. This end can be attained only by the Natives showing a united front.

When the Natives of other Provinces see the advantages or rather rights gained by the B.C. Natives by Unity, they will be encouraged to follow their example and there will be Unity not only in B.C. but throughout Canada.

Meanwhile let each province have the handling of its own affairs so that the fears of the Treaty Indians shall not be a bar to the advancement of the Non-Treaty Indians.

When Natives attain all Canadian unity, the humiliating Indian Act will be wiped off of the Statute books in which it should never have appeared. It is similar to the rules for the governing and training of children, some rewards and many punishments. Where is the Japanese Act? the German Act? the English Act? Why the Indian Act? The Natives are men and women, not children. Too long have they been treated as a conquered and minor race. The oppressed people all over the world have awakened and have thrown off their shackles and prohibition. This they did by unity.

Shall the Natives of Canada be the last to join in the march of freedom and emancipation. Let them force the Government to revoke the Indian Act with its 190 sections, every one of which is a slur on, and an insult to, the intelligence and manhood of the Natives.

"NATIVES OF CANADA, AWAKE AND UNITE!"

THE FIRST X

CHIEF ISAAC JACOBS

Chief Isaac Jacobs of the Squamish tribe proudly reaps the harvest of his faith in the efforts of the NATIVE BROTHERHOOD of B.C. as he marks his first cross in the Provincial Election.

Chief Jacobs resides at Capilano and at an early hour of June 15th, arrived at the Polling Booth in North Vancouver and was the FIRST Indian to vote for the candidate of his selection.

In full costume for this occasion and resting assured that this event will long remain a pleasant memory. This was a day long awaited by these aboriginal people who for many years had been denied the right to vote. A truly historic event and the first step to freedom.



AN OPEN LETTER

Steveston, B.C.,

June 8th, 1949.

The Editor, Native Voice,
16 East Hastings Street,
Vancouver, B.C.

NOTICE

Dear Sir:

I, Frank Assu, would like to take the opportunity at this time to make the following statement:

On May 19th, 1948, Andrew Paull was removed as President of the North American Indian Brotherhood of Canada, and was installed as an Honorary President only, with no executive duties, due to physical inability to carry on as an executive member of the aforementioned organization.

Recently, Mr. Paull stated to the Canadian Press that he is President of the North American Indian Brotherhood, which statement is false and misrepresenting. He has no authority to either collect monies or to use the letterhead of the N.A.I.B., or to solicit memberships on behalf of the North American Indian Brotherhood of Canada.

Yours very truly,

FRANK ASSU, President,
North American Indian Brotherhood.

Conservative Leader Urges Full Citizenship for Indians

THE Federal government should embark on some course that will eventually give Canada's Indians full citizenship, George Drew, Progressive Conservative leader, said recently in the Commons.

The Indian population, he said, has been steadily increasing the past decade or so, and no time should be lost working out a plan that will enable them to become full-fledged citizens.

A parliamentary committee had met for several sessions, but Mr. Drew said he was not familiar with the work that had been done by the committee. But if it were found the establishment of a parliamentary committee was not the appropriate way to deal with the matter, a Royal Commission should be named.

"Given the right type of education and the opportunity to use it, our Indians will make as fine citizens as we have in Canada," Mr. Drew said.

In Ontario he knew of successful doctors, lawyers and business men who are of full Indian blood. An Ontario Indian, a veteran of the two wars and a brigadier in the last conflict, is a magistrate.

"We have a responsibility to extend the full opportunity of citizenship to these people of proud tradition and background so close to the development of our country," the Opposition leader said. "I don't think we can begin too soon to make sure every Indian boy and girl is given the same education as other children. When we are thinking of equality of every human being, it can't be a source of satisfaction to us to know we have nearly 130,000 people who are under limitations which make it difficult for many to accept their full share of our economic existence."—Toronto Telegram.

Attorney-General Wismer:

Natives Should Get Federal Vote "Unconditionally"

The Native Voice has received permission from British Columbia's Attorney-General, Gordon Wismer, to publish the contents of a letter sent by him to "The Native Voice" publisher, Mrs. Maisie Armytage-Moore, in which Mr. Wismer expresses himself strongly for unconditional granting of the federal franchise to the Native Indians.

Complete text of Mr. Wismer's important policy statement follows:

MRS. MAISIE ARMYTAGE-MOORE,
429 Standard Building,
Vancouver, B. C.

DEAR MAISIE:—I received your letter of September 8th with enclosures and have read same carefully.

I certainly agree with you that whatever is done, the question of the franchise should not be mixed up with anything else. **THEY SHOULD BE GIVEN THE FRANCHISE UNCONDITIONALLY AND THE OTHER**

CHANGES SHOULD BE MADE GRADUALLY.

I do not think the Indians would object to taxation, as there is a well-known democratic principle that there should be no taxation without representation and surely the converse would hold.

The income tax, for example, would affect very few Indians, but if they are making more than enough to pay their way, I feel sure they would want to pay their share of the costs of carrying on the country.

HOWEVER, THE MAIN THING IS NOT TO COUPLE THIS WITH THE QUESTION OF THE FRANCHISE. As I see it, they are either entitled to the franchise or not. We think they are and if they are, they should receive it without any question of any other consideration.

Yours sincerely,

GORDON S. WISMER.

Attorney-General,
Province of British Columbia.

PARLIAMENTARY REPRESENTATION FOR CANADA'S NATIVE PEOPLE

By **BIG WHITE OWL**
Eastern Associate Editor

THE revision of the Indian Act of Canada, without Indian tribes and their leaders having any part in its revision, and the possible all-out enfranchisement of all Red Indians should be a matter of very grave concern to all Canadian Indians. Votes at the expense of losing certain privileges, and all treaty rights, could be a disastrous and very costly bid for freedom.

With complete enfranchisement will come land taxes, followed by tax sales of lands owned by Indians who neglected to lay aside sufficient money to pay their taxes. And this would lead to a gradual but certain elimination of all lands set aside for native Indians, and their complete annihilation as a people. The privilege of voting in local ridings for white candidates would only tend to further the buffeting of Indians around in the complex Canadian political machine, and no real advantage would be gained for the Red Indian race.

MAORIS IN NEW ZEALAND

But why all this evasive talk on the question of finding a suitable solution to the so-called Indian problem in Canada, while in another Commonwealth country that question was solved a long time ago to the complete satisfaction of another high type of aboriginal people? In New Zealand the native Maoris have been taking an active part in politics without losing their reserved lands or their racial identity by a very simple plan, namely, by having certain seats in the New Zealand Parliament reserved for Maoris only.

I can see no good reason why Canada could not follow the example set by New Zealand, the one country in this troubled world where the natives of the country got a 100 per cent democratic fair deal. I maintain that special seats in Canada's Parliament should be set aside for Canadian Indians, and that Indians should have the privilege to vote for Indians to fill those seats.

ALLOTMENT OF SEATS

The number of seats that could be allotted could be quite easily worked out on a population basis, and might be arranged somewhat as follows: (a) One seat for Quebec and the Maritimes; (b) two seats for Ontario (the province which has the largest and most widely scattered native population); (c) two seats for the Prairie Provinces; (d) one seat for British Columbia and Yukon.

In concluding, I wish to add what Mr. John M. Sinclair, formerly with the Tourist and Publicity Department of New Zealand said on a recent visit to Canada: "Between 1840 and 1890 the Maori population had fallen from a quarter of a million to less than 40,000. In 1929 the native population figures stood at 57,000, and in the next 20 years it almost doubled. At present it is well over the 100,000 mark, and rapidly increasing." I have spoken!

Questions to Consider

- Should special laws be enacted by Parliament to protect the rights of minorities? What are the possible benefits and consequences of doing so?
- Were native peoples treated in the same manner as other Canadians? Why do you think they were expected to assimilate before gaining the same rights as other Canadians?
- Many Canadians don't vote in provincial or federal elections. In the last provincial election (2009) only 55% of eligible voters participated. Do you think it's important to vote? Would you vote?
- Frank Calder, a member of the North American Indian Brotherhood, was elected as a member of the Legislative Assembly in 1949. This organization became a rival of the Native Brotherhood. In Maisie's editorial, quoted on page 30, was she trying to influence or educate native voters?

Resources

Armytage-Moore, Maisie

1949 "Northern Report." *Native Voice* Vol. III (6): 1-4.

Burgar, Joanna and Martin Monkman

2010 Who Heads to the Polls? Exploring the Demographics of Voters in British Columbia. Victoria: BC Stats.

Tennant, Paul

1982 "Native Indian Political Organisations in British Columbia, 1900-1969. A Response to Internal Colonialism." BC Studies, Volume 55 (Autumn): 3 - 49.

UBC First Nations House of Learning, Xwi7xwa Library: <http://www.library.ubc.ca/xwi7xwa/>

The Native Voice website: <http://www.nativevoice.bc.ca/>

The Union of BC Indian Chiefs website: <http://www.ubcic.bc.ca/>

Aboriginal Veterans Society of Alberta: <http://www.aboriginalveterans.com/>

Canada's First Peoples website, Canadian Studies Program, Canadian Heritage:
http://firstpeoplesofcanada.com/fp_treaties/john_fp33_indianact.html

Case Study 3: Land Use: Hunting and Fishing Rights

The importance of land for maintaining Cultural Traditions

Land is central to First Nations culture – oral histories connect to specific places and features of the landscape, while many cultural practices require access to specific resources or sites. Since settlement by newcomers intensified in the early 20th century, tensions have arisen over who owns the land and the types of access that native people should have to its resources.

In contemporary law, hunting and fishing are considered aboriginal rights, but they are not exclusive rights. This means that other Canadians may also hunt and fish, and for this reason aboriginal hunting and fishing has become subject to regulation. This is often done in the name of conservation. This case study focuses on aboriginal rights relating to subsistence (hunting and fishing).

Aboriginal hunting and fishing involves more than basic subsistence (although this is an important aspect). These activities are also entwined in ceremonial life. The creation of ceremonial garments, hosting of feasts, and many other traditional practices require access to the land and its resources.

In the past, rare materials were often traded to other communities along established trade routes (examples: obsidian, dentalia shells, native copper). Archaeologists have traced these networks by sourcing these materials and tracking their dispersal.

As our province's population has grown and resource use has intensified, natives and newcomers have disagreed about the management of dwindling resources – fishing in particular has been a source of tension and conflict. For example, some newcomers argue that First Nations should only be allowed to fish for subsistence and ceremonial purposes, suggesting they did not have a traditional economy. However, well-established trading protocols, and archaeological evidence documenting the movement of rare items, does not support these claims.

When settlers came, they often complained that prime land was left unused because native people did not practice agriculture – as they knew it. However, in many regions throughout the province land was modified by burning to produce grazing pastures for deer, or to control the growth of specific types of plants. Wild potato gardens, cranberry bogs, and berry sites were family, clan or community-owned resources governed by protocols for access and use.

Today, aboriginal fishing and hunting practices are still scrutinised in the media, and First Nations are blamed for decreasing fish and animal stocks. This is ironic, since First Nations are frequently stereotyped as being stewards of the land in these same sources. Relationships to the land and its resources are often much more complex than either of these portrayals. For example, successful ability at hunting or fishing is viewed as a spiritual gift by many communities, one that would be lost if proper protocols are not followed. Thus, when fish or wildlife are available, the gift is utilized.

Knowledge of local environments is holistic in nature, as opposed to the compartmentalised approach taken by western science. It is not uncommon for biologists to focus on a specific species of animal, for example, while indigenous knowledge looks at relationships between animals and the land, climate, and other species. Many communities have become wary of documenting their resource sites for outsiders, finding that this information has been used in unexpected ways with dire consequences of the resources in question. Of particular note, in recent years, is the depth of traditional knowledge from Indigenous peoples all over the world about medicinal plant use, and the overall need to preserve native plant ecosystems.

Today, many communities work with scientists to protect local habitats. Members of the Squamish Nation participate in *Uts'am* (the Witness Project), an environmental activism initiative aimed at protecting the Elaho Valley. This collaborative effort began in 1997.

For ten years, thousands of people – artists, loggers, government officials, tourists, youth at risk, families, and children – made the journey from Vancouver to Sims Creek in the Elaho Valley, as participants in the Uts'am/Witness project. These weekend journeys to threatened areas of “wilderness”, hosted by Squamish Nation Hereditary Chief Bill Williams, *telasemkin-siyam*, brought people into direct contact with ceremony and with nature; with Squamish stories, dance, games, art, and opportunities to hear from elders, scientists, conservationists, and artists from native and non-native traditions.

(source: http://campaigns.hellocoolworld.com/index.cfm?campaign_id=5)

Within the city of Vancouver, members of the Musqueam Indian Band have joined forces with the David Suzuki Foundation to create the *Musqueam Ecosystem Conservation Society*, which was incorporated in 2004. Visit their website or Facebook page for more information.

Moose Slaughter Lie Refuted

Claims of indiscriminate killing of moose by B.C. Indians which came out of the B.C. Auto Courts and Resorts convention held in Vancouver early in December has resulted in quick and fiery denials by native Indians.

"Indians never kill for sport or the sake of killing," The Native Voice publisher Maisie Hurley declared.

"Mr. Smith must very well know every bit of meat is eaten and the surplus smoked for winter use. The hide is used for moccasins and coats used by both whites and Indians in the north."

HURT BUSINESS

H. Craig Smith of Fort St. James had said at the convention that indiscriminate killing for moccasin manufacture would hurt the hunting business in the north.

Game Commissioner James Cunningham at the same session had promised backing of the de-

partment, saying: "We haven't the moose in the country to allow them to be killed for their hides."

ODD CASES

Commissioner W. S. Arneil, Indian agent, is inclined to think that the situation has been exaggerated and until such times as a full report comes in from the area both sides should refrain from strong outbursts.

"We have always enjoyed good co-operation with the game department," he said. "And we do our utmost to educate the Indians to not leave carcasses behind."

He intimated there might be odd cases where Indians or tourist hunters had taken only the head and horns and hide. But he will wait for a full report from commissioners and agents in the area.

The Native Voice, and the claim was further backed up by Mrs. Dominic Charlie of the Squamish, said hunting was the Indian live-

lihood. "From the old folks I have heard the stories of the killing for food and clothing that has always been done by the Indians up there if they are to survive," said Mrs. Charlie.

"The tourist hunter kills only for the sake of sport, taking only the head and horns and leaving the carcass to rot or be eaten by wolves," Mrs. Hurley's statement said.

"What Mr. Smith means (he had pointed out that a moose was worth \$1000 as a hunter's prize, \$15 as a moccasin material) is to the dickens with the Indian and his livelihood because the tourist hunter is worth \$1000 by the time he leaves the auto camps and resorts."

ALL-OUT FIGHT

Mrs. Hurley pledged an all-out fight by The Native Voice and the backing of the Native Brotherhood of B.C. Indians.

"If you and your organization start robbing the native Canadian of his aboriginal rights we are going to fight," said the statement.

"Remember, the days of small-pox blankets and long guns are over."

A careful, middle-of-the-road policy was advocated by Alfred Scow, business agent of the Native Brotherhood.

SHOULD INVESTIGATE

"The situation should be investigated before either side goes off half-cocked," he suggested.

Mr. Scow, from notes taken at the convention of the Brotherhood in Hazelton last April, said that Northern Indian representatives then had brought up the matter of moose carcasses being left by tourist hunters.

"So both sides should tackle this important problem only after a thorough investigation by the game department."

(More on Page 3)

January, 1954

The NATIVE VOICE

Page 3

WANTS MOOSE TALE INVESTIGATED

Northern Chief Critical of Charges

By
CHIEF EDWARD MOISE JOHN
Fort St. James, B.C.

I note with regret that a white man whom we have considered and regarded as a neighbor in business for himself operating a

holiday resort in our territory, has made charges to try and take the Aboriginal Rights of the Native Canadian away from him to gain his own ends.

He believes in supplying tourists with useless slaughter of "Big

Game" which the white man calls "Big Game Sport."

Mr. H. Craig Smith or any other man had better be careful about what charges or statements he makes about the Indians. We have a right to demand that these

charges are thoroughly investigated before further proceedings are undertaken, whether legal or otherwise.

True enough, "The day of the bow and arrow is over." It's the day of the modern Indian Chief who can very well understand the laws of the country and stand to his responsibilities. Game Regulations for each fiscal year are supplied to us by our Superintendent, Mr. Robert Howe of the Stuart Lake Indian Agency.

It's the responsibility of the Chief to see that members of the Band under his jurisdiction are well-acquainted with these Regulations before the start of the hunting and trapping season, which we promptly do. And we see to it that the Indians comply with these regulations right down to the very last detail.

If copies of the Game Regulations are not delivered on time (thanks to Mr. Howe that has never been the case) it's up to the Chief to ask for them.

All charges should be thoroughly investigated with the Indians concerned properly represented to prevent any proceeding which might jeopardize in any way "The Aboriginal Rights of the Native Canadian."

We definitely can not and will not forfeit our Aboriginal Rights nor submit to the demand of the white man just to satisfy his greed.

Here's What Accusations Were

The charge that moose were being killed strictly for moccasin manufacture, and that the province faced great losses in big game hunting business of the future, was made early last month by H. Craig Smith of Fort St. James at the ninth annual convention of the B.C. Auto Courts and Resorts Association at Hotel Vancouver.

The convention backed him. Games Commissioner James Cunningham promised his support because "we haven't the moose in this country to permit killing them for their hides alone." He anticipated there "might be a little trouble with the Indian department," in tightening the control.

Reduced killing will be sought by moving the permit area north from the 53rd parallel to the 56th

—from an east-west line through Quesnel to a similar line through Finlay Forks and Hudson Hope. There is little restriction on killing in that area now.

Mr. Smith said a moose was worth \$1000 on the hunting basis; \$15 for moccasins. That could make a difference of \$500,000 a year in business for B.C., he said.

News From Alberni

By JOY CLUTESI

A Happy New Year, everyone! I hope you all had a very Merry Christmas, just as I did and all of us here in the Alberni.

We held our Christmas service on December 20th in our big community hall because of the extra large attendance.

Mr. Clutesi conducted the service with Mr. Thomas Shewish as guest speaker. Mr. Clutesi spoke in English and Mr. Shewish delivered his message in our Native tongue. It was all so appropriate and interesting.

Included in our special program was the junior girls' choir, dressed in white blouses and black

preparations to go forth and find the Christ-Child.

SCENE 3: The people in search of the Holy Child sing their paddle song as they come with their beautifully painted paddles and paddle across the stage.

SCENE 4: The people find the Holy Child. This was the most beautiful scene with the Holy Child being lovingly held by Mother Mary with Joseph behind. Native attendants stand at the back and two little girls kneel at the front worshipping the Infant-Child, while the Native peoples flanked the group on each side and reverently sang a Native lullaby, oh,



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Natives Kill For Food, Not For Trophy Rooms

Moose checked through Cache Creek (south of Williams Lake area Cariboo district) from September 19th to November 30th, 1953 were 17001. No check was made of the Fort St. James area as to the amount killed. Prince George is approximately 290 miles from Cache Creek.

In 1952, due to the United States embargo resulting from the outbreak of foot and mouth disease, few non-resident moose hunters visited the Province in 1952. This situation, combined with unusually difficult hunting conditions, reduced the moose-kill recorded at Cache Creek from 2,270 in 1951 to 1,260 in 1952. Almost a 50 percent drop.

SUMMARY OF 1952 MOOSE KILL

South of Quesnel	3,889 Moose
North of Quesnel	1,898 Moose
Kootenays	423 Moose
Peace River	632 Moose
Total killed	6,842 Moose

Out of the 6,842 there were 351 cow-moose. This was during the shooting season from Sept. 19th to Nov. 30th, 1952.

In Central British Columbia, the moose have depleted their food supply by overbrowsing. This however, is not the case in Mr. Smith's area (Fort St. James). The Indians there, who take the greater portion of the moose harvest in this area, have practiced **balanced conservation** since moose first entered that area in 1906 to 1914, beginning their gradual pilgrimage and subsequent adoption of the central interior of B.C.

The Indians had no apparent effect on the mushrooming of the species, but what is the situation today with the influx of the whites?

We ask, what do the guides and Tourist Association members do with the hide and the meat of the animals shot for trophies only? It is too far to pack the hide and meat from Northern B.C. to the border because it would go bad. The Indians complain that the carcass is left to rot; only the head is taken as a trophy. B.C. has no law that says the whole carcass must be registered and taken as has the State of Washington.

Food is too scarce and the meat too valuable as food for the Indians to waste any part of the Moose. The Indian hunts for food, the Tourist hunter for trophies — such is the "SPORT" of the white man. Did anyone ever hear of an Indian hunting a poor wee fox with hounds for "sport"? The question is, WHO is the "Savage Barbarian"?

Companies Infringe On Rights of North Natives

DEAR EDITOR:

Before submitting this letter to you personally we have given it much thought and consideration. I understand each and every one of us Natives must support our branch of the Native Brotherhood of B.C. And now sir, you realize our state claim is private property.

And at this present writing there are a number of projects developing on our property, especially at Kitamat, the Aluminum Company of Canada, and no doubt you are aware of this, the Department of Forestry and the Department of Mines have got interests on our Native property.

However, there is being much overlooked at the present time, and it is causing a great deal of controversy in regards to this matter. Therefore we feel we should receive some benefits from any Department or Company who have affected our District. During the past I have seen different companies working on our property rights. Surveyors have been interfering with many of our trap lines, which were our great forefathers' and ancestors' hunting and fishing grounds.

We natives respect all white people and let them go most anywhere. A great deal of our country is being logged out, and I must say there is a great deal of waste which also causes a great deal of dead land. This being the case makes it very difficult for hunting, which I am sure you are well aware of.

As you know, Reserves have private areas which our Government has given to us—the true chart under the explanation of Native History, Totem Pole, which were presented to us. Native Villages have built their own roads and now they are being used by the Department of Public Works, and everyone else who might be driving on our private property at their own speed.

This, however, makes it very dangerous for all concerned. We have strangers coming around and they claim timber rights on our property, which is creating a great deal of unemployment among our people. As you know, we have to get permission from the proper authority before we can cut timber and Native regulations have a few strict laws. However do you know we do not have to produce any paper to our white friends. When a Native gets a contract on his property or claim, he is only making enough to live on and no more. And also no profits, at any time.

I have seen on registered hunting grounds which belong to us Natives, does not seem to have any protection as regards to the white man using it. All Native areas have a state mark on each area, which is not known to the white man or should I say the average.

We would appreciate if the above would be published in the "Native Voice" newspaper. Would you kindly give the above matter your consideration at your earliest convenience.

JAMES FOWLER,
P.O. Box 407, Kitwanga, B.C.

Alcan Destroys Traplines

Dear Mrs. Hurley:

Your Indian friend, Chief Paddy Isaac, along with his people, are now in very serious trouble at Burns Lake, B.C.

The Chief's people out in the Ootsa Lake area are seriously hit because of the complete destruction of their registered traplines by the flooding caused by the Aluminum Company of Canada (Alcan).

As you know, Mrs. Hurley, traplines up in those areas, are absolutely the only dependable grounds, to those Northern Interior Indians, along with their children, whereby they rely upon to obtain their living in order to survive during each winter month.

And as you know, according to the history, an Indian trapline is the only inherited historical property rightfully belonging to the Native people as being descended to them from their ancestors; in other words, an aboriginal historical claim.

Now 22 registered traplines are completely destroyed by flooding. Those Interior people have requested that on their behalf, I appear as their representative in the investigation meeting proposed for May 6 in Burns Lake, B.C., in the Civic Centre Hall. Mr. Robin Kendall will be there at the meeting and other Local Department Officials are invited.

This will be very important as I am told in the letter from the Chief that all villages in the Interior will be gathered.

I intend to leave here for Burns Lake, B.C., May 4, for the big meeting, and I certainly remembered you since you are the great mother of our Indian people and I know you will sympathize with those people.

I only wish that you would be there. However, I shall do my level best for them, in negotiations and investigations.

HAROLD SINCLAIR.

November 1954, pg 5

Save the Traplines !!!

Protect Your Rights ...

JOIN THE 'INLAND BRANCH'

of the

NATIVE BROTHERHOOD

Contact Chief Edward Moise John, Fort St. James

Questions to Consider

- Does not having clear title to the land (through a Treaty) affect the ability of First Nations people to practice traditional activities, specifically hunting?
- Many First Nations are reluctant to share information about their traditional resource and spiritual sites with outsiders. How does sharing this information potentially endanger a community's resources?
- Several of these articles described native hunting and fishing practices as harmful to local wildlife populations? Do you think these methods, many of them centuries old, are incompatible with conservation efforts?
- Can hunting help balance animal populations? When bears and other animals enter urban areas, are we encroaching on their territory, or have their populations grown too large?

Research Resources

Carlson, Keith (Editor)

2006 A Stó:lō – Coast Salish Historical Atlas. Vancouver: Douglas and McIntyre.

Menzies, Charles (Editor)

2006 "Ecological Knowledge, Subsistence, and Livelihood Practices;
The Case of the Pine Mushroom Harvest in Northwestern British Columbia."
Traditional Ecological Knowledge and Natural Resource Management. Lincoln:
University of Nebraska Press.

Turner, Nancy

2007 The Earths Blanket: Traditional Teachings for Sustainable Living. Vancouver:
Douglas & McIntyre.

Squamish Land Use Plan: <http://www.squamish.net/aboutus/ourLand.htm>

Uts'am (Witness Project): http://campaigns.hellocoolworld.com/index.cfm?campaign_id=5

The Union of BC Indian Chiefs website: <http://www.ubcic.bc.ca/>

Musqueam Ecosystem Conservation Society website: <http://www.mecsweb.org/MECS/Welcome.html>

All of the Articles featured in this resource package are available online through the Digital Archives portion of the Native Voice website. For additional copies visit:
<http://www.nativevoice.bc.ca/archives.htm>

Copies are also available on Microfilm at the Vancouver Public Library and in the Pamphlet collection of the City of Vancouver Archives.