

Empowerment Strategies for Native Groups Facing Resource Crises: A case-study of the
Nuxalk Nation, Bella Coola, British Columbia

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Abstract

Empowerment Strategies for Native Groups Facing Resource Crises: A case-study of the Nuxalk Nation, Bella Coola, British Columbia

Lauren Penney

This thesis examines the opportunities for Native empowerment through the employment of a host of resistance strategies. The focus is on the significance of the creation and ongoing maintenance of worldwide indigenous alliances and how these alliances counteract economic forces of globalization that direct resource control.

Using a case study of the Nuxalk Nation in Bella Coola, British Columbia, the empowerment of this group through the use of a range of strategies partly afforded to them through tools of globalization such as the Internet will be explored. These strategies include maximizing opportunities for political leverage through international alliances and the international political arena and employing non-violent direct action as a strategy to protest environmental exploitation on unceded land.

Various resistance strategies, used in isolation and in combination with one another, can effect change and bring about empowerment to Native groups.

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I wish to dedicate this to my family. Thank you from the bottom of my heart for always reminding me of what is important in life. In the same breath, many thanks to friends and family for your support.

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CHAPTER 1. INTRODUCTION

1.1 Conceptual Framework

Ward Churchill, an indigenous scholar and activist, wrote that the destruction of indigenous peoples' land bases is both ongoing and increasingly ecocidal in nature. He states, "Not only the people of the land are being destroyed, but, more and more, the land itself. The nature of native resistance to the continuing onslaught of the invading industrial culture is shaped accordingly. It is a resistance forged in the crucible of a struggle for survival" (Churchill 1993:7).

My original intent was to focus my thesis research on the effectiveness of non-violent direct action as a strategy for the empowerment of Native groups in Canada with respect to environmental and resource crises. I had hoped to examine the spectrum of contexts, rationales, and motivations for the employment of direct action tactics by aboriginal groups in Canada. This would have involved considerations of ecocide, native rights, native resistance, and environmental activism. The development of a model which would synthesize the relations between seven key variables associated with direct action was a primary goal. These included: the types of direct action, the goals of direct action, the direct/indirect impacts of direct action on policy processes and on more conventional forms of grievances, the degree of effects on community, the lag time to political change, and the political fallout of using direct action. Before long, I realized that these variables deserved a thesis in themselves while I was still very interested in the ties to the impetus/motivations for using various tactics. Within the limitations of a Masters thesis I would not be able to conduct the in-depth sort of study I would have preferred on the topics of: a) the motivations for the use of direct action and b) the seven variables associated with direct action.

It became apparent to me that non-violent direct action was but one of many tactics and strategies that would need to be addressed and that these frequently operated in isolation and in combination with one another. For instance, I realized that international alliance networking and indigenous alliances are growing, and that they have become indispensable for empowerment in conjunction with tactics like non-violent direct action and soliciting media attention.

Thus I settled on the examination of opportunities for Native empowerment through the employment of a host of resistance strategies. I focus in particular on the significance of the creation and ongoing maintenance of worldwide indigenous alliances (comprising NGOs and other indigenous groups) through the use of communications and information technology (Internet). A range of empowerment opportunities are created through the use of products of globalization and international alliance networks to counteract economic forces of globalization that threaten indigenous control of their resources. We will examine the efficacy of information and communications technology in alliance building and resource sharing at the local and international levels. Using a case study of the Nuxalk Nation in Bella Coola, British Columbia, I intend to show that this group has been empowered by using a range of strategies partly afforded to them through the use of information and communications technology as products of globalization. I focus especially on the hereditary chiefs of the Nuxalk Nation, as the traditional governing body of this First Nation. They are the focal point of my research as they are the most active protestors of resource extraction in the name of industrial interest in Bella Coola.

1.2 Objectives

The primary objective of my research is to explore various empowerment strategies and their respective efficacy in reconciling globalizing forces and indigenous autonomy.

The effectiveness of the Nuxalk Nation's use of strategies for empowerment purposes necessitates a working definition of what constitutes "empowerment" in the context of this thesis? Instead of empirical indicators like the number of court cases won, policies changed, or areas protected, I will define empowerment according to how the Nuxalk people seem to define empowerment. This Nuxalk perspective of empowerment will be elaborated upon in the final chapter of this thesis once the information in the next few chapters is presented.

The second objective is to explore indigenous strategies for mediating the effects of globalization, and utilizing the products and range of opportunities created by this contemporary phenomenon to gain autonomy and implicated resource control. The past experiences of the Nuxalk Nation can inform other groups, native and non-native thereby increasing education and awareness.

These objectives respond to increasing concerns and heightened attention given to constraints and opportunities arising from globalization. As we will see in the review of the literature, economic dictates of globalization and industrial advancement influence and can potentially limit the power of local groups and indigenous nations. In the 20th century and into the 21st, we are hearing louder voices of indigenous resistance and witnessing increasing activity by alliances of human rights, environmental, and native organizations striving for preservation of the environment and collective and individual human rights.

1.3 Research Design

The research involves a case study of the Nuxalk Nation in Bella Coola, British Columbia. This group was chosen as the case study for various reasons. The Nuxalk Nation has a history of European contact dating back to 1793 when a boat under Captain

Vancouver, the *H.M.S. Discovery*, landed on the shores of this inlet¹. There is archaeological evidence of Nuxalkmc (“Nuxalk People of the Land”) inhabiting the area for at least six thousand years (Pootlass Interview August 4, 2003). The Nation has also always been resource-based. They have relied on the natural resources of the forests and fisheries ‘since time immemorial’ (Hobler Phone Conversation January 7, 2004). The Nuxalk Nation is now facing development in the name of industrial and provincial interest on land that they claim is theirs and they are feeling threatened in cultural, spiritual, and economic terms.

The Nuxalkmc and non-native community members offer a multitude of perspectives on resource development and, often without referring to them in the terms that I do, constraints and opportunities of globalization. In order to get to know more of the key people involved as well as to hear the stories of others who wanted to share, I made two visits to Bella Coola and attempted to meet as many people as possible within each visit. I believe I met close to one hundred of the Nuxalkmc and residents of the Valley. In the history and present lives of the people of Bella Coola, it seems that the more you listen, the larger the story becomes.

The range of experiences among First Nations is such that it is impossible to determine what the best empowerment strategies would be for all groups given their distinct historical cultural and contemporary circumstances. However, the Nuxalk Nation can be used as an informative case-study for any group because of their use of the international arena to forward their case against outsider intervention and industrial development of the land and resources that they still depend upon for subsistence and cultural survival. I found that the ‘no-compromise’ approach (used mainly by the

¹ <http://www.civilization.ca/aborig/nwca/nwcam19e.html>

hereditary chiefs) to government and industry's economic projects on their territory provided a good case study for my topic.

The Nuxalk Nation is an ideal case study because they face the constraints of globalization and have used the opportunities created by it well. While they are protesting aggregate development projects, fishing, and massive forestry on their territory initiated by the provincial government in conjunction with multinational corporations, many other First Nations are facing similar resource crises and can use the strategies that the Nuxalk have developed. Also central to this study is how the past experiences of the Nuxalk Nation informed other groups, both native and non-native.

The Nuxalk Nation's hereditary chiefs employed the use of non-violent direct action primarily since 1995 to 2003. They first staged a non-violent direct action campaign in 1995 against logging by a multinational forestry company, called Interfor (International Forest Products), on their traditional territory at Ista (a sacred site), on King Island. They re-occupied this traditional territory with members of non-governmental organizations (NGOs), including Greenpeace and Forest Action Network (FAN). As we will see, this is one of many protests that the Nuxalk have organized and what are common to all of them are the tactics and alliances they have utilized.

This alliance between NGOs and indigenous groups interests me because we are all facing constraints imposed by globalization to some degree and it is the environment that will suffer the direct effects of unsustainable resource extraction while humankind will suffer the indirect effects. I am interested in consolidating power and influence amongst various factions of society against environmental degradation; alliance networks may provide the means to consolidate power.

Overall, the Nuxalk community was selected for various reasons including their historical and contemporary resource reliance, their resistance to the treaty process and outside governance, their strong traditionalism, and their active protest against resource extraction, provincial and industrial interests.

1.4 Methodology

The fieldwork component of my research involved two field visits conducted in August 2003 and January 2004. These were central to the development of the theoretical and practical linkages that I analyzed. My fieldwork was funded through research grants from a student bursary from the Department of Geography, Planning and Environment at Concordia University, a FCAR team grant supported by the McGill-based Society for Technology and Development (STANDD), and the Globalization and Autonomy Project funded by a Major Collaborative Research Initiative (MCRI) grant from the Social Science and Humanities Research Council of Canada (SSHRC).

1.4.1 Literature Review

The methodology for the project started with a literature review and explored themes of globalization, human rights, indigenous and environmental activism, and a general history of First Nations-government-industry relations.

1.4.2 Press Release Analysis

The House of Smayusta began posting press releases in September 1995 to raise awareness of their protest against logging at Ista and continued until May 2003 which was when they held their last non-violent direct action to stop the transportation of farmed fish through Bella Coola. The House of Smayusta means their ‘House of Stories’ and is where their creation stories are kept as well as where they keep the traditions, language and culture given to them by the Creator, Tautau.

I used these press releases for two primary reasons. The first was to aid in determining the chronology of non-violent direct actions taken by the hereditary chiefs in the Nuxalk Nation in conjunction with NGOs and other groups. As well, examining the rhetoric of these press releases and postings helped to determine what the traditional governance of the Nuxalk Nation felt were the most important challenges facing the community and native groups in general.

I classified the rhetoric and subject matter of the thirty-five postings (mostly press releases) posted by the hereditary chiefs in the House of Smayusta on the Nuxalk Nation webpage into ten key themes: solidarity (with NGOs and/or other native groups), non-violent direct action, traditional law, resistance to the treaty process, Band Council, Indian Act, trespassing on traditional land, Native title, Western legal system, and community rifts over NGO involvement. The press releases used are listed in Appendix A and are labelled M1-M35 (M for Media). I chose these categories as these were the most recurrent themes in the content of the media. The categorization of the press releases is included in Appendix B.

Four of the ten key themes were the most frequently referenced or were the subject of the press release. These themes were: solidarity, non-violent direct action, traditional law, and resistance to the treaty process. The theme of solidarity was referenced or was the subject of nine press releases, non-violent direct action 18, traditional law 11, and resistance to the treaty process seven. These recurrent references are significant because they point to the issues that a portion of the community values as increasingly important. As well, they represent the empowerment strategies the House of Smayusta promotes and the values the traditional government and many community members hold.

The limits to analysing these press releases include the fact that they are the statements made by the hereditary chiefs and do not necessarily include the sentiments of the community at large. There are other factions of the community, like the Band Council or people who are not politically active, whose voices are not necessarily represented in this media. The justification for using the analysis of the press releases, however, is that it is the hereditary governance that is protesting the resource extraction to the greatest degree and their sentiments are therefore very important for this research study.

1.4.3 Interviews

The information derived from the interviews, phone conversations, and e-mails is included with a priori consent of those informants. In this thesis, when the name of a hereditary chief is used, the Nuxalk name will be used instead of the English name as a mark of respect for the Nuxalk culture. As well, I have included a summary of the form of discourse (i.e. in-person interview, phone conversation, e-mail) dates, and locations in Appendix C for reference purposes.

I conducted eight interviews in August 2003 and January 2004 in Bella Coola, British Columbia. I chose to interview people who have been, or still are, involved with the Nuxalk Nation to further my case study.

Three of these interviews were conducted with non-native people, two of which are residents in Bella Coola. One of these was with the economic development officer at the Nuxalk Nation Band Council (Renaud) and the other non-native resident is the ex-wife of a retired logger (Non-native resident). The third was with a non-native representative (Kill) from an NGO who worked with the Nuxalk Nation during significant non-violent direct action protests in the 1990s. Two of the other Bella Coola interviews were conducted with native Band Council members (Siwallace, Pootlass). Two were

conducted with Nuxalk hereditary chiefs (Nuximlayc, Qwatsinas), and one was conducted with a Nuxalk community member (Morton). I also conducted one interview with a Nuxalk hereditary woman chief in Vancouver (Nusqimata). In addition, I conducted one interview with another NGO representative (Higgs) who also worked with the Nuxalk Nation on various non-violent direct action campaigns at the World Forestry Congress in Québec City, Québec in September 2003. This interview was conducted with a current representative from the Bella Coola office of Forest Action Network (FAN) who was attending the conference before returning to British Columbia.

Eight of the Bella Coola interviews were held at peoples' places of residence, the Band Council office, the House of Smayusta as well as the Forest Action Network (FAN) office in the town. Another Bella Coola interview took place on a walking tour of various sites of importance. These sites included resource extraction sites and sites of cultural significance affected by historical, contemporary, and potential resource development.

The interviews lasted about one hour on average and covered a wide range of subjects. I developed a set of questions prior to the interview and used a semi-structured approach to guide all interviews. All were conducted in English and all except two were tape-recorded. One of these informants did not want to be tape-recorded and one preferred to type responses to questions on my laptop computer.

Aside from the semi-structured interviews in person, I have also included information from various phone conversations and e-mails. Information from one e-mail and phone conversation is from a retired archaeologist (Hobler) who worked for Simon Fraser University and worked with the Nuxalk Nation. Two e-mails are from a hereditary chief who also participated in an interview (Nusqimata). I have included information

from a phone interview with a Federal treaty negotiator (Smith) and a phone conversation from someone with whom I conducted an interview as well (Qwatsinas).

The interview questions pertained to resource development in the territory and specifically, past experiences of logging and fishing in the territory as well as current projects i.e. aggregates. As well, I developed questions to elicit opinions and perceptions on: past and present involvement of NGOs in Nuxalk issues and resource management, the Band Council's stance on industrial interests, the traditional government's direct actions as a form of protest strategy, economic realities in Bella Coola, and community politics involving the hereditary chiefs and the elected Band Council. Directly related to my objectives, I developed questions regarding the creation and maintenance of international alliances with NGOs and other native groups, whether these were thought to be necessary and whether these had helped or hindered Nuxalk interests. I asked how community members, native groups in general, or NGO representatives felt about environmental projects on the land, land claims and the treaty process, the current legal options for redress, and tools for empowerment.

1.5 Thesis Structure

Chapter two provides a review of the literature relevant to the topics of resource management and resistance against encroachment of indigenous autonomy and control of their resources. As well, external forces of globalization are examined, specifically the globalizing economy and the constraints it imposes as well as the opportunities created through information technology. This literature review also provides a general background to present empowerment strategies within the context of this thesis topic. I also examine tools of political leverage, theories of diffusion, contagion, solidarity, soliciting media attention, non-violent direct action as an empowerment tactic, and the

Boomerang Pattern. Chapter three is a framework for reference on the Nuxalk Nation and Bella Coola, British Columbia. Their community structure, geographical location, demographics, and past and current relations with government, industry, and civil society groups are described. As well, this chapter provides an overview of the main forms of resource extraction taking place in Nuxalk territory in mid-Coast British Columbia. Impacts on the environment, society, and culture of Bella Coola are examined here as well. Chapter four integrates my fieldwork with the Nuxalk Nation into theoretical constructs. Resource management and resistance strategies are examined in relation to the Nuxalk Nation as well as their relations with government, industry, and between members in their own community. The impetus and manifestations of Nuxalk resistance are examined as well. Chapter five provides a summary and conclusion of the research and case-study findings.

CHAPTER 2. LITERATURE REVIEW

This literature review is structured to provide an overview of the available research on aspects of globalization, trends in industrial development, national versus the minority interests in nation-states, justice as a theme inherent in rights discourse, and empowerment theory and strategy.

Firstly, two very important theoretical and practical realities constructed through globalization are examined in the literature available presently. Constraints of the global economy, including the directions of current growth and consumption, are examined as well as predicted impacts these have on indigenous groups. As well, the literature may provide clues on motivations for certain recurring patterns in the more recent history of land use and development by governments and multinational companies. The second force of globalization that is examined through the literature available includes the opportunities afforded to those aforementioned groups as a result of information and communications technology. This is a popular topic in activist and academic literature and leads to later discussions dealing with empowerment strategies.

Secondly, the theme of land and resources is addressed in terms of approaches taken towards development on indigenous land, both philosophically and practically speaking. Tied in with this theme is the treatment of minority interests versus the majority interest which constitutes the third section of the literature review.

Justice and accountability are arguably the most important underlying themes in this current study and are examined in the literature in relation to rights discourse, empowerment strategies, and motivation for protest and/or rebellion.

A logical next step in reviewing the literature was to look at empowerment as a desired outcome in “unjust” situations where minority interest is not deemed as valuable

as majority interest or interest in economic prosperity at the expense of environmental sustainability. Political opportunity and the related literature is included in the next section of the literature review and within this portion, non-violent direct action and the “Boomerang Pattern” are covered by various authors including what these forms of empowerment mean in the larger trend of indigenous, environmental, and human rights movements.

A final conclusion is offered at the end of this chapter pointing to possible directions and topics for further areas of study that are complementary to the existing literature.

2.1 Forces of Globalization

Various native groups in Canada are trying to secure their autonomy including control of their traditional territories, resources, and preservation of their culture while at the same time striving for economic self-sustainability. Processes of globalization are creating both constraints and opportunities for these indigenous groups as outlined by certain authors like Held and McGrew (2002), Appadurai (2001), and Niezen (1993, 2000).

Two external forces of globalization in particular impact local indigenous communities. Constraints, objectives, and precepts dictated by globalizing economic processes often ensure the primacy of global finance and international trade agreements (Control Risks Group 1997) while the proliferation of information and communications technology, products of globalization, provide a vehicle for the creation and maintenance of activist networks involving indigenous and non-state actors.

2.1.1. Constraints of the Global Economy

According to a UN working group, “globalization involves the break-up of national controls and structures in a context of integrated organic development in which international considerations trump national ones and private interest prevails over the general interest” (Guissé 2003: 3). The profit-driven reality of the economic forces of globalization create situations where private corporations, often in partnerships with governments, turn confiscation of land into right of ownership over that land with all the implicated legal consequences (Guissé 2003: 3). National economic interests are used as justification for violations of indigenous nations’ and human rights in general.

On the widespread effects of globalization, Howitt (2001) asserts that, “Remote indigenous areas are no more isolated from new globalizing economic relations than the rustbelt and sunbelt industrial regions that characterize the post-modern global economy” (161). The globalizing economy and its implications for human rights, state power, and market competition affect everyone. However it has been noted that, “the economic aspect [of globalization] bears some of the most serious negative consequences on the daily lives of indigenous populations”². The U.N. also noted in one report that economic forces of globalization impact indigenous people in particular and contribute to long-lasting damage to the environment (ECOSOC 2003a: 21). This is mostly due to the imbalance of political power, control, and resources in the unequal and unjust relations between indigenous communities, governments, and large corporations implementing projects on their territories.

The materialism and consumption patterns of Western society encouraged through the globalizing economy (see Brown 2001, Crocker and Linden 1998) impose constraints

² <http://www.ngocongo.org>

on traditionalism and First Nations seeking autonomy and control of their resources. As Alfred states, “It is the intense possessive materialism at the heart of Western economies that must be rejected-for the basic reason that it contradicts traditional values aimed at maintaining a respectful balance among people and between human beings and the earth” (1999: 61).

Through their literature the following authors all raise questions of state sovereignty, interests, responsibilities, and power in relation to private sector objectives and civilian rights advocacy. Some believe their national governments are, “puppets of the large, powerful, and rich TNCs (transnational corporations) operating on their lands” (ECOSOC 2003a: 11). Keck and Sikkink (1998) state, “Governments are the primary ‘guarantors’ of rights, but also their primary violators” (12). Howitt (2001) makes a stronger statement in saying that there have been state-sponsored “attacks” in countries like Canada for the pursuit of development through commercial exploitation of resources on indigenous territory that the government has claimed as their own (28). According to Bullard (1993), “The problems of development and unlimited economic growth have emerged from the economic/corporate arena where government is only a junior partner” (74). Ronald Niezen (2000) comments on the role of the state in human rights violations in saying that the internationalization of the indigenous movement did not solely come about through the, “self-evident futility of appealing to the courts and legislatures of the national governments committing such violations” (2000: 123). Taiaiake Alfred, a Kanien’kehaka (Mohawk) scholar and indigenous activist, critiques the entire Band Council system as a more subtle instrument of oppression of the Federal government. He states, “Redefined and reworded, the ‘new’ relationship still abuses indigenous people, albeit more subtly. In this ‘new’ relationship, indigenous people are still bound to another

power's order. The rusty cage may be broken, but a new chain has been strung around the indigenous neck" (1999: xiii).

Harris (2002) and Hipwell (1997) discuss themes like rural depopulation, and urban growth resulting from the growth of global capitalism and the consequent rising unemployment. Tied to this is the effect these realities have on resource extraction and environmental degradation (see Hipwell 1997, ECOSOC 2003b). The cultural loss suffered in native communities as a result of migration to the cities further away from cultural traditional activity is discussed by various authors, many of them members of indigenous nations themselves (see Alfred 1999, Churchill 1999, Valaskakis 1993). For instance, Alfred states (1999), "The underlying cause of that [indigenous] suffering is alienation-separation from our heritage and ourselves. Indigenous nations are slowly dissolving with the continuing loss of language, land, and young people" (xv). Accordingly, Harris (2002) states that although half of the Native populations in British Columbia live on reserves, many more would return if they could find employment or if they had access to more resources on their territory (305).

2.1.2. Information Technology: Creating Empowerment Opportunities

Information technology can enable indigenous people to engage globalization and use its by-products for the attainment of recognition of their rights to land and resources (Niezen 2000, Keck and Sikkink 1998). Theorists like Bernard Nietschmann (1994) have pointed out the value in certain products of globalization, like communications technology, in becoming powerful tools for Fourth World activists (225).

Gedicks describes grassroots native resistance movements in developing countries shifting the conflict to the international arena by forming international alliances (at times through communications technology), using the international media, and exerting

political leverage over multinational corporations to avoid confrontation with the state (Gedicks 2001: 197). Similarly, Niezen (2000) discusses First Nations use of international foras and communications to exert this power as well. He provides a comprehensive summary of the international conferences and conventions that afforded indigenous groups opportunities for representation within international arenas.

According to some theorists, globalization and the increase in information technology can have negative effects on Fourth World cultures. The “Fourth World” as defined by Griggs (1992) includes the

5,000 to 6000 nations representing a third of the world's population whose descendants maintain a distinct political culture within the states which claim their territories. In all cases the Fourth World nation is engaged in a struggle to maintain or gain some degree of sovereignty over their national homeland³.

The increased use of information technology, the coordination of groups, and gaining of popular support by indigenous groups indicate growing political sophistication in the native rights movement. Niezen elaborates in his explication that the indigenous movement is based in international networks and uses electronic media and technologies of communication and transportation to establish and maintain international connections (2000: 120).

There is potential for more power to come from alliances with non-governmental organizations as a result of shared traits, objectives, and increases in numbers of advocates. Since the 1960s, the development of international communication networks, political support, and material assistance has taken place among groups with shared characteristics and in similar situations (Gurr 1993a: 175). Lipschultz describes the

³ <http://www.cwis.org/fourthw.html>

network characters of actors in modern civil society as based on horizontal, not hierarchical, relations (Paterson 2000:144). They are defined by, “both function and social meanings, anchored to particular places but linked globally through networks of knowledge-based relations” (*ibid.*). Indigenous groups are also more likely to take action in the name of other indigenous groups. For instance, native communities across Canada gave support to the Mohawk Nation during the Oka Crisis in 1991 by organizing rail and road blockades, and damaging property across the country (Howitt 2001: 22).

Paterson (2000) explains one role of information technology in his theory of “resistance from *within globalization*” (149). He states, “the widespread use of telecommunications for global networking purposes by critical social movements can be seen as one of globalization’s unintended consequences, one of the ‘chinks in its armor’ where possibilities of resistance are created” (*ibid.*). Keck and Sikkink (1998) acknowledge that overcoming the suppression of information (a sustaining factor in abuses of power) can be done through networks of people (x). According to Gedicks (2001), overcoming the suppression of information helps, “reframe international and domestic debates, changing their terms, their sites and the configuration of participants” (83). It also relieves the frustration of groups that feel they are purposefully kept out of issues that directly affect them. This frustration, based on colonialist-settler relations, has led to an increase in overt resistance to government and industry in British Columbia and Canada in general.

2.2 Land & Resource Invasion

Bullard (1993) states, “Given the long history of exploitation and genocide directed at Native Americans by whites, environmental disputes take on larger historical and cultural meanings” (33). Harris’ book Making Native Space (2002) is a comprehensive

historical documentation of the reserve system implementation in British Columbia. In a colonialist context in British Columbia, he contends that the strategies associated with the deployment of land and assimilation policies require greater attention. Native groups in the country have been on the, “receiving end of a spatial discipline that regulated, watched, and owned, and that tended to create, even in the vastness of British Columbia, what Franz Fanon once described as a world without spaciousness” (*ibid.*).

Various authors have written of major development projects and their implementation on indigenous territory. For instance, in his book Resource Rebels: Native Challenges to Mining and Oil Corporations, Gedicks (2001) describes the injustices suffered by indigenous groups in the Third World as a result of careless mining practices that have depleted resources and caused great human suffering. He contends that nation-states and multinational corporations have invaded indigenous resources and treated them as ‘resource frontiers’ resulting in the “systemic displacement, dispossession and, in some cases, destruction of native communities” (15). Gedicks (1985) states that the contradictions in the practices of multinational corporate resource extraction assault the physical, cultural, and economic aspects of resource-rich areas and internal colonies like the U.S. and Canada (170). Both Gedicks’ major works could incorporate more cases from North America and Canada as his observations are relevant to the developed world as well. Although he includes a section on the James Bay Cree in Québec, Canada, it is limited in scope but does create an opportunity for further analyses addressing various other aspects of the same subject.

2.3 National vs. Minority Interests

Howitt (2001) and Gurr (1993a, 1993b) both address the concept of “nation-building” and what this means for minority and indigenous groups. Howitt says that

nation-building has historically meant policies that aim at assimilating minority groups, restraining their group autonomy, and extracting their resources for the use or benefit of the nation (2001: 28). Gurr believes this is done in the name of “national cohesion”, “territorial integrity” and the “right of the national community” (Gurr 1993a: 161). From the subordinate position, protest and/or rebellion are justified by invoking arguments of collective rights, pluralism, and autonomy (*ibid.*). Niezen (2000) explains that the indigenous movement arose from the, “shared experience of marginalized groups facing the negative impacts of resource extraction and economic modernization” (121). This is reflective of Gurr’s findings as well. These authors share similarities in their understanding of marginalized groups and their interactions with the larger, and often more politically powerful, society.

Bullard (1993) supports the inclusion of indigenous and other minority groups within a larger environmental movement and states, “The chance for a majoritarian movement for social and ecological renewal will be lost if the traditional movement does not develop respectful alliances with these new constituencies and sources of political energy” (59).

2.4 Justice: the underlying theme

The discourse surrounding this topic of indigenous rights and environmental protection incorporates justice as an underlying theme. Social, environmental, and ethnic groups alike are seeking both restitution and control over the fate of natural resources. One way to do this is by triggering the ‘mobilization of shame’ which is a recurrent theme in activist and academic literature (see Niezen 1993, Niezen 2000, Schumaker 1975, Gedicks 2001, Gedicks 1998, Keck and Sikkink 1998). Howitt (2001) states, “What is the underlying human value of economic sustainability if it is attainable only at

the cost of a complete loss of cultural sustainability? What is the underlying human value of ecological sustainability, if its cost is the imposition and institutionalization of repression and poverty?" (317). On speaking of the how indigenous conceptions of justice differ from Western notions, Alfred (1999) writes, "the cultural framework that determines whether or not power is used appropriately includes not only the set of human relationships that form our society, but all other relationships as well" (42).

The protection of natural resources and the natural environment is intertwined with the struggle for rights within some indigenous groups. As Alfred (1999) states "Indigenous notions of justice arose within the context of belief in a universal relationship among all the elements that make up our coexistence among all human, animal, and spirit beings, together with the earth. Justice is seen as a perpetual process of maintaining the crucial balance and demonstrating true respect for the power and dignity of each part of the circle of interdependency" (42). Similarly, Ward Churchill believes that humans are encouraged to develop their abilities but only insofar as this development does not infringe upon elements of nature (1993: 17). Gedicks (2001) also elaborates on this interconnectedness in saying that reverence for the natural world is seen to maintain balance in the universe (3). He states that humanity can upset the balance by desecrating sacred lands or destroying ecosystems (Gedicks 2001: 3).

There is an inherently logical connection between justice and accountability. According to a UN Working Group, "transnational companies that operated on indigenous peoples' land [are] not subject to any binding laws or standards to guide their behaviour" (ECOSOC 2003a: 9). As globalization has fostered market expansion, the legislation governing and holding the involved corporations accountable has not grown sufficiently enough to keep them in check. One goal of contemporary resistance

strategies is about making those in power in the global economy accountable, “making them legitimize their actions, democratizing them, transforming their effects” (Paterson 2000: 149). Indigenous groups, sometimes in conjunction with non-governmental organizations, have attempted to make those companies more accountable to populations residing in affected areas.

One attempt at making governments and corporations accountable is through the use of the Western legal system (see Imai 1999, Harris 2002). It is hard, however, for Aboriginal peoples’ interests to be represented in court. Historically, this has been because they have not had the funds to hire lawyers and/or their lawyers have not been familiar with Aboriginal people and their rights (Imai 1999: 369). Harris (2002) believes that, “Native people have turned to rights-based arguments and to the courts because here seemed to be no alternative, and the Supreme Court has found for them in qualified ways” (296).

2.5 Empowerment

Gail Valaskakis, a native woman from Wisconsin, argues that for First Nations, “resistance is cultural persistence...continually negotiated in the discourse and practice of everyday life”⁴ (cited in Fox and Starn 1997:121). The scale of recent protests like those against the WTO meeting in 1999 and at the Summit of the Americas in 2001 have signaled the shift from local to global resistance (Gedicks 2001: 36). Increasingly, global resistance initiated by alliances of indigenous, environmental and human rights groups target the economic and political institutions, policies, and networks that facilitate the exploitation of resources and people. For instance, in 1997 Greenpeace blockaded logging of the Great Bear Rainforest, home of the Nuxalk Nation. According to a press

⁴ <http://www.cjc-online.ca/printarticle.php?id=179&layout=html>

release given by the organization, “Today's rainforest action coincides with a Greenpeace protest vigil at the Canadian Embassy in Vienna, Austria where activists have hung banners outside the embassy reading, "Clearcutting Kills" and "Canada.....Save Your Rainforest"⁵. This demonstrates the international nature of protest and solidarity.

Ted Robert Gurr's (1993a, 1993b) extensive studies on minority groups, their interactions with the state, and the differences between protest and rebellion are important background for the current study and describe. Although his analyses do not address the globalization as such, they provide relevant and necessary empirical evidence on protest and rebellion. Gurr has a few particularly relevant points helpful in providing a contextual understanding for further research on the topic at hand. For instance, indigenous groups in the Americas rely almost solely on protest as the form of political action they take to have their grievances addressed (Gurr 1993a: 178). Gurr's article (1993a) on minority mobilization outlines the “contagion” and “diffusion” effects of political action in relation to establishing international networks. He examines the utility of processes by which one group's actions provide strategic guidance for another (“contagion”) as well as the processes that expand conflict over international borders hereby increasing the group's political influence (“diffusion”). Important for the study at hand is Gurr's theory that indigenous groups in the Americas presently rely almost solely on protest as the form of political action they take to have their grievances addressed. There is an inconsistency in this finding however, as Gurr describes contagion as affecting groups in the same region but then he goes on later to say that indigenous groups have high contagion levels because they have stronger *international* networks than other actors (1993a: 187). These two processes (contagion and diffusion) will be

⁵ <http://archive.greenpeace.org/majordomo/index-press-releases/1997/msg00133.html>

relevant nonetheless in our later discussion because they provide theoretical constructs for the indigenous movement's actions.

Indigenous groups historically have not had as much access to resources needed to effect change. Leadership, financial means, and legitimacy as conferred by those public officials with whom they interact are needed to have the propensity to influence according to Schumaker (1975: 491). Schumaker does not elaborate however on options for recourse for groups that do not have these characteristics and/or opportunities, such as many native groups in Canada.

Many authors have written on actions taken in solidarity with minority groups or groups that are oppressed (see Gurr 1993a, Gurr 1993b, Wolfe-Keddie 1995, Paterson 2000). Indigenous people worldwide may be more inclined to follow the same strategies because they share distinct cultural relations in inter-group relations (Gurr 1993a: 164). Wolfe-Keddie (1995) adds the idea that Aboriginal people often share the objectives as well as inter-group relations (75). Some of these objectives include securing traditional lifestyles and cultural revival, attaining community healing, strengthening connections to the land, and improving resource management within their territories (Wolfe-Keddie 1995:75). Paterson (2000) believes that groups in global civil society that are trying to achieve sustainable communities must maintain "radicalization towards local and solidaristic resistance practices and construction of alternative forms of political and social life" (159).

2.5.1 Political Opportunity

Political opportunity refers to something activists can alter or create as opposed to a fixed external environment (Meyer and Staggenborg 1996: 1634). Proponents of direct action create political opportunity in situations where it does not already exist. By

drawing international attention to human rights violations and environmental degradation through the media, for instance, the opportunity for political action and political alliance is enhanced because heightened international attention and consequent scrutiny means that, “transgressors truly have no hiding place” (Gedicks 2001: 199). This is often referred to as the “mobilization of shame” (Keck, Sikkink 1998: 23).

According to a report by the Control Risks Group (1997), we will soon be witnessing more direct action protests and, “more new politics, unpolitics, more change delivered by a combination of campaign groups...” (8). Official and public attention is drawn to environmental issues when they are, “highlighted by politicizing events which intensify reality to such a degree that it becomes visible and concrete to the witness” (Gedicks 1985: 179). Bullard (1993) states, “The most vital element in the rise of the environmental justice movement, however, was the emergence of grassroots activists willing to lay everything they have on the line” (55).

There seems to be a growing trend of literature on the internationalization of various civil society movements and the power that these movements can have when actions and opportunities are combined. More case studies are needed however on how groups may increase the opportunities they have to create and maintain the kinds of alliances needed to initiate this political empowerment process.

2.5.2 Non-violent Direct Action

Non-violence, political power, policy responsiveness, social support, and direct action are all themes that relate to the use of non-violent direct action as one form of empowerment strategy. Protest as a means for subsequent empowerment is the umbrella under which all these themes are brought together.

Michael Lipsky defines protest activity as, “a mode of political action oriented toward objection of one or more policies or conditions, characterized by showmanship or display of an unconventional nature” (cited in Schumaker 1975: 490). Peter Eisinger says that protest is, “a device by which groups of people manipulate fear of disorder and violence while at the same time they protect themselves from paying the potentially extreme costs of acknowledging such a strategy” (cited in Schumaker 1975: 490). Schumaker follows these definitions by stating that they are equating protest activity solely to direct action tactics (1975: 490).

Non-violence connotes a form of conflict: “direct action undertaken at risk but without recourse to destructive force” (Zunes, Kurtz, Asher 283). It is a commonly used, yet intangible concept. Its roots and use extend into ancient history, religions and philosophies. Direct actions are often controversial, public, and, at times, illegal. Direct action usually focuses public attention on injustice in a powerful way.

Direct action and related themes, including ‘non-violence’, have been examined by a few key authors. Douglas Bond, April Carter, Gene Sharp, and Richard Gregg are the most seminal authors on the topic of non-violent direct action. These authors wrote their seminal works on the topic before 1986 and this has influenced the scope and direction of their research. They have provided a solid foundation for further study on contemporary employment of this tactic as a tool for leverage and consequent political power. There are various reasons why the dated works of these authors impacts the application of their theories to this thesis.

Bond’s dissertation “Alternatives to Violence: An empirical study of non-violent direct action”, was written in 1985 and is theoretically contextualized within the setting of the anti-nuclear movement (1985a: 12). In his empirical study on the nature and

meanings of non-violent direct action, Douglas Bond provides “non-violent event-data”. He suggests that non-violence is, “rooted in the idea of sanctity of life and manifest in a sense of unity or community between antagonists achieved at a cost of self-suffering or sacrifice” (Bond 1985a: 86). He also stipulates that direct action as a concept is indeterminate in terms of its consequences; “its outcome is not bound by existing practice or procedures but is a function of its performance”. As well, it is always unilaterally initiated (Burgess, Burgess, Wehr 1994: 62).

April Carter writes about direct action in relation to liberal democracy, constitutionalism, and within other theoretical constructs. She applies her research to various movements including the Suffragette movement, antinuclear movement, African American movement, and the Vietnam War. As her book Direct Action and Liberal Democracy was written in 1973, she does not take into account the growing indigenous movement in a First World context, the power of international alliances, and the constraints and opportunities posed by globalization.

Gregg’s study (1966) focuses on the dynamics of non-violence but was written in 1935 and does not relate to the present political and geographical realities referred to in this study. Instead, it provides a more psychological foundation for the understanding of this tactic. Sharp’s work (1973), The Politics of Non-violent Action, is very broad in scope and although he covers almost every kind of non-violent action, its breadth takes away from insight that is offered in more narrow studies. It does not account for the emergence of modern international relations and the sharing of physical and intellectual resources between modern actors in today’s society facing resource and human rights crises.

When a group is using any kind of tactic to effect social, economic, and/or environmental change, they are trying essentially to obtain political power. Political power, according to Gene Sharp, is “rooted in and continually dependent upon cooperation and obedience, and this cooperation and obedience can be withdrawn”⁶. For instance, one way to exert political power is through the use of direct action with the intent to influence political processes of encapsulating nation-state governments and corporations. If a group is able to exert political power, it is likely because there has been a degree of policy responsiveness as defined by Schumaker as, “the relationship between the manifest or explicitly articulated demands of a protest group and the corresponding actions of the political system which is the target of the protest-group demands” (Schumaker 1975: 494).

2.5.3 The “Boomerang Pattern”

The effective use of information technology by local indigenous groups may help to create and maintain alliances on an international scale in order to promote indigenous rights and culture. According to Paterson (2000), “the emergence of global civil society should be thought of as one of the facets of the broader process of globalization” (146).

Part of the role of global civil society, including NGOs, is to, “generate the rules and norms on which practices are based” (Paterson 2000: 143). One way that domestic NGOs do this is by bypassing their nation-state and finding international allies, thereby creating networks, to pressure the state and corporations from the outside (Gedicks 2001: 97). Keck and Sikkink (1998) describe this phenomenon as the “Boomerang Pattern” whereby groups that have no recourse within their domestic political or judicial arenas

⁶ <http://www.wcfia.harvard.edu/ponsacs/program.htm>

seek international alliances to protect them and further their causes (12). Keck and Sikkink dedicate their book Activists beyond Borders to a study of transnational linkages between oppressed groups, industry, government and the networks amongst them. According to Keck and Sikkink (1998), there is a paucity of knowledge on activist networks, their rationality, and their significance (2). Their study of linkages is limited mainly to Third World actors, First World NGOs, and industry although many of the concepts incorporating networks and advocacy are still applicable amongst indigenous groups in countries like Canada. The setting is different in Canada, however, because institutionalized democracies create different opportunity structures where communal groups (religious and cultural groups that do not have recognized states or institutionalized political status) are more likely to engage in protest instead of rebellion (Gurr 1993a: 175). For instance, indigenous groups in Canada are more likely to protest because the resolution of conflict depends on the, “implementation of democratic norms of equal rights and opportunities for ethnoclasses, and pluralistic accommodations of indigenous and regional peoples’ desires for separate collective status” (Gurr 1993a: 176). Keck and Sikkink’s book is key to understanding how networks are formed and how they may influence domestic politics through external channels.

In his discussion of “transnational advocacy networks”, Gedicks also refers to the “Boomerang Pattern” (Gedicks 2001: 97). He describes grassroots native resistance movements in developing countries shifting the conflict to the international arena by forming international alliances, using the international media, and exerting political leverage over multinational corporations to avoid confrontation with the state (Gedicks 2001: 197). He does not, however, mention the fact that many local indigenous groups also seek out international allies for the same reasons as NGOs. Gedicks’ (2001) book

generally seems very relevant to Keck and Sikkinks' theories in acknowledging the changes that have impacted indigenous resistance strategies in the last decade and discusses the growth of corporations to an international scale. He says, "The globalization of these industries has multiplied the points of connection between grassroots resistance movements and the larger international community" (Gedicks 2001: 199). Globalization processes may create opportunities for internationalist solidarity through transnational social movements. The international character of various industries that flourish through globalization necessitate "internationally linked resistance" (Gedicks 1985: 180). In response to protest and consequent media exposure, international economic, political, and social institutions may give recognition to indigenous groups thereby creating political space for their voices, agendas, and the organization of their communities around such interests (Gedicks 2001: 82).

2.6 Conclusion

There is a growing need to examine the issue of Native groups in a developed world context facing human rights abuses through the exploitation of their land and resources. Specifically, more studies are needed into the specifics of tactics used in isolation and in combination with one another to counteract destructive forces of globalization and abuses of power more generally. Further investigation is needed into why certain strategies are employed over others, whether it is because those chosen strategies are consistent with the indigenous groups' way of life or alternative methods have failed historically.

CHAPTER 3. BELLA COOLA AND THE NUXALK: A BACKGROUND

3.1 Nuxalkmc: Nuxalk People of the Land

About 900 Nuxalkmc inhabit the reserves in Bella Coola with membership of the Nuxalk Nation near 1200 people⁷. British Columbia's Aboriginal population constitutes 3.6% of the total population in the province while in Bella Coola, the Native population constitutes 46% of the total population (Jin, Martiquet, Thommasen, Thommasen 2004: 179). According to the "Wellness Development Plan", developed by Bopp and Lane, the youth (those under 25 years of age) are presently the majority of the Nuxalk Nation in Bella Coola⁸.

Prior to European contact, the Nuxalk people used the resources of the land and sea for their survival. At one time, there were about 45 distinct Nuxalk villages located in the forested valleys and along the shores of the region⁹. Trade, the arrival of Christian missionaries (1884), and economic development through forestry, fishing, and mining, combined with the federally implemented Indian Act and provincial policies devastated the Nuxalk Nation and led to their loss of control over resources and land base¹⁰. There was also a smallpox epidemic in the 1800s which reduced the Nuxalk Nation population from thousands to about 200 (Nuximlayc Interview August 7, 2003).

There are approximately 1200 non-Native inhabitants of predominantly Norwegian descent in Bella Coola (Hipwell 1997:1). The Norwegian settlement occurred in the late 1800s and these early settlers can be traced to the Hudson's Bay Company conducting

⁷ <http://www.bcstats.gov.bc.ca>

⁸ <http://www2.sfu.ca/cedc/forestcomm/fcbbackfile/communities/bccp.htm>

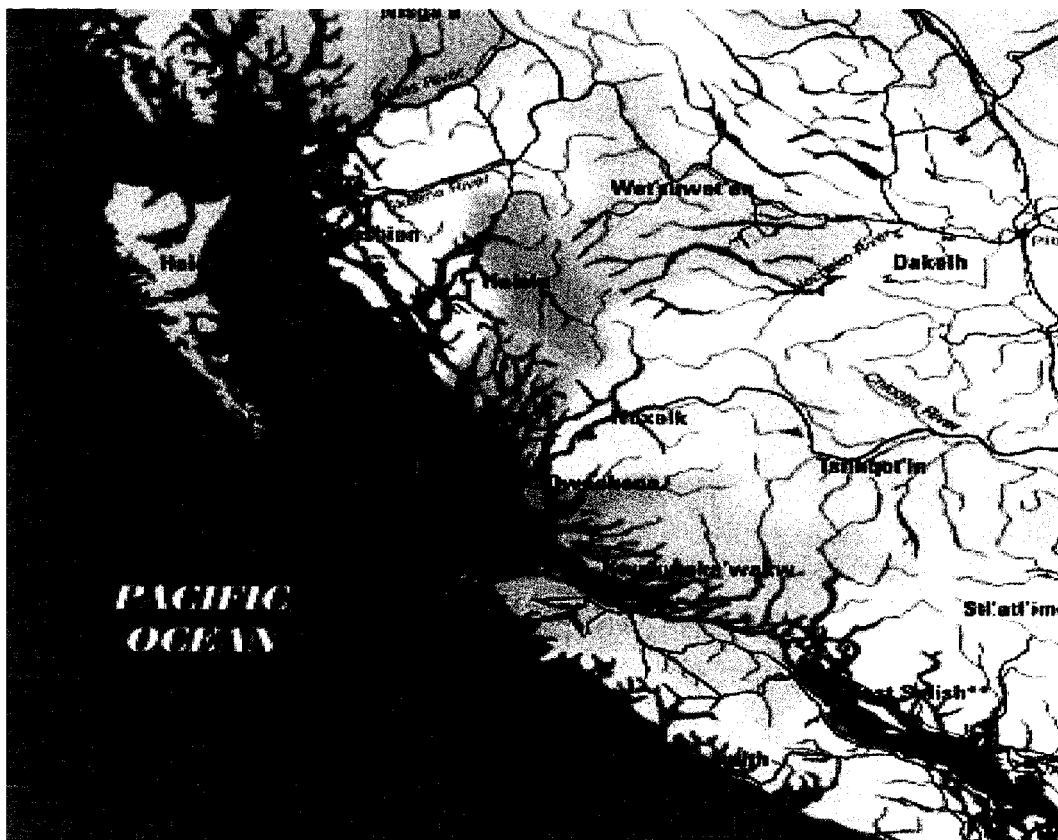
⁹ <http://www2.sfu.ca/cedc/forestcomm/fcbbackfile/communities/bccp.htm>

¹⁰ <http://www.fourworlds.ca/pdfs/NuxalkPlan.pdf>

prospecting, trapping, fishing, farming, and logging¹¹. It is said that there was a mistreatment of the land by the early settlers but, “the Nuxalkmc adapted”¹².

The Nuxalk Nation is part of the Oweekeno Kitasoo Nuxalk Tribal Council. The traditional Nuxalk language, similar to that used by the Coast Salish, is threatened as only about 65 Elders in the entire community know and speak the language (Pootlass Interview August 4, 2003). Bella Coola is part of the Central Coast Regional District (CCRD) that includes the towns of Hagensborg (where the Norwegian people settled upon contact), Bella Bella (a neighbouring island and home of the Heiltsuk-close relations with the Nuxalk) and Rivers Inlet (home of the Oweekeno) (Figure 1).

Figure 1: West Coast Native Groups



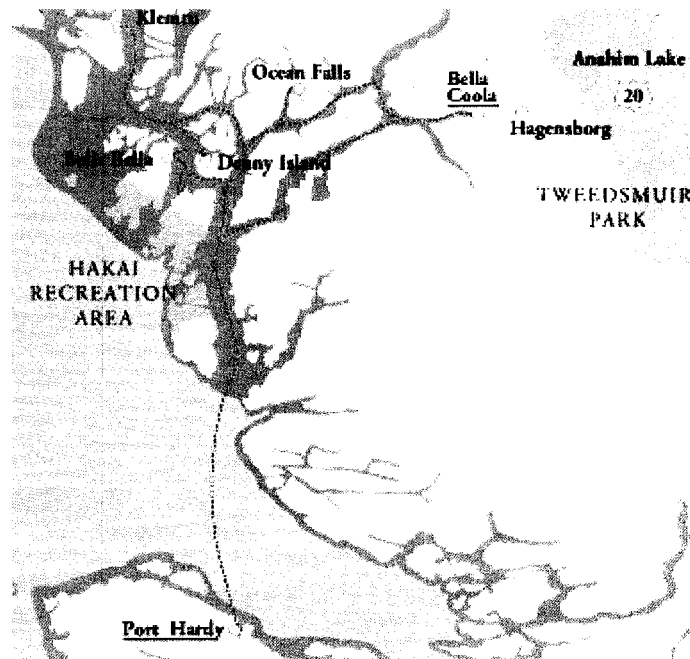
Source:<http://www.bced.gov.bc.ca/abed/images/map2.jpg>

¹¹ <http://www.centralcoastbc.com>

3.1.1 Geography

Bella Coola is a coastal valley on the Pacific Ocean located about 560 kilometres northwest of Vancouver in the mid-coast region of British Columbia (Figure 2). It is situated at the head of the Burke Channel on the west inland coast of British Columbia. This area of British Columbia has old growth temperate rainforests, glaciers, ice fields, watersheds, and fjord inlets like the Bella Coola valley¹³. Bella Coola is part of the Great Bear Rainforest and much of the area is covered by temperate rainforest. In this province, about 43% of the land (25 million hectares) is old-growth rainforest (B.C. Ministry of Forests 2003). On the coast in Bella Coola, this means that the trees are more than 250 years of age while in the non-coastal regions, this means that they are more than 120 years of age (*ibid.*).

Figure 2: Location of Bella Coola within British Columbia



Source: <http://www.bcferries.com/schedules/discovery/>

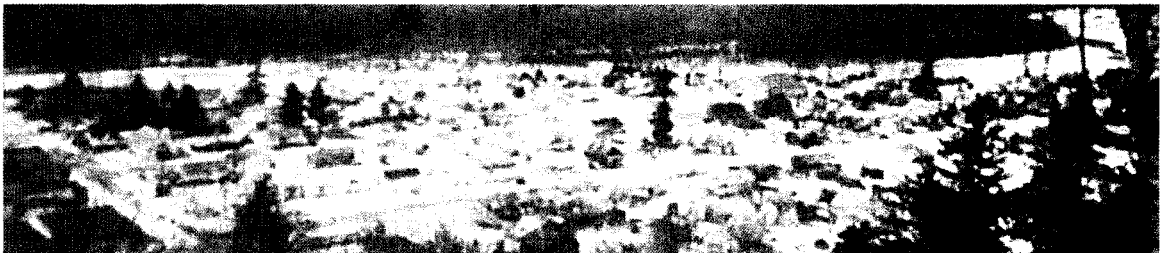
¹² http://www.for.gov.bc.ca/hth/community/documents/Nuxalk_First_Nation.pdf

¹³ <http://www.centralcoastbc.com/bellacoola/>

The Coast Mountains include two main ranges: the Pacific and the Kitimat and they are separated by a boundary following the Burke Channel and the Bella Coola River¹⁴. Bella Coola's geographical location is an important political feature of the community for various reasons. For instance, this valley is one of the three places where the highway meets the ocean in British Columbia; the other two are Prince Rupert and Vancouver.

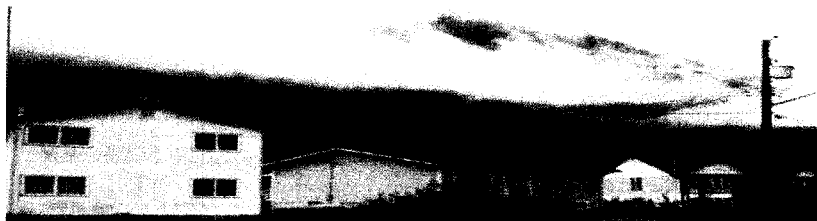
The Nuxalk Nation claims an area of 16 000 km² including some of one of the last remaining temperate rainforests in the world. This region has rare and intact mainland and island ecosystems¹⁵. The two official Nuxalk reserves are located in downtown Bella Coola (Figure 3) and four-mile subdivision (Figure 4) cover 20.24 km², which is 0.11% of the land comprising Nuxalk territorial claims (Hipwell 1997: 14). In the 1996 statistics from Statistics Canada, they report only 12.95 km²¹⁶.

Figure 3: Downtown Bella Coola



Source: Fieldvisit January 2004

Figure 4: Four-Mile Subdivision



Source: Fieldvisit January 2004

¹⁴ <http://www.centralcoastbc.com>

¹⁵ http://www.raincoast.org/files/CCLRMP_final_analysis.pdf

One report by the Community Economic Development Centre affiliated with Simon Fraser University states that there is no lack of evidence supporting Nuxalk claims to land use and occupation¹⁷. In the early 1990s there was an archaeological project launched with a partnership between the Nuxalk Nation and Simon Fraser University called the Nuxalk Heritage Project. The archaeological excavations were led by Simon Fraser's Phil Hobler and Beth Bedard and members of the Nuxalk Nation participated in the project. The Heritage Project produced findings in the way of proof of prehistoric record of occupation by the Nuxalk for thousands of years¹⁸. The findings of the Community Economic Development Centre are consistent with archaeological findings by this joint team. This provides a strong foundation for territorial claims and Aboriginal Title to the land and resources.

3.1.2 The Local Economy

Bella Coola is geographically very isolated and is therefore not easily accessible. As a result, the community has needed to be very self-sufficient and resource-based. Hipwell (1997) suggests, "The situation unfolding there [Bella Coola Valley] and in the surrounding Bella Coola region is a microcosm of larger, intersecting global issues" (32). Rural depopulation and migration are both realities in Bella Coola. This is shown in the 1996 statistics Canada report on the Bella Coola reserve. For instance, the 1995 employment income table shows that only 18% of people on the reserve worked for the full year with full-time hours while the rate for the rest of B.C. was 46%¹⁹. As well, 80% of the people on the reserve worked part of the year or part-time while the rate for the rest

¹⁶ <http://www.bcstats.gov.bc.ca>

¹⁷ <http://www2.sfu.ca/cedc/forestcomm/fcbbackfile/communities/bccp.htm>

¹⁸ <http://forests.org/archive/canada/illogbc.htm>

¹⁹ <http://www.bcstats.gov.bc.ca>

of B.C. was only 51% (*ibid.*). Statistics for the same year indicate the average household income was \$20 000 lower on the Bella Coola reserves than the average in the rest of British Columbia (*ibid.*).

3.1.3 Nuxalk Relationships to the Land

The Nuxalk Nation in Bella Coola protects their resources because their relationships with the wilderness, flora, and fauna are an integral part of Nuxalk culture, heritage and daily life.

Nuxalk culture and history is highly immersed in their natural environment. Due to their geographical isolation and strong spiritual beliefs, nature plays an important role in their everyday lives. Their cultural experience (i.e. through potlatching) is directly affected by resource degradation as their cultural foundations are based on the environment around them and spirituality. The Nuxalkmc experience lessened community well-being through reduced cultural connection. For instance, the forests in Nuxalk traditional territory were used historically for ceremonial and spiritual purposes as well as harvesting of, “wood, wildlife, berries, shrubs, and herbs for sustenance”²⁰. Trees were used for building things like tools and canoes and forest products were used for dyes, medicines, fuel, hunting, and fishing (*ibid.*). There are many ceremonial purposes for the forests including potlatching, funeral ceremonies, and “sweats” (Figure 5).

²⁰ http://www.for.gov.bc.ca/hth/community/documents/Nuxalk_First_Nation.pdf

Figure 5 Traditional Sweat Lodge Base



Source: Fieldvisit August 2003

As the Nuxalk rely heavily on the resources in Bella Coola and surrounding areas, the environmental effects of resource extraction affect them very directly. British Columbia, and the Central Coast more specifically, provides habitat for various animal populations. For instance, over half the remaining grizzly bear population in Canada is located in British Columbia and the central coast has the largest grizzly bear and bald eagle populations in the world²¹. The central coast's temperate rainforests include some of the best habitat and rearing grounds for grizzly bear wild pacific salmon²². The rainforests of this region are biologically very diverse providing habitat for rare and endangered plants and animals and migratory and nesting sites for sea and inland species²³. The central coast, including Bella Coola, is a key site for herring, ooligan (also spelled eulachon, oolacan) and salmon spawning rivers and bays²⁴.

The Central Coast region encompasses key spawning and rearing habitat for salmon in British Columbia²⁵. It became obvious through my research, fieldwork interviews and daily life in the community that the wildlife, especially the salmon, is the

²¹ <http://www2.sfu.ca/cedc/forestcomm/fbackfile/communities/bccp.htm>

²² <http://www.davidsuzuki.org>

²³ <http://www.cec.org>

²⁴ <http://www.centralcoastbc.com/bellacoola/>

²⁵ <http://www2.sfu.ca/cedc/forestcomm/fbackfile/communities/bccp.htm>

Nuxalk's richest resource in terms of cultural value and sustenance. Effects of extraction and development plans on salmon in general, and on migration and quality especially, were the largest concerns expressed. As well, the health of the local forests and maintaining one of the last remaining intact rainforests was another major concern. The community actively uses both these resources.

3.2 Nuxalk Relations in Bella Coola: Past and Present

Historically, the Nuxalk Nation had strong ties with other indigenous groups with whom they were in contact. Some members of the traditional government have also made connections with other indigenous groups and NGOs through the use of the Internet.

3.2.1 Relations with other First Nations

The Nuxalk Nation has close ties with many of their neighbouring First Nations. The Nuxalk-Carrier Grease Trail was an elaborate trade network between the Nuxalk and neighbouring indigenous communities in the interior of British Columbia. This relationship was mutually beneficial as the network outlined areas the Ulkatcho people (from the Interior of B.C.) could fish in Bella Coola and the Nuxalk people could hunt in the Interior on the Plateau²⁶.

3.2.2 Relations with International Organizations

Nuxalkmc appeal for help internationally and they have protested internationally. The hereditary governing chiefs have become involved internationally with various indigenous groups and organizations to further environmental campaigns or campaigns for self-government. Appeals have been made to the United Nations Committee on the Elimination of Racial Discrimination (CERD) and various other international bodies like the Unrepresented Nations and Peoples Organization.

The House of Smayusta lobbies various international bodies to draw attention to what they define as human rights abuses through the exploitation of land and resources. Examples of this are the “Statement of the Nuxalk Nation before the United Nations Working Group on Indigenous Populations; 31 July 1984” and the July 2002 report to the United Nations Committee on the Elimination of Racial Discrimination submitted by 6 groups (compiled by an “ad hoc group of community-based Indigenous Peoples and Canadian human rights organizations”) including the House of Smayusta of the Nuxalk Nation. The traditional government has also enlisted the Nuxalk Nation with the Unrepresented Nations and Peoples Organization (UNPO) because they want to be recognized as a sovereign nation. Some indigenous groups who practice subsistence activities like fishing and hunting live in remote and isolated communities and are sometimes politically voiceless (FAO Fisheries Report No, 639, Appendix E, p.2). Communications technology can help these groups obtain political power and give them a voice where they did not have one before.

3.2.3 Relations with Federal and Provincial Governments

Other than archaeological data, there is another source of leverage for the Nuxalk Nation in relation to land they claim. The Nuxalk Nation has never signed a treaty with any government ceding what they claim as their territory. Virtually no treaties with coastal Indians were made between the Federal government of Canada and indigenous groups and therefore, despite current treaty negotiations, the question of indigenous rights to prevent resource extraction is primarily a struggle between First Nations and the provincial government of British Columbia (Lobo & Talbot 1998: 425).

²⁶ <http://www2.sfu.ca/cedc/forestcomm/fcbbackfile/communities/bccp.htm>

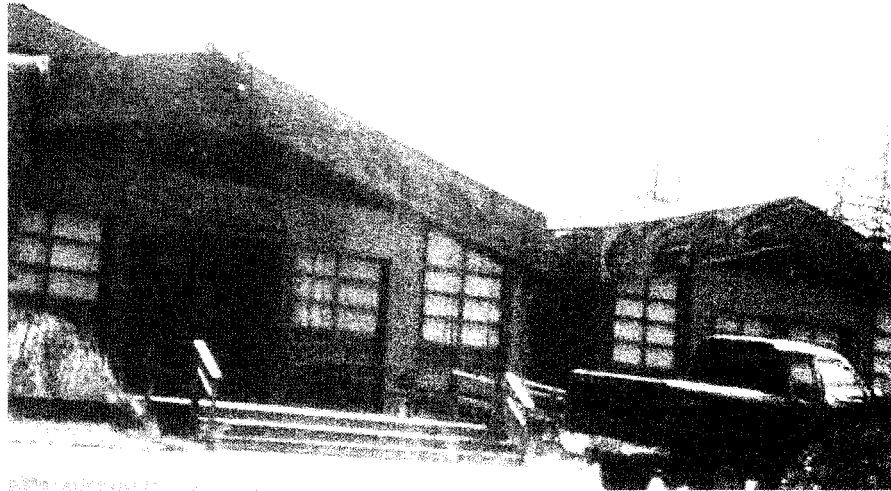
3.3 Local Governance Arrangements

There are presently two forms of government within the Nuxalk Nation. I will include a brief description of each and discuss their roles which are, at times, the cause of tenuous relations between the two governing bodies as will be examined in Chapter four.

The first governing authority is the Band Council, implemented through the Indian Act of 1890. The fact that the elected council was created through the Indian Act is central to many of the ongoing tensions within the community as will be discussed in Chapter 4. The Band Council serves to administer the policies and mandates of the Federal government of Canada according to conditions prescribed by it. Under the Band Council system in Bella Coola, the Nation holds bi-annual elections to elect a Chief and twelve councillors²⁷. Most of the elected officials working in the Band office (Figure 6) do not have prior administrative or managerial experience (Siwallace Interview August 29, 2003). There are portfolio “holders” who manage areas such as public works, finance, etc. A flow chart was given to me by the Band Council administrator I interviewed in August 2003 and is available in Appendix D outlining the organizational structure of the Nuxalk Nation Band Council.

²⁷ <http://www2.sfu.ca/cedc/forestcomm/fcbbackfile/communities/bccp.htm>

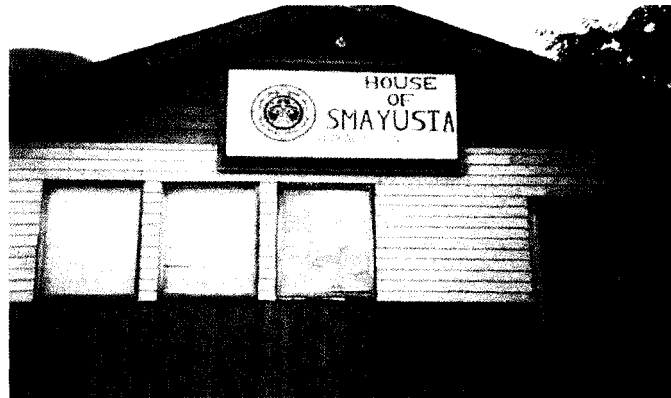
Figure 6: Nuxalk Nation Band Office (Four-Mile Subdivision)



Source: Fieldvisit August 2003

The second group is the traditional government, a governing body composed of Hereditary Chiefs within the Nation. The group refers to itself as the Nuxalk Nation Government (NNG) and the House of Smayusta is where they are based (Figure 7). When I visited the House of Smayusta on various occasions, I was struck by the beautiful masks on the walls as well as the posters, maps, and attestations of Nuxalk pride and strength. There were statements by members of the Nuxalk Nation and many photographs within the House of Smayusta that defined the Hereditary Chiefs' stance on issues like logging and solidarity.

Figure 7: House of Smayusta



Source: Fieldvisit August 2003

There are between 16 and 20 hereditary chiefs in the house of Smayusta providing the foundation for traditional governance of the people. The House of Smayusta supports a return to traditionalism in the cultural and resource-use sense. They help families organize traditional cultural activities like potlatches and dances at the Nuxalk Hall. Also, I have witnessed and have been told that the chiefs in the House of Smayusta are heavily involved in teaching and encouraging community members to get “back to the land” in that they will accompany people to hunt, fish, or collect firewood (Qwatsinas Phone Conversation October 27, 2003). As well, when there are community members who are not able to do so themselves, I have witnessed the charitable acts of some chiefs in providing traditional foods using traditional methods of harvesting to share with those community members. This may take the form of firewood collecting, fishing, smoking salmon, gathering plants for medicine, etc. In one report by Simon Fraser’s Community Economic Development Center on the Nuxalk Nation, it is said that much of the knowledge of the hereditary chiefs and House of

Smayusta supporters is not shared with the larger community because of community division²⁸.

3.4 Resource Extraction in Bella Coola

In the Bella Coola Valley and surrounding areas, logging, fish farming, aggregates, and fishing are the main focus in past and present development projects undertaken by government and industry. For the purposes of this thesis, I am only focusing on logging and aggregates projects as they pertain to the context of our discussion as well as the implications of resistance and support of the projects in question. The present level of activity, past and projected development in both sectors are discussed and in chapter four, their respective impacts on the environment, Nuxalk culture and Nuxalk society are evaluated.

3.4.1 Logging

The economy is largely focused in natural resource development in forestry, mining, oil and gas development, and fishing (British Columbia Ministry of Forests 2003). In British Columbia, the majority of the provincial exports are forest products and forestry represents 8% of provincial GDP (Gross Domestic Product) and about 30% of logging takes place in the coastal regions of the province (*ibid.*)

British Columbia's north and central coasts were once thought to be inexhaustible resources and the projected exploitation that these resources could absorb successfully was estimated higher than it is in reality. The coastal forests in B.C. cover 7.6. million hectares of land and constitute habitat for mammals such as moose, elk, deer, caribou, grizzly bears, mountain goats, wolves, cougars, black bears, and wolverines among others (*ibid.*). Unsustainable logging practices are environmentally hazardous in themselves but

²⁸ <http://www2.sfu.ca/cedc/forestcomm/fbackfile/communities/bccp.htm>

they have cumulative impacts on fragile ecosystems as well. For instance, unsound logging can negatively impact salmon stocks as well as the habitat of various forms of wildlife. As stated by the Commission for Environmental Cooperation, “This area is under increasing threat from logging and collapse of salmon stocks”²⁹. The central coast of British Columbia, encompassing Bella Coola, is being heavily logged presently. The predominant method of logging there is clear-cutting as found by the Suzuki Foundation in a recent report on Canada’s rainforests in the 83 sites that they analysed. They also found that only 1% of fish-bearing stream were protected by buffer zones³⁰.

Clear-cut logging impacts the wildlife and plant life in a given region. Studies conducted on Vancouver Island have shown that clear-cut logging affects fish because the erosion from this method leads to sedimentation in the streams where spawning grounds are for salmon, for instance³¹. Yarding logs across streams destroys spawning grounds and migration routes for salmon (*ibid.*).

There are presently three main areas that are being slated for development in British Columbia: Haida Gwaii (Queen Charlotte Islands), the Great Bear Rainforest (Central Coast), and the North Coast (B.C. Ministry of Forests 2003) (Figure 8). The recent Central Coast Land and Resource Management Plan (CCLRMP) is one example of a land-use plan that has incited protest by environmental groups and indigenous groups in this territory.

²⁹ <http://www.cec.org>

³⁰ <http://davidssuzuki.org>

³¹ <http://www/bcen/bc/ca>

Figure 8: Central Coast Land and Resource Management Plan (CCLRMP) Plan Area January 2003



Source: http://srmwww.gov.bc.ca/cr/resource_mgmt/lrmp/cencoast/docs/cc_jan03_E.pdf

The plan was announced in 1996 and the area covers 4.8 million hectares including land from Princess Royal Island in the north to southern Johnstone Strait in the south³². In Bella Coola, there is a Nuxalk-staffed Integrated Resources Office (supported by the Band Council) which is involved in the CCLRMP. On December 11 2003, the CCLRMP declared an agreement for a conservation strategy for the Central Coast region³³.

³² <http://www2.sfu.ca/cedc/forestcomm/fcbbackfile/communities/bccp.htm>

³³ http://www.raincoast.org/files/CCLRMP_final_analysis.pdf

This conservation strategy has become the focus of major criticisms including that it, “falls well below the most basic requirements deemed necessary to protect ecological integrity of the Central Coast” (Rumsey *et al.* 2003). The CCLRMP has many critics ranging from First Nations leaders (Nathan Matthew, World Forestry Congress, Québec City 2003) to non-governmental organizations like Greenpeace or the Suzuki Foundation. For instance, a press release by the Suzuki Foundation states that, “the recommendations made for protected areas made by the CCLRMP leave the vast majority of the best habitat for grizzly bears, Northern Goshawk, wild pacific salmon, and productive old-growth forests unprotected from industrial development”³⁴. More explicitly, the Raincoast Conservation Society stipulates that the protected areas proposed as part of CCLRMP, “fail to provide sufficient long-term protection of secure habitat for deer, wolves, and salmon”³⁵. The CCLRMP will impact the Nuxalk Nation that value salmon as a cultural symbol and as a staple of their diet. For instance, 75% of chum and chinook, 74% of coho, 72% of pink, and 67% of sockeye salmon are not protected under the CCLRMP and their habitats are in danger as there is a lack of watershed protection (*ibid.*).

3.4.2 Aggregates

One of the most recent extraction schemes which could result in upcoming protests is the building of a rock quarry and deep-sea port. The proposed mining project is linked to development plans involving a deep sea port to be built in the Bella Coola harbour so that sea vessels can access land through Bella Coola creating another trade route. This would potentially take place on the mouth of the Bella Coola River (Figure 9 and Figure 10). Mining and blasting would certainly have hazardous effects on wildlife in

³⁴ <http://www.davidsuzuki.org>

the region including bear, eagle, salmon and cougar populations to name a few. There are many Nuxalk accounts of impacts on salmon, flora and fauna, bear and cougar populations, and these impacts affect their subsistence activities as well as their cultural foundations.

This proposed project has met with both support and opposition by Nuxalkmc as we will see in chapter four.

Figure 9: Close View of Marine Terminal and Rock Quarry Site (Mouth of Bella Coola River)



Source: Fieldvisit January 2004

³⁵ http://www.raincoast.org/files/CCLRMP_final_analysis.pdf

Figure 10: Aerial View of Marine Terminal and Rock Quarry Site (View East down valley)



Source: <http://www.bcrock.com/project/index.html>

3.5 Non-violent Direct Actions: A Nuxalk History

In the course of one of my interviews, I was asked by the head hereditary chief to refrain from referring to the following acts as “protest” acts. Instead, he said the Nuxalk Nation was simply *protecting*, not protesting. Out of respect for the head hereditary chief, I will refer to these non-violent direct actions as “acts of protection” or simply “protects” as nouns instead of using the term “protest”.

A number of significant direct action protects and individual acts were carried out by members of the Nuxalk Nation from the House of Smayusta between 1994 and 2003. I will present a summary of each protect compiled through information from the postings and press releases on the House of Smayusta website and other environmental websites primarily.

3.5.1 Talyu Hotsprings

In July 1994, two studies were completed by Greenpeace and the Nuxalk Nation hereditary government which led to the removal of survey tape by these two groups in forests in the Bella Coola region near the Talyu Hotsprings. The reports outlined that the logging in these traditional areas by Interfor was illegal. Greenpeace dropped the studies at the Interfor office and at the Ministry of Forests office in Bella Coola with a letter demanding a ban on logging at the sacred Talyu Hotsprings³⁶. The Talyu Hotsprings are the last remaining hotsprings out of three on Nuxalk territory that have already been logged. The Nuxalk Heritage Project demonstrated through archaeological evidence and carbon dating that the Nuxalk Nation has used the Talyu Hotsprings for over 1000 years (*ibid.*)

3.5.2 Ista 1995

The second major direct action protect took the form of a blockade in autumn 1995 at a place called Ista. This Nuxalk sacred site is on King Island situated 50 kilometres southeast of Bella Coola between Dean and Burke Channels. The Nuxalk name for King Island is Nuxalkmalus, is part of Nuxalk traditional territory and, “is still used today for food gathering, fishing, hunting, spiritual ceremonies” (M7).

Nuxalk Elders, families, and NGO representatives from FAN occupied this traditional site in September 1995 (Figure 11) as an act of protection against clear-cut logging by Interfor. There were about 25 protectors left at Ista when 41 RCMP officers arrived 35 miles from the Ista blockade (*ibid.*). The current head hereditary chief of the Nuxalk Nation was present and in our interview, told me that the RCMP came to Ista with weapons and supplies while the protectors were without weapons, sang traditional

³⁶ <http://forests.org.archive/canada/illogbc.htm>

songs, and asked the RCMP to remove their guns before climbing onto the island (Nuximlayc Interview August 7, 2003). A Greenpeace press release states that the excessive use of force by the RCMP was, “another example of the cops and loggers relationship between the British Columbia government and the transnational logging corporations which they serve” (*ibid.*). The RCMP arrested 3 hereditary chiefs, Nuximlayc, Qwatsinas, and Slicxwliqw, as well as 19 other supporters including Nuxalkmc, their Heiltsuk neighbours from Bella Bella, and NGO representatives on September 26, 1995. This is one case where there was solidarity from the neighbouring native community and NGOs with the Nuxalk Nation and its traditional government in the defence of their territory and traditional way of life on that land.

Figure 11: Ista Protectors 1995



Source: <http://www.nuxalk.org/images/istacrew.jpg>

The hereditary chiefs were released from jail and their hearing was scheduled for January 22, 1996. They did not appear in court because the judge refused to hear their

position on sovereignty and jurisdiction³⁷, the B.C. Supreme Court conducted the trial *in absentia*, and warrants were issued for their arrest³⁸.

3.5.3 Ista 1998

In June 1997, Interfor was given another letter dated May 29 from the head hereditary chief stating, “we are not involved or negotiating under the B.C. treaty process... You must consider this as a notice to your company to leave our forests alone” (M6). This evolved into the second act of protection against clear-cut logging at Ista. For this act of protection, representatives from NGOs including Greenpeace, FAN, Peoples Action for Threatened Habitat (P.A.T.H.), and Bear Watch were invited to support the Nuxalk Nation. As well, Band Council members from the Nuxalk Band Council and neighbouring native nations including the Heiltsuk, Kitasoo, and Owekeeno Nations were asked to help in the stand against logging (M6). By June 6, 1997 there were about 60 people at Ista and logging was stopped temporarily. Interfor served an injunction to the Nuxalk Nation and the traditional chiefs reacted by giving serving notice to Interfor that they are trespassing on Nuxalk Nation territory on June 9th, 1997 (M10). On June 10th, 1997 the Supreme Court of B.C. issued a civil court injunction to Interfor and an enforcement order that allows the RCMP to begin their arrests (M14). In April 1998, 18 non-Nuxalk protectors had their trial. Four of those activists were from Germany, Ireland, Belgium, and Canada and they each received 21 days in jail while the remaining 14 were given suspended sentences (M26). On February 12, 1999 the six members of the Nuxalk Nation were given suspended jail sentences and two years probation for their involvement in the Stand at Ista (M26).

³⁷ <http://www.ammsa.com/classroom/CLASS1JUSTICE.html>

³⁸ <http://www.bcgreen.com>

In April 1998 and February 1999, chiefs, supporters, and members of NGOs were sentenced, “for their efforts in preventing International Forest Products from clear cutting an ancient rainforest valley in the Great Bear Rainforest”³⁹. In court, one hereditary chief stated, “I am charged with contempt of court, yet there is continuous contempt of our culture, our heritage, our lands and our rights. Logging companies coming to our land without our consent show contempt of our laws, our land, our people” (*ibid.*)

3.5.4 Corporate Profiles

A third act of protection and act of resistance was the posting of profiles on Polaris Minerals Corporation on the Nuxalk Nation’s House of Smayusta website in 2001⁴⁰. Now these profiles are having an impact at the corporate level as well as in the international alliance networks that the Nuxalk have formed since the 1990s. These profiles outlined the activities of the major corporate executives working for Polaris Minerals, a company heavily involved in the proposed aggregates project in Nuxalk territory. The profiles that were on the website listed the human rights abuses that certain multinational companies had committed and the role that these executives had in the company. One hereditary chief is currently being sued for putting profiles of Polaris Minerals corporate executives on the Nuxalk Nation website. A month earlier, the chief was told to remove the profiles and he now believes that his failure to remove the profiles lead to his being sued. He told me that once various indigenous groups and NGOs heard about the order to remove the profiles, he had more than 50 offers to host the profiles on the groups’ respective websites so that the general public could still access them. He had informed some of these groups via e-mail and they had responded by offering to also use the Internet as a tool for empowerment through education (Qwatsinas Phone Conversation October 27,

³⁹ www.nuxalk.org

2003). Even though the profiles were removed and re-located to other groups' websites, the chief was informed that he would be sued for defamation anyway. After telling me this, he said, "So, I'm going to put them back on anyway if they'll sue me just the same" (Qwatsinas Phone Conversation May 27, 2004). Some conflict could result within the traditional government, however, as the head hereditary chief wants the hereditary leadership to "back down" after the lawsuit was launched (Qwatsinas Phone Conversation May 27th).

3.5.5 Farmed Fish: Labelling

A fourth act of protection was the road blockade established to stop the transportation of farmed fish through Nuxalk territory (M31). More acts of protection took place in April 2003. One took place in Vancouver, British Columbia. Hereditary Chief Qwatsinas along with other members of the Nuxalk Nation (Figure 12) entered a "Real Canadian Superstore" and put labels on the packaged fish reading "Farmed and Dangerous" as a public awareness campaign (M32).

⁴⁰ http://www.nuxalk.org/html/polaris_profiles.htm

Figure12: Nuxalkmc Label Farmed Fish at Real Canadian Superstore in Vancouver, B.C.



Source: http://www.nuxalk.org/fishfarms/superstore_qwatsinas.html

At the same time, supporters went to the Supreme Court House in Vancouver to hold banners as a solidarity act with the labelling of the farmed fish (M32). In the same month, Nuxalkmc demonstrated at a Safeway on a busy street in Vancouver.

3.5.6 Farmed Fish: Roadblock

Finally, in May 2003, members of the Nuxalk Nation successfully stopped transportation of more farmed fish (Figure 13) through Nuxalk territory from Marine Harvest fish farms in neighbouring Kitasoo. The sentiments among the Nuxalkmc are that farmed fish is dangerous for human consumption (M32) but is also dangerous for the fisheries. One press release states, "each truck carries approximately 32 000 pounds of

Atlantic farmed salmon. Three trucks twice a week. Farmed fish valued at approximately \$100 000 per truck. Wonder why the price of the natural stock is low. Farmed salmon not only destroys the Nuxalk way of life but also the commercial fishers” (M35).

Figure 13: Nuxalkmc Farmed Fish Roadblock



Source: <http://www.norwatch.no/images/medium/260.jpg>

“Humans have so many bureaucracies to manage the resources, environment, the lands, water, trees, salmon, wildlife, and the marine life, but still fail to speak for them. The bureaucracies and all their skills, wealth of education, degrees, have failed to adequately take care of them”

Chief Qwatsinas – Nuxalk Nation - August 6, 2003

CHAPTER 4. THREATS, CONFLICTS, RESISTANCE, EMPOWERMENT

As outlined in Chapter 3, the area around Bella Coola has become the focus of several major resource extraction projects (i.e.: forestry, aggregates) sponsored by partnerships between the provincial government and multinational corporations especially within the last two decades. These have met with resistance from various factions of the Nuxalk Nation who, never having ceded their territory through treaties or otherwise, retain strong attachments to this land.

Colonization was based on creating political ascendancy as the framework for the subordination of First Nations people. This relationship reinforced the false dependency of indigenous people on colonizers. In the words of one Nuxalkmc, “The Canadian government has us where they want us. We have a lot of dependency on them. For money, as a community. So they got full control of us. Also through the Indian Act, through legislation, they basically tell us how to breathe” (Pootlass Interview August 4, 2003). Taiaiake Alfred states, “The hard truth is that many of those who hold positions of authority in Native communities have come to depend on the colonial framework for their power, employment, and status” (1999:27).

As discussed in Chapter 3, colonial policies led to the division of the people from their heritage and values that were inherently connected to the ties with the land. The youth are the majority in Bella Coola and could potentially constitute the future generation that is more active, frustrated, and resistant against cooperating with the

government towards goals that will not satisfy them. Lattas argues that the younger indigenous generations use a 'resistance model' rather than a 'persistence model' used by their Elders (Lattas 1993: 245). In Bella Coola, it seems that the youth are indeed frustrated and resistant although there is no formal organizing amongst with overt immediate intentions to protest or resist.

Manifestations of strife, both within the Nuxalk Nation and between them and outsiders, have resulted from differing opinions on how to develop natural resources, involving outside NGOs, as well as how to resist encroachment. The following chapter will be divided into two main sections. The first will contextualize why the Nuxalk Nation's control of their resources has been limited by the Indian Act and how this has underscored their ability to protect their rights in the face of outside industrial interest. This has also contributed to their present refusal to enter the treaty process which will also be covered in this first section. Within this first main section, we will examine how the threats and conflicts are perceived from a Nuxalk perspective and how internal conflict has taken place between the two governing structures in the Nation. The second half of this chapter will outline the strategies that the traditional government of the Nuxalk Nation has employed to counteract these external threats as well as the reasons why such strategies have been chosen.

4.1 The Indian Act and the B.C. Treaty Process

Avis Little Eagle elaborates on the struggle of the Nuxalk against logging and states:

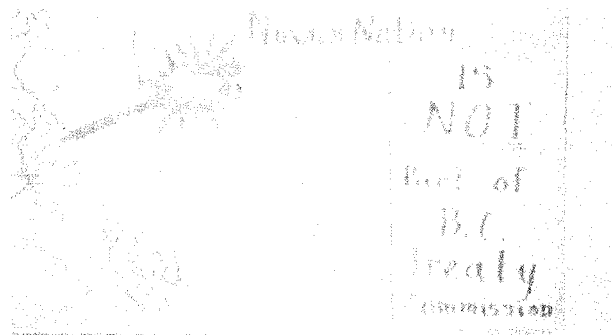
They contend the logging company, the British Columbian and Canadian governments have no jurisdiction on their lands...They are challenging the Indian Act, which governs other Native peoples of Canada. The Nuxalk traditionalists say the Canadian government is assuming the Nuxalk must abide by the Indian Act, and they refuse to recognize the act (Lobo & Talbot 1998: 449).

In the words of one Nuxalk informant,

The treaty process is like apartheid. The DIA is just a bunch of crooks. Like what happened at Enron. Then they have control, and who do they control to control us? The Band Council. Blackmail happens when they cut the money off. The Band Council doesn't let the people know what is going on. Some of our own people are 'yes men' to the DIA [Department of Indian Affairs] (Nuximlayc Interview August 7, 2003).

Some members of the Nuxalk Nation believe the Western legal system and the BC Treaty Process are not appropriate for redress by Nuxalk for three reasons in particular (Figure 14).

Figure 14: Nuxalk Poster in House of Smayusta



Source: Fieldvisit August 2003

The first is that Nuxalk laws are inconsistent with Western laws and legal system in general. Nuxalk believe that the Canadian court system is incapable of ruling on Nuxalk rights as defined by their own traditional law. Also, they have stated that the Canadian justice system has been used to discriminate against them. In one report, it is stated:

When indigenous people are confronted with excessive force in violating federal and provincial laws, such as the Fisheries Act or court injunctions, *criminal and other charges are usually laid immediately*. In contrast, non-indigenous people violating the same laws (and without the defense of Aboriginal title or rights) do *not* meet with excessive force, and often *receive a warning or are charged with a summary offence and ordered to pay a fine* (CERD Response Report 2002)

The Nuxalk Nation has never ceded its territory through war or signed a treaty ceding rights or land. A statement written by the hereditary chiefs of the Nuxalk Nation to the United Nations Working Group on Indigenous Populations in 1994 states:

The Nuxalk people do not want a settlement of their Aboriginal Title and Rights which in any way reflects a termination nor do they want a final cash-for-land settlement. The Nuxalk people want recognition and acceptance of their Aboriginal Title and Rights within the international world community. If colonialism was eliminated then the Nuxalk people can get recognition for their Aboriginal Title and Rights they hold to their Nuxalk territory, a new modern state will take its rightful place. The Nuxalk people, as indigenous peoples from time immemorial, are born with their inherent Aboriginal Title and Rights to all their territorial lands, waters, air and all its natural resources. That is what it means to be Nuxalk people⁴¹.

The second reason why the Nuxalk Nation has refused to enter into treaty negotiations is because some members of the Nuxalk Nation also believe the provincial and federal governments obscure information and fail to comply with their promises to Nuxalk as well as international conventions they themselves have signed. They have stated that Band funding is used as a tool for control. In one report, the United Nations High Commissioner for Refugees (UNHCR) stated that the Comprehensive Claims Policy (CCP), British Columbia Treaty Commission (BCTC), and Specific Claims Policy (SCP) seek to extinguish Aboriginal title (UNHCR 1999). There were three votes held in the Nuxalk Nation as to whether or not they wanted to become involved in the treaty process and they voted “no” each time. As one explanation for why they did not want to participate, one informant said, “The Nuxalk had very few resources in this process. There was no money for travel, research. The BC Treaty Commission and others involved had \$100 000 salaries, cars, travel budgets...The process is supposed to be open. Instead it was positional and rigid. Issues could not be discussed if they weren’t ‘on the table’. It was a smokescreen” (Nusqimata Interview August 1, 2003).

The third reason expressed by Nuxalkmc for not recognizing the BC treaty process is that economic interests on the part of government and industry have overridden obligations to groups like the Nuxalk in the past. This has constituted a form of economic racism (Qwatsinas August 6, 2003). The power imbalance between indigenous groups, multinational corporations, and governments affects Canada's indigenous nations very seriously and directly because these agreements often entail resource exploitation on their land and have historically subjugated indigenous rights and interests.

There have been impacts of the Nuxalk Nation's refusal to recognize the treaty process. For instance, Ronald Irwin, a former federal Minister of Indian Affairs and Northern Development, expressed in the late 1990s that he feared Nuxalk resistance had contributed to tension within other First Nations in regards to treaties and made the process harder (Eagle 1998: 449). One member of the Nuxalk Nation Band Council supports the Nuxalk Nation's reluctance to enter into the treaty process and states that, "It is a strength in that they have never taken money from the government as part of the treaty process; they haven't gone down that road" (Renaud Interview January 11, 2004). In a phone interview, a federal treaty negotiator admitted that, although in his opinion there are benefits to entering the treaty process, there are also drawbacks in that once an indigenous group enters the treaty process, "there is no going back. They have essentially recognized the process as valid and legitimate. There is also a lot of bureaucracy for these groups to face" (Smith Phone Interview June 10, 2004).

⁴¹ <http://www.cwis.org/fwdp/Americas/nuxalk.txt>

4.2 Current External Threats: Nuxalkmc Perspectives

One Nuxalkmc said the Band Council was under the impression that, even after signing onto the Environmental Assessment stage of the rock quarry project, they could pull out at any time. She goes on to say that once this company starts putting time and money into the project,

It will be virtually impossible for the Nuxalk to have any effective objection to the project. If we tried to get an injunction to stop Polaris Minerals in the future, a judge will weigh the time and money that they have put into the project against Nuxalk interests. Judges seem to understand the old mighty buck more than aboriginal interests, so rather than interfering with Polaris Minerals' profits, the judge would likely allow them to follow through with the project, while Nuxalk interests would be screwed (Nusqimata E-Mail Oct 11, 2003).

A deep-sea port would have longer-term use but would involve docking large ships in the inlet and causing changes in the migration of the salmon in the area. As well, there were concerns expressed to me about discharging ballast water and general increases in pollution that could take place as a result of increased sea traffic (Renaud Interview January 11, 2004). As Bella Coola is one of three places where the highway meets the ocean, a deep-sea port located there would be very popular with neighbouring communities and companies on the Plateau and Interior of British Columbia. Bella Coola is located in a narrow inlet and therefore the impacts of a rock quarry and port are potentially immeasurable because this area provides a habitat for much of the wildlife as well as encompassing key salmon spawning grounds. In the opinion of the economic development officer of the Band Council, in economic terms, the community could only benefit for a limited period of time from the installation of a rock quarry as there is only a limited amount of rock that can be blasted from the side of the mountains in the surrounding area but the environmental effects could last forever (*ibid.*).

4.3 Internal Strife

Unfortunately, there seems to be two levels of tension in the Bella Coola region. The conflict does not seem to reach too deeply into the personal lives of the people, with a few exceptions. Most have seemingly separated the tension that exists as a result of their “politics” and underlying feelings of nationhood that are set apart from the outside conflict. One level of tension seems to be the differing opinions on resource development in the valley. The other predominant level of tension is the internal strife between the elected Band Council and the Nuxalk Nation hereditary chiefs that occupy the House of Smayusta.

4.3.1 Community Tensions

The first level is the tension created between some Nuxalkmc who do not support logging and similar initiatives and some of the non-Native people in Bella Coola. There seems to be community strife as a result of conflict between extractors or those who support extraction schemes and those who opposed development within the community. For instance, as discussed previously, certain corporate executives of resource development corporations have launched legal battles against project opponents.

A second example is demonstrated in the comments of a non-native resident of Bella Coola and ex-wife of a retired logger. She states, “What the Natives and the media portray is not necessarily the truth. You get from life what you put in and the Natives just have too much self-pity. Self-pity is worse than cancer. Everything is just given to them. Their problems can be attributed to laziness and self-pity” (Non-native resident Interview August 7, 2003).

It should be noted that there is difference between the Native and non-native people in the Bella Coola Valley in terms of relationship to the land. As it is stated in one

report, “Though job losses in the resource sectors have had an impact on the community at large, the effect on the Nuxalk has been greater as they rely more heavily on the resource sector than the non-Native population in the region”⁴². Alfred also discusses the differences between the native and non-native use of the land. He states, “The situation now, and in the framework of conventional economic development models, is that a small minority of the white population of the earth go far beyond sustenance to take extravagant wealth from indigenous lands...The modern reality demands that indigenous people use the land much more intensively than their ancestors did” (1999: 61).

4.3.2 Traditional and Elected Governance

At times, there are divergent goals of each form of government and this has created strife within the community as questions of legitimacy and representation play a large role in the daily lives of the community. Each of the Nuxalk interviewees who were not part of the Band Council referred to the Band Council as a kind of extension of the federal government and it was for this reason that they believed the Band Council would not necessarily have Nuxalkmc interests as the top priority. They were perceived to be acting on behalf of the federal government as they were created through the Indian Act and were seen to be malleable to federal money. This led me to believe that the tenuous relations within the community may be partly due to the perceived imposition of a foreign system of governance.

A major source of conflict in Bella Coola is the tension between the potlatch system (part of Nuxalk traditional life) and the Band Council system as two forms of governance. The potlatch system manages, “every aspect of Nuxalk society including such social, cultural, educational, economic, political, legal and spiritual activities which were always carried out in harmony with all the other natural resources within the Nuxalk

⁴² <http://www2.sfu.ca/cedc/forestcomm/fcbbackfile/communities/bccp.htm>

territory”⁴³. It is this traditional form of governing through the potlatch system that the House of Smayusta supports. The federal Indian Act included, as one of its goals, the abolishment of the potlatch system. According to the head hereditary chief of the Nuxalk Nation, “The Canadian Indian Act system through the elected chief and council (Band Council) is being used to collaborate with the Canadian and the British Columbian bureaucratic system to destroy our resources and our lands” (Little Eagle 1998: 450). According to Alfred (1999), “The fact is that neither the state-sponsored modifications to the colonial-municipal model (imposed in Canada through the Indian Act and in the U.S. through the Indian Reorganization Act) nor the corporate or public-government systems recently negotiated in the North constitute indigenous governments at all” (3). For those same interviewees mentioned earlier, the Band Council represents the federal government’s attempts to abolish the potlatch system and impose their own form of governance arrangement. These are the perceptions that contribute to tension between the elected Band Council system and the hereditary chief system.

According to Hipwell (1997), there is a history of conflict within the leadership of the Nuxalkmc (15). Various sources of conflict are outlined in one report on the health of the community. These sources of conflict include differences in opinion regarding Nuxalk leadership and environmental and economic policy. As well, the agitation of outside forces including environmental groups creates discord because they, “unwittingly side with one group against others, when underlying beliefs about the environment and about resource management across the whole community are actually fairly similar”⁴⁴. The strife within the community is probably more representative of unresolved political divisions instead of community vision. Many Nuxalk people feel that energy is being

⁴³ <http://www.cwis.org/fwdp/Americas.Nuxalk.txt>

wasted on internal political battles rather than issues of more importance in the real lives of the people⁴⁵. Speaking about the two forms of government, one Band Council member states:

I think they both (House of Smayusta and Band Council) have the opportunity to represent the people. Unfortunately, there's a certain amount of mistrust and the Band money is Federal government money. The House of Smayusta does not benefit from that... There may be a sense that the Band Office is working for the government and that's seen as a threat but I hope not (Renaud Interview January 11, 2004).

According to Alfred, the spectrum of indigenous cultural identity has four main points. In the spectrum, the Traditional Nationalist constitutes the hereditary leadership in the House of Smayusta. A Traditional Nationalist may pursue other recourse for addressing grievances than what the state can offer based on their no-compromise approach. He states, "The Traditional Nationalist represents the values, principles, and approaches of an indigenous cultural perspective that accepts no compromise with the colonial structure" (1999: 32). If the Traditional Nationalist does not participate in any way with the 'colonial structure', one could assume that they bypass the state and find alternative ways to seek justice.

A Nuxalkmc speaking about the respective roles of each government states:

The House of Smayusta maintains a strict, no-compromise situation when decisions are to be made within the utilization of our resources by outside third party interests (government, corporations, etc). The sovereignty of our Nation remains unceded to any government level. Thus, the responsibility of any decisions made in the utilization of our resources remains with the Hereditary System... The Band Office is set up within the parameters of the federal government and its Department of Indian Affairs policies. It is viewed that this system is only to deal with three components of monies allocated annually, namely, Health, Education, and Welfare. No mandate exists that the Administration office has any authority to deal with land question

⁴⁴ <http://www.fourworlds.ca/pdfs/NuxalkPlan.pdf>

⁴⁵ <http://www2.sfu.ca/cedc/forestcomm/fcbbackfile/communities/bccp.htm>

matters. However, more and more government programs are being initiated to bring the participation of our people, throughout fisheries, and forestry sectors of practices within our traditional territories, the most evident being the Integrated Resources Office. It is very important for our own people to become educated within these resource sectors to fully understand what is being done with our natural resources, and how to utilize them in a sustainable matter. However, there remains a view that becoming involved at any of these provincial and federal levels of management, without any said 'treaty', may prove to be a threat to our sovereignty in the future" (Morton Interview January 14, 2004).

4.4 NGO Involvement: Helpful or Intrusive?

In the 1990s and into the 2000s, Nuxalk government, environmental organizations, multinational companies, the RCMP, and the government of British Columbia were involved in disputes over land and resource control in the mid-Coast region encompassing Bella Coola. The chiefs from the House of Smayusta asked certain environmental organizations to involve themselves in the struggle for Nuxalk control of resources in their territory. It is generally known in Bella Coola that the Band Council was not in support of inviting the environmental organizations into the resistance process. According to a Nuxalk woman:

Band Council followers perceived the environmental groups as taking over. They were seen to be taking over ownership of the process, not allowing Nuxalk ownership in fighting for *their* land. The environmental groups were making decisions without consent or consultation... This split made for high tension levels within the Nuxalk Nation. It is a less sensitive issue now but still stresses people (Nusqimata Interview August 1, 2003).

Another said, "A split of opinion concerning the entire Nuxalk population became evident. People were offended that the Hereditary Chiefs were speaking for the entire Nuxalk population when they themselves were not even 'consulted' of this matter"

(Morton Interview January 14, 2004). The general feeling among informants was that high levels of social tension resulted from the different approaches taken.

I spoke with the head hereditary chief about some of the more significant acts of protection. The statement that follows reflects issues like community/social support for NGO involvement with the Nuxalk Nation, sharing resources and experience, and the importance of non-violence. Chief Nuximlayc stated:

We made sure we have a protocol with four or five organizations like BearWatch, FAN, and Greenpeace so that things can work. We had to let them know they're not here on their own and they need permission to do things. The Elders were quite concerned. They wanted to make sure the protocols were non-violent and for the protection within our land. There was to be no violence, swearing, or bad words...The groups were right there for us and they knew how to do things like raise money. Not every group thinks alike but we're all human beings nonetheless (Nuximlayc Interview August 7, 2003).

A powerful statement was made in one interview about the involvement of the NGOs:

Those NGOs or those environmentalists that helped us, helped us in the sense that they represent the humanism-they have human parts, they have humanity in them...We tried [without NGO alliances] to get media attention and they shunned any presentation, any press release we put out. Since we aligned with NGOs, other groups, the word gets out, the international movement happens. The alliance with those environmental communities, or the NGOs extended our voices, strengthens our position as indigenous people because they acknowledge and recognize it (Qwatsinas Interview August 6, 2003).

This statement expresses what Taiaiake Alfred refers to in his perspective of the indigenous conception of nationhood. Alfred states,

Whereas the human-earth relationship is structured by the larger forces in nature, beyond the capacity of humans to change, the human-institution relationship gives rise to an active responsibility in human beings to use their own powers of creation to achieve balance and harmony. Governance structures and social institutions should be designed to empower individuals and reinforce tradition in order to maintain the balance found in nature (1999: 62).

The alliances that formed during crucial points in recent Nuxalk history have been varied and, at times, controversial. One could say that those alliances have benefited the Nuxalk Nation by way of broadening their experience through travel and interaction. A representative from one NGO stated,

Our group works on requests from local communities, indigenous as well as non-indigenous and we were informed about the Nuxalk struggle for recognition of their rights as well as trying to stop the destruction of the temperate rainforest. Then we got in touch, I came to visit, and we organized a tour for Nuxalk representatives to a number of European countries in 1997. It just evolved from there (Kill Interview January 5, 2004).

The question of accountability, as discussed in chapter two, plays a large role in the involvement of these various groups. For instance, a representative from the Sierra Legal Defense fund stated, “If the agencies charged with the task of protecting salmon streams fail to do their jobs, individuals and citizens’ groups have the legal right to intervene...”⁴⁶ This is demonstrative of the attitude of certain NGOs in order to ensure accountability. It seems that the Nuxalk Nation’s traditional chiefs asked for cooperation to ensure accountability and visibility for the general public.

4.5 Empowerment Strategies

Both local governments and some members of the community in Bella Coola have developed strategies to mediate forces of globalization. There is a combination of strategies that the hereditary chiefs from the House of Smayusta (traditional Nuxalk government), in particular, have employed to counter or reverse the effects of globalizing economic processes. There has been a degree of local activism and outreach within Bella Coola. Appeals to international bodies and the international community at large have been made by the House of Smayusta to solicit attention and resources for Nuxalkmc

⁴⁶ <http://www.bcen.bc.ca>

empowerment. Non-violent direct action has been a major source of empowerment as well as a primary strategy in the Nuxalk Nation's struggle for land and resource control.

4.5.1 Local Activism and Outreach

On the local level, there does not seem to be much outreach, program planning or planning for activism. If there is planning for any activity relating to demonstrations or activism, it is very dispersed within the Nuxalk community i.e.: through the school, through the House of Smayusta, groups of friends, small meetings. For instance, there have been various community meetings at the Nuxalk Nation Lobelco Hall which is used as a gym and as a reception hall for feasts or assemblies⁴⁷. One representative from an environmental organization stated he was confident in the hereditary chiefs' use of the international arena to further their goals but was not as confident in their ability to rally local support and inform local opinion (Gregg Interview September 23, 2003).

Some Nuxalkmc are very engaged in the politics of rights, and environmental activism while others do not seem as interested. Others are committed to being disengaged because of complications involving family ties/politics, or frustration with past experiences of resistance or because they are, "so caught up in surviving, there is little time for anything else" (Nusqimata E-Mail October 14, 2003).

4.5.2 International Appeals and Alliances

The use of information technology has been a driving force in establishing alliances, organizing protest, education, and outreach. This thesis is one example. My first research source was Nuxalk House of Smayusta press releases which I obtained online from the Nuxalk Nation website⁴⁸. These outlined their position in various

⁴⁷ www.nuxalk.org

⁴⁸ www.nuxalk.org

struggles. I contacted, via e-mail, many of the Nuxalkmc with whom I later conducted interviews. Throughout my research, I have maintained online contact with most of the informants and was directed by them to other groups' websites and websites of interest. Much of my information gathering and education on this topic was in fact derived from online sources and communication through e-mail. I came across petitions by First Nations organizations related to various issues on which they were seeking support, for instance from the Turtle Island Network⁴⁹.

The Nuxalk Nation's international exposure and international alliances has taught some of the chiefs how to attract international attention. The rhetoric surrounding environmental struggles, as well as human rights cases, appeals to the international community and, at the same time, shames the antagonist. For instance, in the Polaris Minerals profiles case, the Nuxalk hereditary chiefs succeeded in appealing to the international community because 50 other groups (mostly native groups and non-governmental organizations) offered to host the profiles on their websites after learning of the lawsuit against the House of Smayusta through online contact (Qwatsinas Phone Conversation October 27, 1993). Although these profiles are no longer accessible through the Nuxalk Nation website, they are accessible through another website⁵⁰.

In my first interview with chief Qwatsinas, he told me that whenever he speaks at international conferences he reiterates certain points. The following is an example of a point he repeats to international audiences when he gives lectures:

I think that the bottom line is to say that we're a people, we have our language, we have our own land base, we have our own religion, we have our own laws so we constitute a nation as a people and we have a right to self-determination under international law. Canada has signed on to 544 covenants, international covenants, they still have yet to live up to one of them and when they do it, we

⁴⁹ www.turtleisland.org

⁵⁰ <http://www.geocities.com/polarisminerals/>

better celebrate. It's amazing how they can put a face on, paint a face for the international public and that's really not Canada's face, it's a pretend face. (Qwatsinas Interview August 6, 2003).

Along similar lines, when I attended the 2003 World Forestry Congress in Québec City, Shuswap Nation Tribal Council Chief Nathan Matthew stated,

I am aware there are people here from all over the world and that's why I'm standing here now to say that we are *not* happy with the B.C. Treaty Process. I want everyone to know that and bring it back home with them because they may think otherwise from what this man (Larry Peterson - B.C. Chief of Forestry) here says (World Forestry Congress 2003).

These prior examples both demonstrate how the rhetoric used in an international forum may be used to shame the antagonist and appeal for international solidarity and attention at the same time.

In regard to the Nuxalk struggles against logging on their territory, the Unrepresented Nations and Peoples' Organization (UNPO) has conducted investigations into the case of the Nuxalk Nation to decide whether there have been human rights violations against them. UNPO actually represents groups that are not adequately represented by other international organizations such as the United Nations (Little Eagle 1998: 450). The head hereditary chief of the Nuxalk Nation stated,

Within our territory there are so many forests destroyed and logged out, affecting so many species where corporations clear-cut these logs...Every time they clear-cut, there are landslides affecting the places where we picked medicines, plants, berries for food. They continually clear-cut in our territory over probably 90-100 years. Even out in the inlets where they clear-cut is where our crabs and halibut are. This also destroys our culture and beliefs. We have our own places where people migrated to fast and pray, what is up there is spiritual. We were born with it and lived with it. They cut the areas where our smayustas (stories) are (Nuximlayc Interview August 7, 2004).

4.5.3 Non-violent Direct Action

The use of non-violent methods in seeking justice is consistent with Nuxalk cultural values. When I asked the head hereditary chief why they protested the logging of a sacred site in 1995 using non-violent direct action he said “We were ‘protecting’ not ‘protesting’ for our sacred land”. (Nuximlayc Interview August 7, 2003). Another chief said, “We’re brought up as a people to push away the anger and approach the non-violent aspects to our resistance, to any encroachment, infringements on our rights, our culture, our connection to the land because, I mean, what is there? It’s violence against the land, violence against the environment” (Qwatsinas Interview August 6, 2003). This echoes Alfred’s views on how justice is conceptualized in indigenous cultures and how the use of power is deemed just or unjust based on different criteria than the Western system. He states, “The indigenous conception of justice goes beyond humanism and environmentalism to touch the realm of the spirit. It considers each natural element in the universe to have an integral power and purpose that must be recognized and respected” (1999: 43). If, in indigenous thought, justice is considered to be the harmony between each natural element in the universe extending to the spirit world, the dichotomy between indigenous and Western views is very apparent.

In the words of one chief, “We do have a right to protect our land because it’s our sustenance, it provides for us” (Nuximlayc Interview August 7, 2003). The Nuxalk believe they were given the duty to protect the environment by Tautau, the Creator (*ibid.*). One chief said,

I don’t think it’s a legal issue. It’s a political and human issue, environmental issue where come hell or high water, the environment counts to human people. We do have human rights as any executive or corporation has and we do have religious rights, spiritual rights as a people. We do have a right to protect that land because it’s our sustenance, it provides for us (Qwatsinas Interview August 6, 2003).

The traditional government of the Nuxalk Nation has chosen to employ direct action to protect their land and resources. They use non-violent protest as a vehicle to deliver their message of resistance to the international community as seen in the summaries of their non-violent acts of protection discussed in Chapter 3. There are two primary reasons for their resistance.

The first reason for Nuxalk resistance is born of a refusal to participate in the Western legal system and leads to finding alternative ways to protect nature, cultural history, and tradition interconnected with the environment around them. The refusal to participate in the Western legal system breaks down into two separate arguments. One argument is that the Nuxalk believe in, and adhere to, their traditional law as opposed to the Western legal system as the law that governs the Nation, their duties, actions, beliefs.

It is common that indigenous groups adhere to their own customary rules about land rights (Control Risks Group 1997: 32). In the words of the Nuxalk head hereditary chief, “It is our duty through the potlatch system to protect our land. Our songs, stories, and dances remind us of these duties. Just as the RCMP and the judges enforce their law, we must enforce our laws”⁵¹. In the context of ethnonationalism, this adherence to traditional law is based on either a primordialist and/or instrumentalist viewpoint. In ethnonationalist theory, primordialism sees ethnic nationalism as, “a manifestation of a persisting cultural tradition based in a primordial sense of ethnic identity” and the instrumentalist perspective treats it as, “an exercise in boundary maintenance” and sees group mobilization as an instrumental response to differential treatment (Gurr 1993a: 167). According to Gurr, communal groups including indigenous groups like the Nuxalk

⁵¹ www.nuxalk.org

may be in fact using both primordialist and instrumentalist manifestations in their mobilization and strategies (*ibid.*).

The second reason for refusal to participate is the expression or manifestation of resistance of the colonialist institutions and practices that are believed to be propagating assimilation and extinguishment policies. Alfred summarized this approach, “To argue on behalf of indigenous nationhood within the dominant Western paradigm is self-defeating. To frame the struggle to achieve justice in terms of indigenous ‘claims’ against the state is implicitly to accept the fiction of state sovereignty” (1999:58). This incorporates some Nuxalkmc’ ideas that once they sit at the table with government or industry, they are essentially giving power or legitimacy to the process in question whether it is the treaty process or negotiations of other forms. As one chief said:

For a system that wants to impose extinguishment and assimilation on our people, to pass judgment on our people through their own systems, the judicial system, it’s ludicrous. I mean, if we had to open our doors in our judicial system, in our court system, then these guys would be evicted and sent back to Europe without hesitation because they violate the law of nature, violate the laws of the land (Qwatsinas Interview August 6, 2003).

Speaking of the 1995 non-violent direct action taken against logging of Ista, a sacred site, one informant stated, “Ista was initiated to make a statement of our Sovereignty to the Canadian federal, provincial, and municipal governments. Continually, permits are being granted through these government levels to outside companies and corporations allowing the extraction of our resources” (Morton Interview January 14, 2004). In response to the government’s request for a community forestry proposal from the Nuxalk Nation, the Band Council states, “Issues regarding stumpage and/land rent may be considered as prejudicial to this question of ownership. Negotiation

of a mutually acceptable alternative fiscal arrangement is deferred to the period after which the province has responded to this submission”⁵².

The second reason for the use of direct action comes from the need for an alternative method to seek justice after the Western legal system has failed to bring about justice as perceived by the indigenous groups. Many Nuxalk are frustrated with attempts at resolution by legal means because they have failed in the past and now it is perceived that only “unconventional” methods of protest may elicit change. For instance, on December 5, 1995, Nuxalk chiefs and 19 other defendants walked out of a Vancouver courtroom because Supreme Court Justice Smith refused to recognize Nuxalk sovereignty. One chief stated that the Nuxalkmc, “have exhausted all domestic efforts...our only recourse is international opinion” (Robesch 1996). Imai (1999) states, “Blockades and similar protests are used as a last resort by Aboriginal communities”, although these acts of protest may be more commonplace among communities that simply do not believe in Western legal practices. Wolfe-Keddie (1995) states that Aboriginal civil disobedience employed to reintegrate traditional lands under their own governments is, “an expression of ineffective or non-existent alternative dispute resolution mechanisms” (63). As the treaty process is viewed as ineffective by the Nuxalk Nation, this would help to explain their resistance, and its manifestation in protest.

Nuxalk representatives had discussions with a logging company from 1991 to 1994 regarding potential logging sites. In 1994 the company stated they would begin logging regardless of Nuxalk interests and input effectively putting an end to any negotiations and community participation or insight (Qwatsinas Interview August 6, 2003). One chief stated,

⁵² http://www.for.gov.bc.ca/hth/community/documents/Nuxalk_First_Nation.pdf

With all the dialogue we had and all the meetings we had, those logging companies, they just ignored it. The B.C. treaty process and the B.C. government and the Canadian government and Indian Affairs ignored it and when they ignored it, well, what's the recourse? When we were facing trial in 1995 up to 1999, there was denial there that said 'We didn't discuss anything with anybody' (Qwatsinas Interview August 6, 2003).

There is a lot of frustration resulting from cases like this one that are prevalent within Nuxalk history. It has been noted that many members of the Nuxalk Nation are, "wary of joint ventures, especially in the forestry sector, and perceive them as motivated by greed"⁵³. This frustration and wariness, based on colonialist-settler relations, has led to an increase in overt resistance to government and industry in the province and the country. Keck and Sikkink (1998) state that overcoming the suppression of information (a sustaining factor in abuses of power) can be done through networks of people (x). Overcoming the suppression of information helps, "reframe international and domestic debates, changing their terms, their sites and the configuration of participants" (Gedicks 2001: 83). It also relieves the frustration of groups that feel they are purposefully kept out of issues that directly affect them. Frustration was expressed in various interviews relating to the lack of legitimate participation opportunities for the Nuxalk Nation in provincial and corporate endeavors. For instance, when I inquired whether the Nuxalk Nation was consulted about logging plans for the CCLRMP and similar land projects, I was shown multiple boxes that the Nuxalk were sent in that storage space containing legal documents and maps outlining project components and land divisions. They were told by members of the provincial government that they could be involved in the process as long as they read through all the papers and wrote a comprehensive report with feedback within one month's time (Qwatsinas Interview August 6, 2003).

⁵³ <http://www2.sfu.ca/cedc/forestcomm/fcbbackfile/communities/bccp.htm>

In regard to the potential development of the deep sea port, one Band Council member states, “It’s easy to feel cynical about this. It’s (Bella Coola) such a pristine place that even the proponents would have to admit it’s a shame. But something is needed. There has to be an anchor. People are leaving” (Renaud Interview January 11, 2004). In one press release the House of Smayusta states that, “Jobs should stay in the valley for all the locals to be able to work. Raw logs should stay in Bella Coola, not shipped out. Short-term multinational companies like Interfor clear-cut big areas in about 5 years whereas it would take the local community 50 years” (M13). According to Hipwell, this demographic trend is, “accompanied by increasing levels of resource extraction which contribute to a growing, global environmental crisis” (Hipwell 1997: 33).

The project proponents of the rock quarry and deep sea port projects are presently bracing for protest. In the words of one community member,

I believe there will be protest against the rock quarry. There does remain a number of Hereditary Chiefs that maintain a position of sovereignty, with support of Nuxalk people who do not want to risk any threat to the ocean environment, which is viewed to be the ‘gateway’ of our salmon to our Bella Coola river. Currently, the main threat or concern would be the installation of a deep-sea port. More research, environmental studies and education are needed to fully understand the possible ramifications of such a port. Also, a contingency should be established in the event that there is a sizeable or even noticeable decline in population of our salmon population...Once again we are faced with the decision of participating within a ‘resource development/extraction’ within our traditional territory initiated by an outside third party interest. I have a concern about the level of involvement of our people. It was brought to the Band Administration that we were offered \$2 million dollars to be in direct control of an environmental assessment. A question: Do we have veto power of any particular practice of the quarry and/or the deep-sea port? If it is determined that there will be significant affects on the migration of our salmon, is there any contingency to another location of such a port? (Morton Interview January 14, 2004).

In relation to the possible construction of rock quarry and deep-sea port, one Nuxalkmc discusses the opposing perspectives:

[Band Council member] is concerned that outsiders may be brought in again (similar to what happened in 1995 with the Stand at Ista, when FAN and other groups came in, adding to current tensions in the community and strengthening the split in the community), and she [Nuxalkmc] is concerned that Council is potentially jeopardizing Nuxalk rights and territory by participating, because once the project is started, it will be nearly impossible to stop (Nusqimata E-mail October 11, 2003).

CHAPTER 5. DISCUSSION AND CONCLUSIONS

Native resistance to Western structures of governance and Western means of controlling resource management is growing. Multinational companies that operate on unceded indigenous territory are facing heightened international scrutiny and so are the governments that facilitate their entry onto the territory and support projects on the land. Native groups need to avail of unconventional strategies of empowerment to ensure that they are well positioned to negotiate their involvement in resource arrangements with government and industry.

The Nuxalk Nation is, to a large degree, resource-based. Physical impacts of resource development are compounded by cultural, social, and spiritual effects of resource extraction on their territory. Environmental degradation and threats to wildlife occur with development projects. The salmon, a staple of the Nuxalk diet and probably the most important cultural symbol for the Nuxalk, is endangered at the hands of resource extractors. Other species of fauna and flora are also at risk. The Nuxalk Nation is ideally located geographically, ideologically, and politically to serve as a model for other First Nations seeking autonomy and control of their resources. They have natural resources on their territory that are still very much intact and they have never signed on to any treaty or agreement with government and/or industry ceding rights or land. They have employed a no-compromise model of resistance which makes their position clear to the provincial government and those multinational corporations operating on their land.

The native community in Bella Coola suffers at the hand of colonial institutions and practices that attempt to ensure short-term economic viability in the community; this was reflected in the labour statistics presented in Chapter three which indicate a high level of seasonal work. Although members of the Nuxalk Nation need employment, they

have learned to be sceptical of promises of long-term employment. In past experiences, they had been promised long-term employment and long-term sustainable resource development, for instance, which were never delivered by project proponents and government agencies. Many people felt discouraged by this and yet, those who were currently involved in the struggle for autonomy, never sounded hopeless.

The Nuxalk Nation is strong, proud, patient, and extremely resilient. Although they have faced many historical and contemporary challenges, their attitude reflects their values. One chief said they were taught to push away the anger and, until I witnessed this first hand, I was typically sceptical and wondered if that was just part of the rhetoric he used to convey certain underlying principles. After spending a combined six weeks with the Nuxalk Nation, I realized that I never saw ‘anger’ as such. Even when people faced certain afflictions and threats, they never became angry. In the place of this reaction, I witnessed and heard about a more general disappointment in human nature, particularly our failure to fully value the environment and the gifts humans are given through nature. On an interpersonal level, the members of the Nuxalk Nation are very close. They are a family first and foremost. This is obvious in the daily lives of the people as well as the sense of community they have in the face of adversity and in their cultural experiences and events.

The Nuxalkmc that I interviewed were resolute in their beliefs and their strength of conviction was inspiring. As the youth is now in the majority in Bella Coola, there is recognition of the need to have these values passed on to them. The disassociation of some members of the community from cultural knowledge and values that are connected to the land is widely interpreted as a legacy of the Indian Act and more recently external resource exploitation. The impact of these on youth was noted in the “Wellness

Development Plan”, developed by Bopp and Lane: “Younger people became more and more disconnected from the spiritual core of their own culture and heritage, and more dependent on the new “cash economy” of seasonal work and, eventually, welfare dependency”⁵⁴. As Alfred (1999) states, “Indigenous nations are slowly dissolving with the continuing loss of language, land, and young people” (xv). This constitutes part of the economic and spiritual crisis that the Nuxalk people are trying to combat.

As it stands now, the House of Smayusta hereditary chiefs are heavily involved in the struggle for rights to and control of their land and resources. They are active on an international level and, to an extent, also on a regional level. Meanwhile for other members of the community, the demands and realities of more immediate concerns related to poverty, have limited their engagement in the larger struggle for land and resource rights. As one woman hereditary chief states:

I think people are so caught up in surviving, there is little time left for self-reflection on the broader scope of things. People tend to be poor, scared to leave the rez [reserve], and mostly uneducated beyond grade school. The colonial policies are alive and well, and those who do not question the system are quietly absorbed into the system of neo-colonialism – of internal colonialism...It’s difficult to bite the hand that feeds you, yet, until we do that, we will never walk on our own again...Colonial Canada is holding us in submission by dangling a few jobs to those who are able, and keeps on pumping dollars into welfare rather than education. Some people have given up; some people can only see what the government shows them, because it is familiar and safe, even though it is totally against every traditional value we have. (Nusqimata E-Mail October 14, 2003)

5.1 Potential Threats to Nuxalk Territorial Control: Rock Quarry and Deep Sea Port

The Band Council is currently debating Nuxalk involvement in the impending rock quarry and deep-sea port projects. There may be a community referendum on the issue in the near future (Renaud Interview January 11, 2004). This is a very sensitive topic for many people as most are especially concerned that they will not receive the relevant

⁵⁴ <http://www.fourworlds.ca/pdfs/NuxalkPlan.pdf>

information on impacts of the project. The House of Smayusta government is presently politically divided in regard to the lawsuit launched against one of the hereditary chiefs by executives from Polaris Minerals, the main rock quarry proponent (Qwatsinas Phone Interview October 27, 2003). Apart from this case, the traditional government holds a firm no-compromise stance about resource extraction in the territory. This is where the chiefs in the House of Smayusta are traditional nationalists, as in Taiaiake Alfred's definition (1999: 32). They will accept no compromise with the colonial structure (in this case the provincial government in conjunction with private enterprise) on these issues.

5.2 Nuxalk Empowerment

In the community, empowerment is linked to education and outreach. For the Nuxalk Nation, empowerment has signified the creation of meaningful discourse in relations with indigenous and non-indigenous groups that share their concerns. For the hereditary chiefs especially, empowerment means educating those outside Bella Coola just as much as the local community and staying strong in their beliefs by employing a no-compromise approach to industry and government whose interests are not all shared by the Nuxalk Nation. Empowerment means using the international system to illuminate activities of transgressors in order to reach the wider, global audience, share experiences, strategies, and stories. The hereditary chiefs in the Nuxalk Nation want to let other indigenous groups know how global this struggle really is as they are not the only group facing loss of wildlife habitat, biodiversity, and threatened cultural connections to the land.

The House of Smayusta aims to demonstrate through protest that the repression of indigenous concerns and needs, by government and industry, will not silence them, nor take power from them. Their resistance aims to create spaces where other groups cannot

dominate. Paterson (2000) mentions this in regard to resistance against transnational corporations (140), however in an indigenous context incorporating claims to self-determination; it is also true of resistance against the state.

5.2.1 Nuxalk Use of the Boomerang Pattern, Contagion, and Diffusion

Since the 1990s especially, hereditary chiefs of the Nuxalk Nation have extended their relations beyond the province of British Columbia, beyond Canada, and into the international world forming international alliances and making international appeals. Foucault once said, “Power in the modern age operates distinctively through knowledge in the form of discursive practices” (Dillon 1995: 324). International discourse, encouraged through globalization processes, will be necessary to find innovative strategies to combat global environmental and resource crises. The Nuxalk Nation’s traditional government has advanced international dialogue between native groups and international organizations. The contagion effects of the Nuxalk Nation are growing. Their direct actions are providing examples to other nations. For instance, solidarity campaigns have been initiated internationally in the name of Nuxalk causes including resistance to outside industrial interest. These campaigns have taken place in Europe and Canada especially but also as far away as Hong Kong (Kill Interview January 5, 2004).

The Nuxalk First Nation have benefited from contagion effects also because some groups’ actions have provided strategic guidance for them. The diffusion effects of their struggles have included the processes that expand the First nation-government-industry conflict over international borders and this has increased the Nuxalk Nation’s political influence. International organizations have aligned with Nuxalk Nation hereditary chiefs to pressure the Federal and provincial governments from the outside, in effect, creating the boomerang pattern. This First Nation is thus a good example for other indigenous

nations as they have created and maintained international alliances and used these to induce change. In this scenario, the traditional government has used the international media or information technology to solicit worldwide attention to the perceived crisis that is occurring. The boomerang pattern is generally intended to elicit a mobilization of shame whereby the government that is supposed to be accountable feels the pressure of international scrutiny and obligations to uphold a certain image for international relations' sake. Hereditary chiefs have had an important role in obtaining political leverage for the community by reaching outside domestic borders and beyond the government that is supposed to protect their interests.

5.2.2. Nuxalk Use of Non-violent Direct Action

The use of non-violent direct action has been a positive tool for the Nuxalk Nation. They have learned the inner workings of this approach through NGO alliances and the tactic itself is consistent with their way of life. The Nuxalkmc have used direct action as a tool of resistance to colonial policies and practices as well as an alternative after the Western legal system has failed. They have, in the past, sought injunctions against logging companies and tried to find recourse through the Western system, to no avail. The use of non-violent direct action has promulgated international attention from recognized and respected organizations and states alike. Indeed, one chief reported that when he gives lectures in other countries, government representatives of other nations will express their abhorrence for the Canadian government's treatment of his people (Qwatsinas Interview August 6, 2003).

5.3 Costs of Resistance

The hereditary leadership of the Nuxalk Nation consistently employs a no-compromise approach to development and they hold firm in their resistance. The Nuxalk

Nation hereditary chiefs seem willing to sacrifice their personal lives, money, and time in striving to empower their nation. The pride of the Nuxalk Nation lies in their culture which is immersed in the natural environment and beliefs in community and traditionalism. It is part of Nuxalk hereditary traditional law to protect the land. The historical and more recent failure of conventional means of seeking justice have prompted the Nuxalk to seek alternative ways of asserting their rights and interests. Through my interviews and observations, I came to realize that the Nuxalk pay a great cost for their resistance. For instance, many of the hereditary chiefs do not take welfare distributed by the Band Council on behalf of the Federal government because they oppose the system propagated by the government. They therefore live in poverty. As well, hereditary chiefs and elders have been arrested and imprisoned for protecting ancestral lands.

Why does the Nuxalk Nation in general and the traditional government in particular, choose to pay the high costs of resistance? They pay through their resistance in return for empowerment and for the hopes of a more secure, and therefore better, future. The Nuxalk Nation believes they are empowered through the choices they have made and actions they have taken. Based on a Nuxalk interpretation, the hereditary chiefs have played a role in empowering the Nuxalk Nation in the face of resource crises using skills, contacts, and strategies they have acquired.

5.4 Current Challenges

As some local community members disengage from political struggles, in part because of their disillusionment with the political alignments of the 1990s, a major challenge exists to motivate the community through education and outreach. On a positive note, some of the contemporary international networks between hereditary chiefs

of the Nuxalk Nation and other groups may be attributable to those local political community divisions of the 1990s. For instance, the traditional government reached beyond domestic borders to form alliances perhaps because they could not rally enough local support. These ties they have created and maintained are beneficial for the community in trying to enforce accountability of private and government bodies through international public opinion and pressure. As the planning for any form of activism is dispersed within various segments of the community, consolidating the strength of the people would create a larger force of resistance and a greater source from which to take action.

Despite tensions within the community at the level of the Band Council and the hereditary chiefs, personal relations among Nuxalkmc do not suffer as a result of differences of opinion and approach with respect to natural resource extraction schemes. There is a very strong sense that all Nuxalkmc are family when all is said and done. An essential component in maintaining this sense of community solidarity is the need to revive interest and involvement in traditional activities among younger generations in Bella Coola. This is also a precondition to their future involvement at the international level continuing the efforts of contemporary Nuxalkmc.

The struggle for the Nuxalk Nation is far from over. In a provincial context where so many native groups have signed on to the treaty process and are negotiating land claims, it is hard for the Nuxalkmc to keep their no-compromise approach. What is infallible is the strength and pride of the Nation and the fact that, so far, they have not strayed in their commitment to traditional values and the environment, no matter the cost.

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APPENDIX A

PRESS RELEASE LABEL	PRESS RELEASE TITLE	WEBSITE
M1	Nuxalk Nation Hereditary Chiefs Special Flyer Sept. 10, 1995	http://www.nuxalk.org/html/press10.htm
M2	Nuxalk Nation House of Smayusta Press Release Sept. 16, 1995	http://www.nuxalk.org/html/press16.htm
M3	Statement made by: Hereditary Chief Slicxwliqw (Charlie Nelson) from the Pretrial Jail in Vancouver Sept. 27, 1995	http://www.nuxalk.org/html/jail_cn.htm
M4	Statement made by: Hereditary Chief Qwatsinas (Edward Moody) from the Pretrial Jail in Vancouver Sept. 27, 1995	http://www.nuxalk.org/html/jail_ed.htm
M5	Statement made by: Hereditary Chief Nuximlayc (Lawrence Pootlass) from the Pretrial Jail in Vancouver Sept. 27, 1995	http://www.nuxalk.org/html/jail_law.htm
M6	Nuxalk Nation Press Release June 5, 1997	http://www.nuxalk.org/html/p06_05.htm
M7	Ista	http://www.nuxalk.org/ista98/oct3.html
M8	Nuxalk Nation Government Invitation to Environmentalists June 5, 1997	http://www.nuxalk.org/html/invite.htm

M9	Nuxalk Nation Press Release June 6, 1997	http://www.nuxalk.org/html/p06_06.htm
M10	Nuxalk Nation Press Release June 9, 1997	http://www.nuxalk.org/html/p06_09.htm
M11	Nuxalk Nation Government Statement to the Press by Head Hereditary Chief Nuximlayc, Vancouver, B.C. June 9, 1997	http://www.nuxalk.org/html/press18.htm
M12	Nuxalk Nation Government Statement to the Press by Head Hereditary Chief Nuximlayc, June 9, 1997	http://www.nuxalk.org/html/p06_09_2.htm
M13	Nuxalk Nation Government Message from Nuximlayc to General Meeting at Lobelco Hall June 9, 1997	http://www.nuxalk.org/html/gm_june_9_1007.htm
M14	Nuxalk Nation Press Release June 10, 1997	http://www.nuxalk.org/html/p06_10.htm
M15	Nuxalk Nation Press Release June 24, 1997 – Arrest Day	http://www.nuxalk.org/html/press17.html
M16	Nuxalk Reoccupation of the Scw7cwlk Watershed, December 1, 1997	http://www.nuxalk.org/html/pithous2.htm
M17	Latest News, July 6, 1998, Nuxalk Reoccupation of the Scw7cwlk Valley	http://www.nuxalk.org/html/pithous1.htm

M18	Press Release December 1, 1997 Bella Coola: Nuxalk Territory Re- Occupied	http://www.nuxalk.org/html/pithous1.htm
M19	Ista October 4, 1998	http://www.nuxalk.org/ista98/oct4.html
M20	Ista October 5, 1998	http://www.nuxalk.org/ista98/oct5.html
M21	Ista October 6, 1998	http://www.nuxalk.org/ista98/oct6.html
M22	Ista October 7, 1998	http://www.nuxalk.org/ista98/oct7.html
M23	Ista October 8, 1998	http://www.nuxalk.org/ista98/oct8.html
M24	1998 Youth Banner Project	http://www.nuxalk.org/html/youth1998.htm
M25	Ista October 9, 1998	http://www.nuxalk.org/ista98/oct9.html
M26	Nuxalk Chief and Protectors Sentenced	http://www.nuxalk.org/html/sentenced99.htm
M27	British Columbia Treaty Commission	http://www.nuxalk.org/html/treaty.htm
M28	Nuxalk Nation Hereditary Chiefs Special Flyer	http://www.nuxalk.org/html/press10.html
M29	Nuxalk Nation Opposes Bella Coola Aggregate Project	http://www.nuxalk.org/html/rockquarry.html
M30	Ocean Falls Protest at Construction Site of Fish Farm Hatchery Dec. 3, 2002	http://www.nuxalk.org/html/ocean_falls.html
M31	Farmed Fish Truck Stopped Dec. 11, 2002	http://www.nuxalk.org/html/fishtruckdec1102.html
M32	Nuxalk Protest at Real Canadian Superstore April 2003	http://www.nuxalk.org/fishfarms/labelled_salmon.html

M33	Real Canadian Superstore Selling Farmed Fish April 2003	http://www.nuxalk.org/fishfarms/superstore_qwatsinas.html
M34	Safeway Demonstration on April 3, 2003	http://www.nuxalk.org/fishfarms/april%203%202003.html
M35	May 1, 2003 Nuxalk Nation Stop Illegal Transportation of Farmed Salmon through Nuxalk Nation Territory	http://www.nuxalk.org/fishfarms/May%201%202003.htm

APPENDIX B

REFERRENT THEMES AND/OR RHETORIC	PRESS RELEASE NUMBER	TOTAL
Solidarity with NGOs or Native Groups	M2, M5, M6, M8, M11, M13, M21, M26, M28	9
Non-violent Direct Action	M1, M2, M3, M11, M13, M14, M16, M17, M21, M24, M27, M28, M29, M30, M31, M32, M33, M35	18
Traditional Law	M1, M3, M10, M11, M12, M15, M16, M17, M18, M20, M28	11
Resistance to Treaty Process	M1, M2, M14, M15, M18, 27, M28	7

APPENDIX C

Name	Type	Date	Location
Nusqimata	In-Person	August 1, 2003	Vancouver, B.C.
Pootlass	In-Person	August 4, 2003	Bella Coola, B.C.
Qwatsinas	In-Person	August 6, 2003	Bella Coola, B.C.
Nuximlayc	In-Person	August 7, 2003	Bella Coola, B.C.
Stroud	In-Person	August 7, 2003	Bella Coola, B.C.
Higgs	In-Person	September 23, 2003	Québec City, Q.C.
Hobler	E-mail	August 23, 2003	N/A
Siwallace	In-Person	August 29, 2003	Bella Coola, B.C.
Nusqimata	E-mail	October 11, 2003	N/A
Nusqimata	E-mail	October 14, 2003	N/A
Qwatsinas	Phone Conversation	October 27, 2003	N/A
Kill	In-Person	January 5, 2004	Bella Coola, B.C.
Hobler	Phone Conversation	January 7, 2004	N/A
Renaud	In-Person	January 11, 2004	Bella Coola, B.C.
Morton	In-Person	January 14, 2004	Bella Coola, B.C.
Smith	Phone Conversation	June 10, 2004	N/A

APPENDIX D

