

CHAPTER SEVEN

AIYANSH AND THE NAAS VALLEYHistory

An insightful analysis of the Native people of New Aiyansh must be made in the context of a study of the whole community of 3,200 Nishgas, and the unique and relatively remote valley covering 5,500 square miles in which they have lived from time immemorial. The valley's physical terrain with its high mountains, beautiful forests, and life-giving river is the focus of their powerful and coherent tribal identity and observable sense of personal value. Its protection has also been the purpose of their famous century long struggle with White government for a just settlement to their claim to tribal ownership and control of this land area and its natural resources.

In the traditional past, the Nishga hunted and traded over a very wide area. They travelled into the Alaskan Panhandle and as far inland as Kitwancool, where they encountered the Gitksan, with whom they now dispute the eastern section of their land claim. The sources of their wealth and influence were numerous. They were fur trappers for themselves and later for the fur trade, and they catch salmon in the Naas River in the spawning season each summer. The Naas River is also the source of the highly valued oolichan, a tiny fish which is extremely rich in oil and other nutrients and an invaluable source of protein during the long harsh winters. Other tribes from both the coast and the interior have traditionally travelled what is called the Grease Trail to trade for these small fish which, in hard winters, can mean the difference between death and survival.

Historically, the expansion of the fur trade was the occasion for the first contact between the Naas Valley Natives and Whites. In the late 1700's the Hudson's Bay Company founded Fort Simpson, at the mouth of the Naas River.

As a consequence, the Fort and the surrounding areas became an important centre for trade in both land and sea furs. The Nishga appear to have exercised their considerable entrepreneurial skills when trading with rival Russian, European and American fur traders. Over time, however, the Hudson's Bay Company, by building a string of forts, was able to establish a monopoly over the fur trade of the whole West Coast, and thereby manipulate prices.

During this early period the White traders were largely unconcerned with the physical and cultural life of the local populations, and Natives remained in control of their individual and group lives. They continued their traditional subsistence way of life, but with a considerable expansion of their surplus. The goods they gained in exchange for furs were used to enhance and expand traditional customs such as the potlatch and to create beautiful ceremonial objects. The matrilineal social and political structure, which traditionally had lacked a permanent political hierarchy of chiefs, also shifted. During this period, some families were able through their trading rights and practices to acquire significantly expanded wealth and a more fixed political structure began to emerge, based increasingly on the inheritance of status.

In 1858 the gold rush to the Fraser River and all Northern areas began. Gold seekers flooded in large numbers through the area. They were typically young and often reckless men who had little sense of permanent identification with, or concern for, the local landscape, ecology, or indigenous population. Many Native women were rapidly absorbed into the gold rush culture, and the men became the more menial workers. Alcohol was imported in large quantities and all social groups were affected, but Natives suffered most consistently. The gold seekers were followed by land speculators, and throughout the whole northern area of B.C., Alaska and the Yukon, local settlers and governments

began the process of confining Natives to small reservations. This process was accelerated because the Native population, at this time, was much reduced, and sometimes decimated, by plagues of a variety of diseases to which Whites had immunity but Natives did not.

In the nineteenth century the Native population of the Pacific North West appears to have been reduced by between one third and one half, and the consequence of this reduction of the population was the radical modification of almost all traditional modes of economic and social organization in many areas.

The Nishga were affected by these diseases, but their relative physical isolation seems to have protected them to some extent. Nevertheless, when missionary work began in the 1860's the missionaries described their charges as demoralized, drunken, savage, dirty, superstitious, lazy and wasteful.

The Rev. James Benjamin McCullagh wrote The Story of a Great Transformation in 1907 about the Aiyansh Mission. His comments describe the Nishga in adverse terms, including those aspects of their life which he acknowledged to be spiritual.

I was prepared to find, and could understand, men worshipping idols in the belief that they were gods, but I was not prepared to find man acknowledging the existence of God as a spirit and yet worshipping himself; enriching his own personality by a make-believe communion with devils; by eating raw dog and biting human flesh; by the wanton destruction of the fruits of his labours; or by laying claims to supernatural powers through dreams, visions, physical feelings and mental emotions. And yet such was the structure of the Redman's heathenism. No pen could describe in its entirety the darkness, the bondage, the utter corruption of it all.

(Ibid. p.10.)

McCullagh had settled in Old Aiyansh (later abandoned because of repeated flooding) in the Naas Valley in 1883. He decided not to give way to heathen values, but also perceived that he would need to learn the language if he wished to be effective. He wrote a Nishga grammar, and

translated the gospels, the Prayer Book, and hymns, and ensured that each family had a copy thus emphasizing the necessity for literacy. The object of the missionaries of this era was to change the Natives "from ignorant, blood thirsty, cruel savages into quiet, useful subjects of our Gracious Queen". Like Duncan at Metlekatla, McCullagh also introduced relevant western skills and small-scale technology, and within ten years of his arrival, the village was a model Christian community which had a saw mill and a planer. These he in due course gave to the Nishga, on condition that they produced lumber for a church, a mission house, and a school, as well as for their own houses. An observer in 1895 reported:

(McCullagh, 1907.)

fine broad roads, with many beautiful cottages dotted about, set in the lovely autumnal foliage, each with a large garden separating house from house Before me stretched the long, new road ending at the Church. It is, I think, the best piece of road-making in the diocese and the women did it all of their own free will to make it easier for the men to go to Church. Remember, the women are not drudges here to the men . .

It is clear that the Anglican Church and its clergy, many of whom have lived most of their lives in these small and remote missions, have had an important effect on the Nishga. While the early missionaries in the exercise of their pastoral duties attempted to stamp out all signs of heathenism, in their more secular activities they played a very important economic role by helping acquire capital equipment which they trained their parishioners to use. The Nishga were thus able to remain relatively free of the almost total dependence on Whites for goods and wages that was typical of most other tribal groups. The clergy also encouraged and participated in the running of tribal community councils, at the village level, and this helped the Nishga to sustain their noticeable sense of personal and tribal strength, dignity and purpose. The organization of the Nishga's land claim struggle in the early days, in particular,

owed a great deal to the skills and contacts which the Anglican missionaries were able to exercise in the wider political system.

Currently, there are several areas in which the Nishga have an exceptionally well conceived and organized set of political and practical aims. The land claims issue and the control to their own educational system are two of these. In addition, they are currently giving serious consideration to how they should choose to develop economically once the land claim issue is settled.

Land Claims

The issue of the Native land claims was set out most clearly in 1912 by Canon Tucker of the Anglican Mission Society in a letter to the Minister of Indian Affairs.

The Indians of British Columbia, as the original inhabitants of the country, claim that they have certain rights in the land and before the Government can sell or disperse of the land, these claims should be considered The Government of the province, on the other hand, takes the position that the Indians have no rights, and, though they have never given any reason for their position, they have refused to modify it It is on this clear-cut issue that we present our case today .

From the common-sense point of view, it would seem to appeal to all unprejudiced and disinterested people that men who have made their living there must have certain rights which no newcomer should overlook and override. (McCullum & McCullum, 1979.)

This letter summarises an area of dispute in which the Nishga have been legendary in their persistence and their patience in dealing with both the Provincial and the Federal Governments. The dispute has been greatly complicated and delayed by the refusal of successive British Columbia governments to negotiate the issue, on the basis that land settlements were a Federal matter. The Federal Government, on the other hand, refuses to discuss land claims without British Columbia's presence, since all Crown land is vested in the Province.

The dispute began almost 50 years before Canon Tucker's letter. In 1869, two years before B.C. entered Confederation, Nishga elders supported by the clergy and hierarchy of the Anglican Church, made the long hard journey to Victoria, 500 miles to the south, to state their claims to the land they occupied, and their belief that they had the right to live there in perpetuity and to control its economic resources and development. In 1913, the Nishga, again with the assistance of the Anglican Church, its local clergy and connections in England, took the wholly unprecedented step of briefing an English law firm in London to take their case to the King of England. In order to do this, they raised \$500, which was a considerable amount of money by any standard in 1913, and an enormous amount of money given the limited cash incomes of the Nishga of the time. The appeal was to go the Privy Council and the request was that Nishga land rights should be recognized. The leading chief of the day, Chief Gideon Minesque, stated the case in its most basic terms both humanly and legally.

It is not a dream, we are certain this land belongs to us. Right up to this day, the government never made any treaty, not even to our grandfathers, or our great grandfathers. (McCullum & McCullum, 1979.)

The Privy Council was not sympathetic to hearing the case. The Nishga, however, persisted with their claims, and refused to follow the example of some other Native groups by negotiating the extinction of their aboriginal rights and settling for the establishment of small reservations where the Native people have become wards of the Crown.

In 1969, the Nishga instructed their lawyer, Mr. Thomas Berger (now Judge Berger) to take their case to the High Court of British Columbia and to ask for a declaration that the Nishga had never lost the aboriginal title to their traditional tribal territories. The case was an important one, both practically and psychologically, for all Natives in Canada, and many expert witnesses were called. The Judge

ruled against the Nishga, saying that whatever rights the tribe may have had originally, they were lost when the colonial government enacted laws allowing the issuance of land titled to non-Indians. A few of these had been issued in the Naas Valley, along with certain timber licences which give leases to the land, but not outright title.

The Nishga decided to appeal this decision to the Court of Appeals. Here the case was lost again, on the grounds that the Nishga would have had legal rights to their traditional land only if the government had, by some act, recognized such a title.

They then decided to take the case to the Supreme Court of Canada in Ottawa, despite the great expense involved. In 1973 the Supreme Court ruled by a narrow majority of four to three against the Nishga. But while this last defeat appeared to be an overwhelming one, the Nishga and their supporters in the White community and particularly the Church, saw this decision as a moral victory, since one of the judges had not ruled on the issue but on a technicality, and the remaining six had in fact made a split decision. Three judges ruled that the Nishga had aboriginal rights, three said they did not.

The consequence of this legal impasse was that the issue moved back into the political arena. At this point Prime Minister Trudeau announced that he was prepared to review policy and pledged action on the matter. However, it remains unresolved although there is a general expectation that the issue will have to be faced and decided.

While the land claims issue is one that unifies the Nishga nation within the valley, it has proved to be a source of tension and sometimes conflict in relations with outside agencies and with Whites. In 1974 the problem of hostility between Whites and Natives became so acute that the Diocese of Caledonia appointed one of its senior priests, Canon John

Stokes, as a full-time special liaison officer on North West Development. He was to work with environmentalists, developers, governments, organized labour, and Native peoples to try and find out what concerns they had in common and could agree upon. His work with these groups culminated in a unique meeting which was entitled the Northwest British Columbia Study Conference. At this meeting those present endorsed Native land claims, and condemned the secrecy with which both governments and industry planned economic development, because it limited the possibility of local inputs in critical decisions. This was a reference to the recent disclosure of the Northwest Development Scheme. Also progress was made towards a better understanding between Natives and organized labour. Finally, the character of media coverage of the area was discussed, and some alternatives were initiated.

The Educational System

The Nishga are the first Native Band in Canada to have gained almost total control of their own school district (School District 92). They negotiated this with the Federal and Provincial governments in the early 1970's and insisted upon playing a full participatory role in design and setting up the school. The school building is very attractive and highly functional, as are the group homes in which children from the more distant villages in the valley live during the week. The whole community and particularly the Council of Elders, which includes members from all the four Nishga settlements that make up the Nation, participates in the ongoing debate about how to combine the best aspects of the White man's educational process with their sense of their own traditions and needs. They participate in the process of hiring teachers and are thus able to ensure that their curriculum needs are met. They have been playing an extremely influential role in the running of the school for more than three years. They are also currently focussing their collective attention on the real problem of how to train and

use the abilities of the large majority of their children who now stay in high school until graduation.

Economic Viability

The next stage of development for the community is quite clearly perceived to be the achieving of a greater degree of economic control of their own territory. The area is currently being logged as part of the operations of one of the large lumber corporations and approximately 40 Nishga men are employed as loggers. The Nishga Nation wants to have effective inputs as to the nature and organization of this extractive industry. Beyond this they see that it is necessary to establish a variety of economic enterprises, as they understand only too well the problems inherent in dependence on one economic source for jobs and income. When their land claims are settled they intend to use the resources they acquire as community resources rather than to parcel them out for individual and privatized ownership. This will clearly involve an evaluation of the nature and role of personal property and private enterprise in capitalist operations which are meant to return a profit. That this is an issue fraught with difficulties appears to be recognized by the most progressive leaders but this has not inhibited them from being prepared to embark on the enterprise.

As part of this process, they have amongst other things, put together a proposal which they have presented to Northwest College in Terrace in which they state with clarity a number of issues as they see them. The full proposal is attached as Appendix B. The following quote captures some of the relevant issues as they see them.

Until recently, there have been few employment opportunities in the Valley other than seasonal labour. Hence, most parents do not have a background of experience to use as a base from which to encourage and counsel their children: they are facing major change without coping skills and understanding to pass along to the young. Undoubtedly the valley is on the threshold of development (Mining, Forestry, Local Government,

Transportation, Construction, etc.) It is essential then that the present population be prepared to play active roles in that development. Students, the unemployed and underemployed must 'see' the opportunities before they unfold. Further they must be involved in the process of discovery for subsequent self-determined educational and economic advancement.

Conclusion

In summary, the Nishga of new Aiyansh in the Naas Valley quite clearly and obviously have a high degree of social vitality and political efficacy. What they currently lack is the capacity to ensure their economic viability. But they too quite clearly perceive that this must rest on the existence of a variety of sources of economic wealth, and that these must be strongly susceptible to if not wholly controlled by their sense of needs and priorities. They have had great success in "indigenizing" the local representatives of both the Anglican Church and their school system, that is, they are able to include outsiders in their internal process in such a way that outsiders are persuaded that they have valid values and aspirations. It seems likely that they can ultimately learn how to do this in economic matters too.