

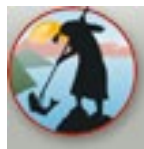
Ethnohistory Field School Report 2017

Take a Stand: Three instances of Stó:lō of Direct Action

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The Ethnohistory Field School is a collaboration of the Stó:lō Research and Resource Management Centre, Stó:lō Nation & Stó:lō Tribal Council, and the History Departments of the University of Victoria and University of the Fraser Valley.



This project aims to document three instances of Direct Action for the Stó:lō Nation archives. Events of Indigenous direct action, such as blockades or protest fisheries have often been represented as unpredictable and explosive outbursts of resentment and/or aggression. Such interpretations of these events allow settler society to dismiss them without considering the reasons they were organized, and the underlying and ongoing issues they are meant to address. In order to clarify these, this paper will situate the events within their appropriate context, by first providing a historical sketch relating efforts by Indigenous peoples in the region to achieve recognition, by settlers and their governments, of their historic title and rights. This will be followed by a brief synopsis of how the Indigenous fishery has fared under regulation by Dominion and federal governments. I then discuss direct action as a strategy of last resort - to be used when all else fails to bring about change - and examine some media representations of events of direct action that express misperceptions of Indigenous people that were commonly held at the time. Finally, I document three events of Stó:lō direct action, relying primarily on information obtained in conversation members of the Stó:lō Nation.¹

This paper is an attempt at 'making sense' of three events of direct action - of offering up an interpretation that more accurately reflects the historical context within which these events took place. My hope is that the paper may go some small distance to nurturing understanding as we continue to renegotiate our shared past. I invite readers to engage in 'double vision' - compassionate understanding of each event from

¹ Sidney Douglas interview conducted May 29, 2017.

Douglas Kelly interview conducted May 20, 2017.

Sonny "Albert" McHalsie interview conducted June 2, 2017.

Lester Ned interview conducted June 1, 2017.

Clarence Pennier interview conducted May 24, 2017.

June Quipp interview conducted May 30, 2017; telephone conversation August 23, 2017

Dalton Silver interview conducted May 26, 2017.

an Other point of view.

The central argument of this paper is that the 1986 Paddle Wars, the 1993 CN Rosedale Blockade, and the 2003 Sumas Mountain Gravel Truck Blockade, were each carried out as a last resort in a very long series of attempts to shift public discourse, and government intransigence, when the 'democratic process' had failed Indigenous peoples. Government refusal to address issues of Stó:lō rights and title to the land, as well as failure of the Department of Fisheries and Oceans' (DFO) to properly manage the fisheries, left Indigenous peoples with no other recourse than taking up Direct Action.

From the mid-19th century, settler society's quest to control resources and land has nurtured on-going tension between Indigenous and non-Indigenous peoples in what is now known as British Columbia. When British Columbia joined the Dominion of Canada in 1871, the Dominion assumed control over Indigenous land and resources, claiming an authority Indigenous people did not, and do not recognize.² Reuben Ware describes an encounter between a fisheries official and Nishga chiefs, in 1888. John McNab approached the chiefs to collect fees for fishing licenses. He may have been astonished when granted 50% of the fee, "since he had worked so hard". He may have been startled by the chiefs' admonishment for not having first sought permission from the Nishga and for having "done wrong".³ His surprise may even have been equal to the chiefs' consternation, as, presumably, the river was reciprocally and inextricably connected with the Nishga people, and therefore in their care. Similarly, "Joseph

² Reuben Ware, *Five Issues, Five Battlegrounds: An Introduction to the History of Indian Fishing In British Columbia, 1850-1930*. Coqualeetza Education Training Centre, 1983, p. 19.

³ Ibid.

Chamberlain of Owikeno" protests the Provincial government sale to the canneries of his peoples' land: "All these canneries...should pay us a rental for the use of the land. All this land is ours and we want to preserve it for our children." ⁴ Ware underlines settler and government refusal to understand the Indigenous lives and world they were displacing, with his discussion the 1911 Declaration of the Lillooet tribe, which asserts ownership of "tribal territory, and everything pertaining thereto".⁵ The document is an attempt on the part of the Lillooet to protect their world, its lives, relationships, and culture by participating in the western, Lockean, discourse of title and property.⁶ It may thus be interpreted as an affirmation that Lillooet title has never been extinguished - a response to the commonly-held settler assumption that because some Indigenous people move between seasonal homes, they do not have rights regarding the lands they lived in.⁷ However, the line "...at no time have we ever deserted it or left it [*the land*] to others..." is also a poignant expression of profound and reciprocal love between people and the world they inhabit.⁸

Despite such clear assertions being repeatedly made regarding Indigenous peoples' rights, responsibilities, and profound attachment to the land and all that exists therein, settler governments continued to assume ownership of, and authority over, land and

⁴ Ware, *Five Issues, Five Battlegrounds*, p. 19.

⁵ Ibid. "Declaration of the Lillooet" p. 20.

⁶ For a discussion of Lockean discourse on property see Cole Harris, "How Did Colonialism Dispossess?: Comments From An Edge of Empire," *Annals of the Association of American Geographers* vol. 94. Iss. 1. March 2004, p. 171.

⁷ Ware, *Five Issues, Five Battlegrounds*, p. 20; Harris, "How Did Colonialism Dispossess," p. 171.

⁸ Ware, *Five Issues, Five Battlegrounds*, p. 20.

'resources'. According to Robin Fisher, between 1870 and 1900, "The actions of [] government constituted an attack on traditional Indian society and did nothing to replace it with a new way of life."⁹ As for the settlers themselves, they believed "...that they were occupying a wilderness or, where there was some evidence of native land use, that the superiority of their own uses justified their possession of land."¹⁰ "Isolated and confined in rural ghettos, most Indians were unwelcome in the society of settlers."¹¹ Settlers' ongoing failure to respectfully address differences between settler and Indigenous conceptions of the relationships among human and non-human life-forms, and settler ignorance of the difficulties faced by Indigenous people themselves, underpin many conflicts that persist to this day.

Prior to 1871, Indigenous peoples in the region had been petitioning to have their rights and title recognized. When, in 1871, the colony of British Columbia joined the Dominion, the two levels of government found themselves in conflict over the issue of Indigenous title.¹² While the dominion had a fiduciary responsibility towards Indigenous peoples, the province was opposed to allocating more than a bare minimum amount of land to reserves.¹³ A colonial understanding that Indigenous peoples living in the province did not need large tracts of land because they relied upon hunting and fishing

⁹ Robin Fisher, *Contact and Conflict: Indian-European Relations in British Columbia, 1774-1890*. Vancouver: UBC Press, 1977, p. 211.

¹⁰ Cole Harris, *Making Native Space: Colonialism, Resistance, and Reserves in British Columbia*. Vancouver: UBC Press, 2002, p. 47.

¹¹ Fisher, *Contact and Conflict*, p. 211.

¹² Harris, *Making Native Space*, p. 71.

¹³ For the Federal Government's "fiduciary" relationship see Keith Carlson ed., *You Are Asked To Witness: The Stó:lō in Canada's Pacific Coast History*. 4th ed. Stó:lō Heritage Trust: 2013, p. 149; With respect to reserves, see Harris, *Making Native Space*, p. 71.

for subsistence, was meant to justify the creation of very small and utterly inadequate reserves.¹⁴ British Columbia's primary objective was to encourage European settlement and the development of industry - the establishment of reserves decreased the amount of land available for homesteading and industry. Article 13 of the Terms of Union states, "the province was required to release for reserves only 'tracts of land of such extent as it has hitherto been the practice of the British Columbia Government to appropriate for that purpose'..."¹⁵ Thus, the government of British Columbia "could claim...that it had no legal obligation to convey more than ten acres per family for new reserves."¹⁶ The struggle over the question of Indigenous lands continued for decades.

Throughout this period, settlers were moving into the traditional territories of Indigenous peoples, and it became increasingly unlikely that Indigenous peoples would achieve an acceptable settlement: removing settlers and industrialists from land they had developed with Government support would be impossible. Nevertheless, testimony of Native leaders during the McKenna-McBride Commission hearings of 1912-1916 attests to Indigenous peoples' persistent attempts for official recognition of title and rights.¹⁷ Eventually, the struggle between the two levels of government gave way to a tacit agreement between governments, as evidenced by the federal joint Senate-House committee decision, in 1926, that made it illegal for anyone, in any way, to assist

¹⁴ Ware, *Five Issues, Five Battlegrounds*, p. 14

¹⁵ Harris, *Making Native Space*, p. 71

¹⁶ *Ibid.*

¹⁷ See "Testimony on Fishing and Fisheries of the B.C. Indians to the Royal Commission on Indian Affairs, 1913-1916," in Ware, *Five Issues, Five Battlegrounds*, pp. 147-179.

Indigenous peoples in “matters pertaining to the land question”.¹⁸ This section of the Act would remain in effect until 1951 when it was no longer prohibited by law to pursue land claims.¹⁹ Over the next few decades, Indigenous peoples’ shifting conceptions about themselves and the Canadian state would give rise to a new political consciousness. Young Indigenous people growing up during this period, coping with the trauma wrought by generations of schooling and a myriad other colonial practices, sought to make sense of what was going on in their communities and to find ways forward. Numbers of Indigenous people became fluent in legal and post-colonial discourses that brought them into conversation with other colonized groups and liberation movements, such as Red Power.²⁰ In 1969, First Nations rejected the Liberal government’s White Paper, challenging the state to shift its relationship with Aboriginal peoples. Indigenous people “demand[ed] greater recognition” of their peoples[’] political rights[;:]” their activism eventually lead to section 35(1) of the repatriated Constitution in 1982.²¹ It must here be noted, that long before this, Indigenous peoples were asserting the independence of their rights, as existing prior to and independent of the Canadian Constitution. Furthermore, Indigenous people have always been clear that their rights are legitimate regardless of whether they are recognized in Canadian law.²² By clarifying that their

¹⁸ Frank Cassidy “Aboriginal Land Claims in British Columbia,” in Ken Coates ed., *Aboriginal Land Claims in Canada: A Regional Perspective*. Toronto: Cops, Clark, Pittmann, 1992, p. 14.

¹⁹ Ibid; Carlson ed., *You Are Asked To Witness*, p. 99.

²⁰ For example Frantz Fanon’s *Black Skin, White Masks*, was published in 1952, or *The Wretched of the Earth*, in 1961. Also, Edward Said’s *Orientalism*, in 1978.

²¹ Dale Turner, *This Is Not A Peace Pipe: Towards A Critical Indigenous Philosophy*. Toronto: University of Toronto Press, 2006, p. 16.
Library and Archives Canada, “Proclamation of the Constitution Act, 1982” accessed at: bac-lac.gc.ca.

²² Turner speaks to these points in his “introduction” to *This Is Not A Peace Pipe*.

rights are embedded within epistemologies differing from the one one within which Canadian law is situated, Indigenous peoples have built a foundation upon which they can challenge government policy. Despite these achievements, government has yet to honour Indigenous rights and freedoms.²³ This is manifest in British Columbia's remaining mostly un-ceded territory, while settler interests overwhelm the lands and control the waters.

Thus, from the mid 19th century, Indigenous people across the region sought to have their rights and title recognized.²⁴ Persistent government refusal is highlighted in the actions of the McKenna-McBride Commission (1913-1916), the decisions of the Special Joint Senate-House Committee(1926), and the proposals set out in the White Paper (1969).²⁵ Colonial and Canadian government intransigence gradually exhausted Indigenous hopes that change could be brought about through means acceptable to settlers. Indigenous people in British Columbia had turned to direct action in the past, but because of the hegemony of the colonial mindset, there was concern that it could elicit backlash from the general population.

The production and reinforcement of negative stereotypes, over generations, served

²³ This has come clear in conversations with Stó:lō community members. To access the recorded interviews please visit the Stó:lō Nation Research and Resource Centre.

²⁴ This is demonstrated in the work of Reuben Ware, Cole Harris, and Frank Cassidy (as well as many others). Please refer to my bibliography.

²⁵ For a concise description of McKenna-McBride, see Ware, "Our Home Are Bleeding: A Short History of Indian Reserves," Union of B.C. Indian Chiefs, 1977, p. 16. Accessed online at: [D3n8a8po\ro7vhmx.cloudfront.net](https://www.d3n8a8po\ro7vhmx.cloudfront.net).

For the decisions of the Special Joint Senate-House Committee, see Cassidy, "Aboriginal Land Claims," pp. 14-15.

For information on the White Paper, see Turner, *This Is Not A Peace Pipe*, "White Paper Liberalism and the Problem of Aboriginal Participation."

to cultivate and sustain settler fear and contempt regarding Indigenous people.²⁶ This facilitated acquisition of land and access to resources. Recognition of the real cost to Indigenous people of all that generations of settlers had appropriated, inherited, or spent hard-won money purchasing, would call for an ethical response from every decent person, and likely most settlers were frightened or profoundly unsettled by what they imagined this might imply. Easier and simpler, by far, to remain uninformed, and to find just cause for the negative misperceptions, anger, and resentment that allow a population to avoid the honest investigation of the sources of their privilege. Thus, Direct Action could certainly be misconstrued by many, and used in yet another strategy to discredit Indigenous peoples and their claims.²⁷ On the other hand, settler governments' capacity to defer recognition of First Nations title and rights, left only the judicial process as an avenue for change in Canada, and working through the courts was too costly for most Indigenous communities.²⁸ Indirect resistance - just going about their lives, for example hunting, fishing, and participating in Potlatch often got Indigenous people in trouble with government officials.²⁹ Thus, during the last three decades of the 20th century, First Nations in British Columbia took up direct action, hoping to force recognition of Indigenous title and rights.³⁰

²⁶ Robin Fisher provides some early examples of settler fear of the Indigenous Other. See Fisher, *Contact and Conflict, Indian-European Relations in British Columbia, 1774-1890*. pp. 62-63.

²⁷ For a couple examples of public perception of direct action refer to Marion Doddridge, "Stop Segregation And Work Together," *Chilliwack Progress* Friday March 21, 2003 or Wayne Overton, "Unhappy with Barricade" *Chilliwack Progress* Friday March 14, 2003. See bibliography for details.

²⁸ Former Cheam Chief June Quipp described this situation during a conversation.

²⁹ Conversation with Dr. Wendy Wickwire, September 2015.

³⁰ Nicholas Blomley, "Shut The Province Down: First Nations Blockades in British Columbia, 1984-1995," *BC Studies* No. 3 Autumn (1996) pp: 1-5.

Government that acknowledged Indigenous title would be government that would also acknowledge First Nations' right to fish for subsistence or commercial purposes, as they themselves saw fit. In the absence of such government, Indigenous and settler peoples alike should have been able to expect responsible management of their fisheries. However, rather than heeding the advice of Stó:lō leaders regarding the creation of a sustainable fishery, government has continued to allow practices that effectively preclude that possibility, resulting in the events of direct action later documented.

Following B.C.'s entry into Confederation, in 1871, the province is subject to the statutes of the federal Fishery Act.³¹ The latter decades of the 19th century are pivotal in shaping the Aboriginal fishery in B.C. The first Fisheries Inspector in the province, A.C. Anderson, officially recognizes the "special nature of Indian Fishing" and "aboriginal rights," which seems only just, and yet, in affirming this distinction between Aboriginal and settler fisheries, Anderson opens the way for later enshrining two different sets of laws: one for settlers and one for Indigenous peoples. Further, despite his efforts on behalf of the Aboriginal fishery, Anderson authorizes a legal distinction between Aboriginal 'fishing for food purposes' and fishing for trade.³² This distinction is not only inconsistent with Indigenous people's worldview, but ultimately serves to undermine their economy, as it establishes the conceptual latitude for subsequently outlawing Aboriginal commercial fishing.³³

³¹ Ware, *Five Issues, Five Battlegrounds*, p. 16.

³² Ibid. quotation taken from p. 32; "distinction" between fisheries made on p. 20.

³³ Participants spoke to this "distinction" during interviews. For more details on the interviews please refer to the bibliography.

Although Anderson tries to have the Aboriginal fishery protected in law, he is tasked with enforcing federal Fishery regulations that are confused and confusing, or that force Indigenous people to continually engage in supplication or protest in order to sustain their livelihoods.³⁴ For example, Fisheries officials repeatedly failed to be clear regarding their expectations for Indigenous fishers. For example, the 1888 regulations allowed Indigenous peoples to fish in order to feed themselves, but not to trade.³⁵ Indigenous peoples in British Columbia are required to purchase licenses if they wish to fish “by means of nets or other apparatus...” the fisheries asserting that nets and other fishing “apparatus” had to “be confined to tidal waters.” Fisheries officers also claimed the authority to “determine the length and place of each net or other apparatus used in any waters of Canada.”³⁶ Anderson is also responsible for enforcing regulations restricting customary Indigenous fishing practices, such as the Stó:lō practice of drift net fishing.³⁷ However, because of Stó:lō protest at the seizure of their nets, officials must withdraw.³⁸ Almost a century and a half later, Indigenous peoples are still regularly forced into violent struggles with Fisheries officials who refuse to recognize their right to fish.

Furthermore, although it seems clear that while Anderson himself intends to be fair to Indigenous peoples, he cannot enforce his approach on subordinates, and his tenure sets a pattern that continues to this day: arbitrary interpretation and dishonest

³⁴ Ware, *Five Issues, Five Battlegrounds*, pp. 18, 16, 20-21.

³⁵ *Ibid.* p. 21.

³⁶ *Ibid.*

³⁷ *Ibid.* p. 16

³⁸ *Ibid.* p. 17

enforcement of inappropriate regulations, without oversight that would protect the Aboriginal fishery from unscrupulous irresponsible officials.³⁹

Thus, in the late 19th century, the position of Indigenous fishers in relation to the federal Fisheries Act and fisheries officials is already subject to arbitrary interpretation of the Fishery Act, and to fisheries officials' inconsistent, confused, or belligerent enforcement of questionable regulations.⁴⁰ Although the regulations themselves change, the Department of Fisheries consistently acts to interfere with and restrict Indigenous fishers.⁴¹ According to Ware, "local Fishery Officers [are] virtually given authority to amend the regulations depending on circumstances."⁴² Authority over Aboriginal fisheries is 'not systematic', but "arbitrary," and Indigenous livelihoods are "at the mercy of local regulatory authorities."⁴³ In 1983, Ware writes that this remains true for most Federal and Provincial legislation pertaining to Indigenous peoples: "a policy that appears to recognize Indian rights can be wilfully ...[dismantled]... by 'Order-In-Council' or 'Policy guideline.'"⁴⁴

From the time B.C. enters confederation, Government restrictions and intervention in the Aboriginal fishery constituted an on-going assault on Indigenous communities, their world, and ways of life, prompting protest and resistance.⁴⁵ Government support of

³⁹ Ware, *Five Issues, Five Battlegrounds*, pp. 20-21.

⁴⁰ Ibid. p. 21.

⁴¹ See Ware p. 22 for examples of restrictions.

⁴² Ibid. p. 18.

⁴³ Ibid.

⁴⁴ Ibid. pp. 18-19.

⁴⁵ For examples of resistance see Ware *Five Issues, Five Battlegrounds*, pp. 15-16.

destructive fishing practices by settlers and industry caused profound concern among Indigenous people regarding greedy, irresponsible handling of the fishery, and callous treatment of salmon and sturgeon. For example, in 1894 Stó:lō chiefs wrote to “the Indian Agent, Indian Superintendent, and Fisheries Department [regarding] [settlers’] destructive [fishing] practices... [that] [resulted] [in] [the] wholesale slaughter of sturgeon in the Fraser River.” Subsequently, levels of production increased, and practices continued unaltered.⁴⁶ Indigenous leaders on the Fraser River were also deeply disturbed about the salmon and “wrote repeatedly to the Minister of Marine and Fisheries urging conservation measures.”⁴⁷ The chiefs were troubled by fishing methods, used by “cannerymen” and “private individuals”, which resulted in the decimation of the salmon.⁴⁸ Despite polite letters requesting government intervention, “[t]he Fisheries Department stalled on implementation of the proposals to limit net sizes because of opposition from canners... [Aboriginal] [peoples] were largely ignored until the canners themselves advocate[d] conservation.”⁴⁹ Mathew Evenden reveals that only when canners and settler fishers felt the economic pinch of declining salmon stocks did the government begin to take the issue seriously.⁵⁰

Staunch government support of industry and refusal to address Indigenous needs and concerns forced Aboriginal peoples to continually defend livelihoods and traditions

⁴⁶ Ibid. p. 24.

⁴⁷ Ibid. p. 25.

⁴⁸ Ibid.

⁴⁹ Ibid. p. 26.

⁵⁰ Mathew Evenden, *Fish Versus Power: An Environmental History of the Fraser River*. Cambridge: Cambridge University Press, 2004.

that constitute the heart of their cultures and that are crucial to their survival.⁵¹

The Department of Fisheries' assault on Indigenous fisheries only intensified as time went by. In the first decades of the 20th century it 'upped the ante' with regular application of its common strategies - physical assault, "arrests," the destruction of weirs, and forcing Indigenous people to purchase fishing licences they could ill afford - 'setbacks' Indigenous people repeatedly faced.⁵² Meanwhile, "[t]he tens of thousands of salmon caught and later dumped by oversupplied canneries at the river mouths were not decimating the stocks, of course."⁵³ Indigenous peoples continued to advocate for conservation and fishing rights.⁵⁴ For example, in the early years of the 20th century, the Cowichan people protested the Department of Fisheries attempt to "abolish' the long-used Cowichan practice of fishing with weirs claiming that it was responsible for declining fish stocks on the Cowichan River. The Cowichan responded that salmon stocks were down because of the "liberal[ity]" with which Fisheries handed out "purse seining licenses" in the area.⁵⁵ In response to Cowichan Chief Te-hil-ton's knowledgeable discussion of the salmon, the river, and problem, and "clear evidence of the dangers", the Department of Fisheries simply issued another cannery seine lease, while "curtail[ing]" the Cowichan people's indigenous fishing rights.⁵⁶ Ware argues that, as a result, the Cowichan River, riparian zones, and salmon were irreparably

⁵¹ Wendy Wickwire, Seminar Discussion, "Sacred Salmon."

⁵² Knight, *Indians At Work*, pp. 112-113.

⁵³ *Ibid.* p. 113.

⁵⁴ See Ware, *Five Issues, Five Battlegrounds*, for examples p. 29.

⁵⁵ *Ibid.* p. 28.

⁵⁶ *Ibid.*

damaged.⁵⁷

There are many examples of the Department of Fisheries refusing to engage with Aboriginal needs and concerns. One is its response to the Hell's Gate disaster of 1912-1914. In preparation for the construction of a new rail line, the CNR blasted rock face along the narrow Hell's Gate Canyon on the Fraser River. This caused massive rockslides, which narrowed the river significantly and increased the velocity of the water passing through the canyon, altering the riverbed, and destroying eddies and tranquil pools salmon require on their journey upstream. Thus, salmon could no longer reach their spawning grounds.⁵⁸ The Department of Fisheries response was to further restrict Indigenous peoples' salmon fishing on the Fraser. For many Indigenous peoples the salmon were, and are, kin. The reciprocal relationship with salmon was central not only to their survival, but to their very understanding of self.⁵⁹ The Fisheries response to a disaster caused by industrial development thus had unfathomably devastating consequences for Fraser River peoples.⁶⁰

Throughout the 20th century, the Department of Fisheries has continued to enforce repressive measures, increasing fishing restrictions, and rebuffing Indigenous appeals

⁵⁷ Ware, *Five Issues, Five Battlegrounds*, p. 28.

⁵⁸ Evenden provides an in-depth understanding of the slide in *Fish Versus Power*.

⁵⁹ Wickwire, seminar discussion during "Sacred Salmon."

⁶⁰ Evenden, "A Rock of Disappointment," in *Fish Versus Power*.

for change.⁶¹ This is manifest in First Nations letters to fisheries officials.⁶²

While government is ultimately responsible for legislation and enforcement as regards fisheries policy, a powerful commercial fishing industry is effective in lobbying government for the promotion of their interests.⁶³ This privileged position allows the industry to determine the conceptual parameters not only of the negotiations that take place during official meetings, but also of public discourse. Being able to frame the questions and shape the discourse in matters that have a bearing on your particular interests, means having your views represented in the mainstream media, and perceived by the general public as authoritative. Such power can only be countered with

⁶¹ Examples of Indigenous protest are found in the testimony given by Indigenous people to the McKenna-McBride Commission. One example is an exchange between Chief William Jackson of the Kisgegas Band and Commissioner MacDowall on July 13, 1915:

Chief William Jackson: “We are asking to get back the land of our grandfathers. We want our places to be free as they were before; as our fathers had a free living in their own land, we want to be the same way. Where we catch fish, where we hunt, and where we get berries, we to use it as our fathers did. God gave us this land, where we were brought up, and it was free. there was no bothering us and we want the land, just as it was before the white men came into this country.”

Commissioner MacDowall: “William Jackson and Indians of the tribe, you need not speak to us about holding this land the same as your grandfathers did, the world moves along, and you in your lifetime must move with it. it is for the sake of your grandchildren that we are here: to preserve something for them. The world will be different for your grandchildren than what it is today, and if you think of them at all, you should select a piece of land for them. if you are not willing to do that, we might as well not talk to you at all.”

Chief William Jackson: “What is moving this world?”

Commissioner MacDowall: “You will have to go to a wiser lot of men than the Kuldoes are to find that out, but you will have to move with the world. if you don’t, you will be wiped out.”

Excerpt taken from “Testimony On Fishing And Fisheries Of The B.C. Indians To The Royal Commission On Indian Affairs 1913-1916. In Ware, *Five Issues, Five Battlegrounds*, p. 150.

⁶² For example, a letter from Stó:lō chiefs to the editor of the *Chilliwack Progress* on August 6, 1914. See, “Chiefs Protest” *Chilliwack Progress* August 6, 1914. (p.3.). Accessed from the *Chilliwack Progress* online archives.

⁶³ Ware, *Five Issues, Five Battlegrounds*, pp. 25-26.

equally powerful counter-narrative. In the absence of public understanding of historical and ongoing injustice, and to be able to forcefully engage the racism that has been promoted over centuries, those less powerful must find some way to voice alternative representations and/or force the government's hand.

Events of direct action are "... [C]lever tricks of the 'weak' within the order established by the 'strong,'..."⁶⁴ Such action may take the form of a blockade or protest fishery. Those who resort to direct action are working within the limitations of their current situation to challenge unjust social, political, legal, or economic structures. People wearing bandanas and blocking railway tracks may be represented in the press as 'dangerous' but, in point of fact, they are engaging in direct action precisely because government and powerful interests impede their ability to bring about change with more commonly accepted approaches. Despite concerted and on-going efforts, none of the conventional avenues of due process are providing government with sufficient incentive to address these people's concerns.

In his article, "Shut The Province Down: First Nations Blockades in British Columbia, 1984-1995," geographer Nicholas Blomley asserts that a blockade or other type of direct action is frequently used as a last resort after other, less confrontational, forms of appeal or resistance have failed to elicit a shift in government handling of Indigenous rights and/or title.⁶⁵ According to Blomley, the effectiveness of direct action can be attributed to its disruption of the economy, as well as to the publicity, and

⁶⁴ Michel de Certeau, *The Practice of Everyday Life*, Steven Rendal, trans. Berkeley: University of California Press, 1984. p. 40.

⁶⁵ Nicholas Blomley, "Shut The Province Down: First Nations Blockades in British Columbia, 1984-1995," *BC Studies* No. 3 (Autumn 1996)p. 15.

possible increase in public support generated by such events.⁶⁶ Direct action may provide an additional incentive to the recalcitrant or obstructive government or industry since, from the perspective of the powerful, withholding a positive response to the protest may result in "...a small, discrete issue [] balloon[ing] into a broader range of grievances..."⁶⁷

Blomley states that events of First Nations' direct action are commonly perceived by settlers as the acts of 'militant, irrational,' or 'amoral' natives - "a few malcontents, seeking to foment discord." Yet, once events are situated within the historical trajectory to which they belong, they are understood differently as "...principled acts of civil disobedience," undertaken when no other means of democratic process has successfully motivated government to address long-standing issues in a just, or even decent, manner.⁶⁸ It is to be expected that a blockade will be understood differently by settlers and Indigenous people, as it expresses profound disagreement and long-standing, unresolved conflict over land title and rights.⁶⁹ Nevertheless, settler assumptions and prejudice are often based upon, or reinforced by "sensational" media representations of events that fail to provide appropriate historical context.⁷⁰ The media produces representations that can seem authoritative and that seep into popular consciousness. This shaping of public perception is equally capable of engendering and nurturing a spirit of understanding and cooperation or one of anxiety, hostility and

⁶⁶ For examples, see Blomley, "Shut The Province Down," pp. 18; 17 (footnote No. 27).

⁶⁷ For example, see Blomley, "Shut The Province Down," p. 15 (footnote No. 23)

⁶⁸ Ibid. pp. 10; 8; 15.

⁶⁹ Ibid. p. 24.

⁷⁰ Ibid. pp. 5-6; 8; 16.

antagonism. However, news must sell, and the ‘sensational’ sells.⁷¹ For this reason, media accounts often focus on an explosive moment that grabs attention and ‘makes headlines’, rather than providing the historical context necessary to accurately interpret what is being represented.⁷²

Sophie McCall provides a vivid portrait of the press’s involvement in shaping public discourse. In her discussion of Alanis Obomsawin’s film series on the standoff at Kanehsatake (commonly referred to as ‘Oka’), Sophie McCall states that, at Kanehsatake, government officials disingenuously misled the public, obfuscating the long and ongoing history of government intransigence regarding Mohawk rights and the appropriation of their lands. These spokespeople for the government “...repeatedly performed a sense of surprise and miscomprehension at the Mohawk people’s demands during the negotiations.⁷³ Further, they “...tried to position themselves on the side of rationality, logic, and peace, and the Mohawks on the side of irrationality, chaos, and violence.”⁷⁴ ...Meanwhile, “the media representation of the standoff at Kanehsatake reinforced [these] Manichean stereotypes of violent Natives versus besieged settlers, while eliding the roots of the conflict”.⁷⁵ Artfully setting up, editing, and otherwise manipulating text and image, the media emphasized negative stereotypes of Indian “... criminality, violence and nationalist fervor...”, while playing down images of Mohawk

⁷¹ Both Sonny “Albert” McHalsie and June Quipp have spoken about the sensational. Please refer to the bibliography for interview details.

⁷² Sophie McCall, *First Person Plural: Aboriginal Storytelling and the Ethics of Collaborative Authorship*, Vancouver: UBC Press, 2011. pp. 82; 83.

⁷³ *Ibid.* p. 81.

⁷⁴ *Ibid.* pp. 80-81.

⁷⁵ *Ibid.* p. 77.

“identity formations” that depart[ed] from the “masked male warrior” and that interfered with the “‘savage’/‘civilized’ dichotomy” being worked up by the government, press, and military.⁷⁶ Thus, footage of a Mohawk parent comforting her frightened child with a lullaby, or of “soft-spoken, thoughtful” men, “responsive to the community’s calls for calm[,]” never appeared in the dominant press.⁷⁷ The Press did not report military actions, such as “...systematically cutting off...phone lines and cellular phone signals, as well as stopping or slowing down deliveries of food and medicine” or inflicting “life-threatening injuries”.⁷⁸ Perhaps this was because the military strictly “enforce[d] [] censorship” of media, “confiscating film, barring journalists from entering the ‘controlled zone,’ and interrupting broadcast signals.”⁷⁹ The army did, however, provide journalists with its own steady stream of commentary.⁸⁰ “The [dominant] media, military, and governments worked” together to create “decontextualiz[ed]” “representations” not only cultivating settler anxiety, skepticism, but erasing historical and ongoing federal government betrayal of its “fiduciary responsibility” to the Mohawk people.⁸¹

While not all media characterization of Indigenous people is *intentionally* misleading, constraints of time and ‘space on the page,’ decontextualized representations, altering the meanings of events. Thus unless reporters, filmmakers, photographers, and editors

⁷⁶ McCall, *First Person Plural*, pp. 88; 87.

⁷⁷ *Ibid.* pp. 86, 88.

⁷⁸ *Ibid.* pp. 86; 85.

⁷⁹ *Ibid.* pp. 87; 86.

⁸⁰ *Ibid.* p. 87.

⁸¹ *Ibid.* pp. 79-83; For a better understanding of the federal government’s “fiduciary responsibility,” see Keith Thor Carlson, ed., *You Are Asked To Witness: The Stó:lō in Canada’s Pacific Coast History*, 4th ed. Canada: Friesens, 2013. p. 149.

assume responsibility for educating themselves, and for presenting more accurate representations of Indigenous people and communities, the public will draw on prevalent misunderstandings, tainted by a ubiquitous racism, in their evaluation of media accounts. This, of course, bears directly on relations between settlers and Indigenous people, and ultimately, on what we are able to achieve politically amongst ourselves.

In what follows, I will discuss letters and articles relating to specific events of direct action that have been published in the *Chilliwack Progress*, the *Globe and Mail*, and the *Vancouver Sun*. My aim is to shed light on settler stereotypes and sentiment, and to note omissions that shift the meanings of the events being represented. It is useful to complicate readings of media and oral testimonies with a recognition that the 'voice' in any given representation is a perspective reflecting a particular mix of affiliations, influences, and identity formations.⁸² It is also interesting to note that each of the following representations interprets an event of direct action without situating it within its appropriate historical context.

Among letters, articles, and unsigned opinion pieces regarding Indigenous events of direct action many confirm and inflame settler resentment regarding the presumed and preferential treatment granted 'natives'. Typically, this is presented as either things they 'get away with', or 'hand-outs' they receive. Some writing also expresses the conviction that Indigenous events of direct action are an attack on settler livelihood and way of life. Generally, such pieces are antagonistic, denigrating Indigenous people, and representing them as 'undeserving'. Letters by Wayne Overton and Marion Doddridge

⁸² For a discussion of the multiple affiliations that form a person's identity, see Kirin Narayan, "How Native Is A Native Anthropologist?" *American Anthropologist* Vol. 95 No. 3 Sept. (1993) pp: 671-686.

are two such examples, both written in response to Stó:lō First Nations' direct action.

Wayne Overton's letter, "Unhappy with Barricade", regarding the Carey Boat Launch Blockade, published in the March 14, 2003 edition of the *Chilliwack Progress*, sets up an 'us-versus-them' opposition, painting "the natives" as loud and greedy in their demands for government hand-outs that "the rest of us" never get.⁸³ Overton presents himself as an example of responsible, sacrificing, hard-working providers who, through no fault of their own, hit upon hard times. The 'grasping' and 'unjustly rewarded' "natives" have "shut him down", in his attempt to work, prompting Overton to discredit their supposed environmentalism, and to state that, "since this last uprising" (a reference to the blockade), he and a few others have decided that, should the government fail to deal with 'the natives' they may be forced to. Overton's understandable frustration regarding both the difficulties he faces, and what he perceives as inadequate government assistance, leads him to scapegoat Indigenous people as seeking and receiving unfair advantage. By then disparaging the Cheam Band's supposedly collective claim to environmentalism, Overton discredits the legitimate work of actual Indigenous environmentalists. That Overton would publicize an unvarnished threat suggests confidence that he is not alone in his opinion of the Stó:lō people and their protest.

Responding to Overton's letter, Cheam Band member, Denise McDonald provides important information lacking in Overton's letter, referring to the legal rights of

⁸³ Wayne Overton, "Unhappy with barricade," "Mail Bag" *Chilliwack Progress* Friday March 14, 2003. Accessed from the *Chilliwack Progress* online archives.

Cheam Band, and Overton's illegal participation in the removal of gravel.⁸⁴ Further she notes that the DFO had acknowledged permitting this activity in full knowledge that "there is no threat of flood this year", and without engaging in appropriate consultation with First Nations.

Appearing in the March 21, 2003 edition of the *Chilliwack Progress*, Marion Doddridge's letter "Stop segregation and work together", expresses her outrage regarding the the Cheam Band's blockade of the Carey Boat Launch on March 10 of that year. Its mix of willful ignorance, fear and resentment fear, has been ubiquitous in public discourse.⁸⁵ Representing 'the natives' as ignorant, spoiled, cantankerous, and capricious children who leave a "mess" when they tire of protest, Doddridge takes a "how dare they" tone, regarding the disruption to neighbours fishing and dog walking, while accusing the protesters of "pett[iness]".

According to Doddridge, 'the natives' are also "resentful", "mad" "jealous", and "selfish".⁸⁶ The author suggests that they did not respond to her inquiries when she approached them, because they were ignorant of the purpose of the "illegal blockade". Comfortably ignorant of the fact that they might have had concerns about speaking with such an obviously antagonistic person, Doddridge then patronizes protesters with the helpful suggestion that they are lazy, yet is shocked when they return her insult. The author prefers to rest easy in her assumptions that the motivations of good-for-nothing

⁸⁴ Denise Macdonald, "Trampling on our legal rights," *Chilliwack Progress* Friday March 21, 2003. Accessed from the *Chilliwack Progress* online archives.

⁸⁵ For a discussion of this please refer to Elizabeth Furniss, *The Burden of History: Colonialism and the Frontier myth in a Rural Canadian Community*. Vancouver: UBC Press, 1999.

⁸⁶ Marion Doddridge, "Stop segregation and work together," *Chilliwack Progress* Friday March 21, 2003. Accessed from the *Chilliwack Progress* online archives.

protesters are base, seeing no need to inquire explore Chief Douglas's perspective, or inquire about his comment regarding a lack of "meaningful consultation", Doddridge pronounces her certainty, again without investigation, that the settlers involved would have engaged in all the "necessary" "meaningful consultation", working through "legal" channels "to obtain [] permits[]" allowing them to "legally" remove gravel. The settlers are responsible, hardworking, and law-abiding folks who pay their way, unlike the 'natives' "[holding] them hostage". Fisheries technician, Chemaine Douglas, for example, is a "professional" having a degree and is therefore, qualified to offer a "professional opinion" (although the one Doddridge claims he provides does not appear relevant to the question of an imminent need for gravel) "Sid" (referring to Sidney Douglas, a leader in the Cheam community), on the other hand, expresses opinion that is patently absurd. I note that, of these two men, only Chemaine Douglas deserves the author's use of both his first and last name.

In conclusion, Doddridge strongly recommends that "the natives" overcome their greed[], and feel happy about other "Canadians[]" "good fortune". The author states that all Canadians "can benefit" from "our country[']s...wonderful resources including our rivers and the excess gravel", and she concludes with a reference to the opportunity for work these provide, yet another not particularly subtle reference to native indolence. The anxiety expressed in this article may, to some, appear reasonable. Doddridge is, after all, a farmer concerned about flood waters. However, as Denise McDonald stated, in her response to Wayne Overton's letter, the DFO had admitted to allowing the "removal" of "gravel", knowing that there was "no threat of flood".⁸⁷ Doddridge would

⁸⁷ See Macdonald, "Trampling on our legal rights," *Chilliwack Progress*.

have learned this, had she bothered to ask the fisheries technician whose opinion she so highly valued.

Marion Dodderidge's willful ignorance, like Wayne Overton's blaming and threatening, appear to be attempts to refuse or defend against knowledge that would implicate settlers in ongoing dispossession and dislocation. At one time, these manoeuvres promoted settler hysteria regarding the danger represented by Indigenous others. Though it has long been demonstrably clear that settlers consistently posed the greater threat to First Nations, colonial ignorance and prejudice have been continuously and publicly maintained with cultural products and representations flexible enough to remain authoritative even as public discourse evolved over time.⁸⁸

Another strategy used to dismiss protest by direct action is to throw Indigenous beliefs into question. For example, expressing or enacting Indigenous understanding may be represented as simple posturing, or as opportunistically capitalizing on Indigeneity. David Marsh's article, on the 1993 Rosedale Blockade, in his September 3, 1993 article in the "Reporter's Notebook" section of the *Chilliwack Progress*, cynically ridicules Indigenous protest as both of these.⁸⁹ Marsh mocks "... the aboriginal North American[']s... innate empathy... with "Mother Earth[]", facetiously suggesting the radical otherness of what Marsh also likes to call the 'Native'. For Marsh, "innate empathy", rather like 'emotional reactivity', 'instinctive understanding', and primitive "butchery", characterize "the aboriginal", a queer specimen indeed. According to Marsh,

⁸⁸ For early examples of settler "hysteria," see Robin Fisher, *Contact and Conflict*, pp. 62-63; See also Furniss, *The Burden of History*.

⁸⁹ David Marsh, "Reporter's Notebook," *Chilliwack Progress* Friday September 3, 1993. Accessed from the *Chilliwack Progress* online archives.

such “sensitivity” “...surfaces as paranoia...” in the realm of “...that peculiar European invention called democratic politics” - which is to say that the ‘legitimate’ processes of democracy are strange to these Indigenous others, who, frankly, become even stranger when they try to participate in them. In his very brief article, Marsh refers to the “aboriginal” no less than four times, and twice more he refers to “natives”. Only in once at the beginning, and once towards the end of his article, does this author refer to “...the Cheam Band...” Furthermore, in opening and in closing his article, Marsh connects the Rosedale blockade with a protest run by an unidentified Indigenous group. Thus Marsh elides distinct nations of people, suggesting that all Indigenous protest would be equally questionable.

Marsh achieves the same effect by denigrating the National Chief of the Assembly of First Nations, Ovide Mercredi. The author cites “every poll” - without identifying any - as supposed evidence that Mercredi “personifie[s] the aboriginal persecution fixation”. Marsh rhetorically states that the National chief’s only “demand” is, “Give us back our land.” He then misrepresents both the standoff at Kanehsatake, and the Rosedale CN Blockade are nothing more than the “micro explosions” of that demand. For Marsh, all three are just so much “divisive” “emotional reaction”. Having kindled settler fear of being dispossessed, Marsh artfully connects “butchery”, with “blockade”, to stoke centuries of settler angst, associating supposedly innate Indigenous violence with this modern form of protest. The author follows this by disparaging the intelligence of “the natives” who “...understood instinctively at least...” the difference between effective “public relations” and the disruptive and pointless Cheam blockade. With this Marsh not only dismisses the Rosedale blockade, but also a 900 mile protest run, which he

represents as simply a manipulative PR stunt flaunting an overwrought identification with “Mother Earth.”⁹⁰

In a September 3, 1986 editorial in the *Chilliwack Progress*, the author refers to the formidable and “distressing” “violence” perpetrated by Indigenous “law-breakers” trampling the “laws of the land”.⁹¹ This is a reference to the Stó:lō protest of cutbacks to their fishery. The article refers to the DFO “folding under the pressure of the natives and [] giving way to the will of violence.” It also sets up the familiar opposition of ‘miscreant natives’ and law-abiding “taxpayers”, dismissing “right[ly] or wrong[ly]” granted “special, aboriginal rights”. According the author, “swinging paddles” at DFO officials, the “native Indians” have broken the law that “*all* Canadians” must obey, He goes on the suggest that, having “won fishing concessions” in this aggressive way, the ‘Indians’ may behave with even greater violence when it comes to “more critical concerns like native land claims[]”. Apart from the omission regarding nationalities, the writer assumes it was Stó:lō people who started the “Paddle Wars”, over a fishery that is of little significance to the Stó:lō. The writer implicitly recognizes that the greater threat to settlers will come with Indigenous land claims, and suggests that settlers should be very afraid. Possibly unconscious of DFO manoeuvring, the author expresses either willful ignorance, or a

⁹⁰ Marsh, “Reporter’s Notebook.”

⁹¹ “Violence wins,” “Opinion” *Chilliwack Progress* Wednesday September 3, 1986. Accessed from the *Chilliwack Progress* online archives.

refusal to discuss the real issues, and simply trots out age-old cultural assumptions that malign Indigenous people.⁹²

Journalists such as Paul Bucci, Mark Falkenberg, and Robert Freeman appear to provide balanced reportage of the direct action they report. However, editorial, if not authorial decision skews the message seen and or heard by readers in ways that compromise the Stó:lō position.⁹³ For example, in his description of a Cheam Nation blockade in 1991, Chilliwack Progress staff reporter Paul Bucci includes statements from Canadian National, the Department of Fisheries and Oceans, and Stó:lō leadership.⁹⁴ He opens with one line about “natives...shutting down CN’s western transportation network{,] stating that “Stó:lō Indians” are “...prepared to face arrest to stop trains from passing.” The following sentence presents Chief Douglas’s statement that “Indians are angry about the lack of ‘meaningful negotiations’ with the department of fisheries over fishing rights.” One more sentence elaborates fisheries’ efforts to impede Stó:lō fishing. Here would be the place to elaborate the complicated history of the local fisheries, in order to clarify the strong justification for protest. Nevertheless, the next two lines offer up only the fisheries manager Gus Jaltema’s denial of the

⁹² The item was soundly rebuffed by Larry Commodore in “Item ‘judges’ natives,” “Opinion/Letters” *Chilliwack Progress*, Wednesday September 17, 1986. Accessed from the *Chilliwack Progress* online archives.

⁹³ Paul Bucci, “Natives protest net seizures,” *Chilliwack Progress*, Wednesday August 21, 1991.
 Mark Falkenberg, “Blockade: native protesters to stay until catch limit reviewed,” *Chilliwack Progress*, Tuesday August 31, 1993.
 Mark Falkenberg and Robert Freeman, “Blockade ends, natives win two openings,” *Chilliwack Progress*, Wednesday September 8, 1993.
 Robert Freeman, “Strahl angered natives,” *Chilliwack Progress*, Wednesday September 15, 1993.
 All four articles can be accessed from the *Chilliwack Progress* online archives.

⁹⁴ Paul Bucci, “Natives protest net seizures.” *Chilliwack Progress*, Wednesday August 21, 1991. Accessed from the *Chilliwack Progress* online archives.

allegations, and his counter-claim that "...fisheries has been violated[.]" Bucci then devotes four sentences to CN spokesperson Randy Jamieson's comments regarding the disruption of "...our thoroughfare from the port of Vancouver to the rest of Canada[,] ..." and "... an integral link in the transportation industry[.]" Jamieson claims that this is creating serious issues for "...our transportation industry", "the business community in Vancouver", and "CN's customers in the rest of Canada". This appears to be an appropriate spot to reference federal government acknowledgement that the section of the railway on which the blockade was erected was built in 1919, without permission from Indian Affairs, on a very small reserve, in which it's presence has created ongoing health and safety issues that have never been addressed. Thus, the blockade was placed there as a way of saying two things; first, that Indigenous fishing rights cannot be considered separately from Indigenous title to land. Government in the region has consistently tried to undermine Indigenous rights by attempting to pull these two apart.⁹⁵

⁹⁵ One example of this is the DFO implementation of Aboriginal Fishing Strategy agreements. Another is the creation of "steering committees" that imply 'co-management' of indigenous fisheries when no such thing takes place.

Although the government has tried continuously to undermine Indigenous rights, it has also acknowledged them:

In 1865, government agent Philip Nand uses the "existence of indigenous fisheries" as "a rationale" for justifying the legitimacy of restricting First Nations to tiny reserves. He implies the pointlessness of leaving them more than the smallest amount of land by pronouncing the clear falsehood that, in British Columbia 'Indians' "...are a vagrant people who live by fishing, hunting and bartering skins..." See Ware, *Five Issues, Five Battlegrounds*, p. 14.

Also, in 1876, through orders-in-council, both levels of government ordered that the jointly established Indian Reserve Commission to not "...disturb the Indians in the possession of any villages, fishing stations..." They emphasized this point when, in 1878, both governments, gave instructions to Commissioners, laying "great stress upon the necessity of not disturbing the Indians in their possessions inter alia of fishing stations..." See Reuben Ware, "The Indian Reserve Commission and Upper Stalo Indian Fisheries, 1876-1890," p. 4. please refer to bibliography for details.

Also, it appears that with the AFS agreements, the DFO attempts to consume/engage Indigenous peoples' energy and resources in fruitless attempts to fight the imposition of continually increasing, and justifiably illegitimate restrictions to their fishing rights. This, of course, deflects time, energy, and financial resources from Indigenous efforts to pursue title. This is why resolving land claims is so important for First Nations. See Reuben Ware, "The Indian Reserve Commission," p. 4 for details.

The second point the Stó:lō were making by setting up a blockade on this section of the CN rail line was that, if government was going to harm their economy, they would respond in kind.

Bucci concludes his article with the line “The natives, many of whom were women and children, took down the barricade at two p.m. after officials with the department of fisheries promised to meet with Douglas.” At least the image is not one of angry, militant First Nations men ‘aggressing’ against industry and the state; the final words of the article might be intended to suggest that the whole community is affected by disruptions to the fishery and that these indigenous people are being reasonable.

On the front page of the August 31, 1993 edition of the *Chilliwack Progress*, a small headline on the left side reads: Chilliwack Chiefs ready for warpath - innocent enough as it’s a sports article. However, that headline sits directly across the main headline of the page- “Native protesters to stay until catch limit reviewed” which has a byline reading “Protesters ‘spoiled children’ - Strahl”, and a much smaller one that reads “Chief says agreement ‘reeks of discrimination’”. Taken together, the headline and the larger and bolder of the two bylines - the comment by Strahl - suggests that a balanced piece of reporting will follow, on the subject of the Rosedale Blockade.⁹⁶ The picture of a young Stó:lō boy lying on a picnic table that is laid out across CN tracks completes the visual tableau. Taken together, the Strahl headline, the photo, and a number of quotes in both the Strahl interview and the article, penned by Mark Falkenberg, represent the Cheam Band as petulant, uncooperative, and shiftless. For example, The DFO regional

⁹⁶ Mark Falkenberg, “Blockade: native protesters to stay until catch limit reviewed,” *Chilliwack Progress*, Tuesday, August 31, 1993. Accessed from the *Chilliwack Progress* online archives.

director-general Pat Chamut is quoted sounding commanding and authoritative, when he quotes an absolute number of fish owed the Cheam, as he suggests that Cheam fishers cannot be counted on to stop fishing when their allocation has been met, and when he claims that he had “discussed” the “unacceptable” blockade with Douglas but had “[made] no progress.” Chief Sam Douglas, on the other hand, is appears to equivocate as to the number of fish owing, and the number of times the DFO has decided against the Stó:lō. Douglas’s statement regarding the steering committee is followed immediately by a quote from Chamut that appears to give Douglas’s comment the lie. It would have taken only two or three lines to provide the information regarding the steering committee that would cast both Chamut's and Douglas’s statements in a different light. The same can be said for the impact on the Stó:lō fishery, of both the open water commercial fishery, and DFO’s manoeuvring actions regarding policy and enforcement. That DFO closures occur in contravention of the Stó:lō Nation’s Indigenous right to fish as it sees fit, is not mentioned, much less elaborated. Nowhere is there a suggestion of DFO ‘gerrymandering’ - manipulating legal ‘boundaries’ in order to grant the commercial fishers an unjust advantage that undermines sustainability. Comments by members of Cheam Nation are not once elaborated with the context required to be seen as reasonable. In quotations of these people, words such as “unfair”, or “treated badly” are never appended with discussion of what the injustice consists of. Yet, candidate for the Reform Party, Chuck Strahl has the opportunity to air his unsubstantiated opinions at length. Taken together, the photo, quotes from the two articles, and the lack of informed commentary reinforce old stereotypes of Indigenous people, while protecting settler interests from the most rudimentary investigation.

Mark Falkenberg pens a second, shorter article in the Sept 3, 1993 edition of the *Chilliwack Progress*, in which he again attempts to briefly set out the position of the Cheam Band.⁹⁷ However, the author refers only to “a century-old property dispute between the band and the CN”, but fails to elaborate. Thus, his statement, that police were prepared to enforce a CN injunction, leaves the reader with an inadequate, and therefore unfair, representation of the Cheam position.

Writing in the September 15, 1993 edition of the *Chilliwack Progress*, Robert Freeman’s article “Strahl ‘angered natives’ - Douglas” reports Chief Sam Douglas taking Chuck Strahl to task, over his defamatory references to the Cheam Band, during the Rosedale blockade.⁹⁸ In this article, Strahl is quoted denying that he “blame[s] the Stó:lō”, but repeats his earlier accusation that they “harm[ed] innocent people[]” with the blockade. Freeman fails to comment on Strahl’s comments regarding “the (native) food fishery, “race”, the “Charlottetown Accord”, and “special privileges for any one segment of Canadian society”. Chief Sam Douglas’s comments about the AFS agreements, and Stó:lō struggles with the DFO also pass without elaboration. Yet again, wholly inadequate information creates false representations of events, people, and their positions,

In her article, “Natives block Sumas Mountain”, in the *Chilliwack Progress*, on Sept 3, 2000, Trudy Beyak attempts a fair representation of Stó:lō grievances

⁹⁷ “RCMP, Sto:lo talk as blockade continues,” *Chilliwack Progress*, Friday September 3, 1993. Accessed from the *Chilliwack Progress* online archives.

⁹⁸ Robert Freeman, “Strahl angered natives’ - Douglas,” *Chilliwack Progress*, Wednesday September 15, 1993. Accessed from the *Chilliwack Progress* online archives.

expressed by the Sumas Mountain Blockade mounted earlier in the week.⁹⁹ The author documents Stó:lō community members' statements, as well as those by spokespeople for the government and a local group of naturalists. She includes a historical Stó:lō account, as well as other information which provide at least some understanding of the significance of Sumas Mountain for the Stó:lō people. Unfortunately, while there is plenty of official "perplex[ity]" regarding Stó:lō reasons for the blockade, there is no detail as to "official guidelines" mentioned by one government official, nor elaboration regarding "negotiations" and "consultation", which government officials cite, and claim were stalled by the Stó:lō. In this representation, government officials appear to be working through appropriate channels, following 'due process', while Stó:lō motivations are opaque and bewildering. There are glaring omissions in the article. The Stó:lō are protesting ongoing destructive development on Sumas Mountain, by both gravel companies and the Fraser Valley Regional District (FVRD.) Thus, the article should have raised the obvious question of a government moratorium on development until land claims are resolved, and if there was not space for a reference to historical issues for Indigenous peoples by the creation and expansion of parks, there could, at the very least, have been a mention of the issues for the Stó:lō in this particular case.

In a later article, in the April 1, 2003 edition of the *Chilliwack Progress*, Trudy Beyak writes again about a blockade at Sumas Mountain, this one mounted on March 31, of that year.¹⁰⁰ What is particularly interesting in this article, is that the Fraser Valley

⁹⁹ Trudy Beyak, "Natives block Sumas Mountain," *Chilliwack Progress*, Friday, September 8, 2000. Accessed from the *Chilliwack Progress* online archives.

¹⁰⁰ Trudy Beyak, "Sto:lo man blockades to stop mining," *Chilliwack Progress*, Tuesday April 1, 2003. Accessed from the *Chilliwack Progress* online archives.

Regional District (FVRD) is now concerned that gravel mining may take place adjacent to the entry of their park, and are very supportive of the protest. Both excess auto and gravel truck traffic represent serious health and safety concerns for the Stó:lō. The article cites a very large number of gravel trucks and cars traveling the access road that runs through the Sumas reserve village, fronting the preschool. Local MLA John Les speaks critically about the blockade, and refuses to take a position, until the FVRD representative speaks to him. According to the MLA, the Stó:lō "...should respect that this is a public road..." Despite Chief Dalton Silver's previous statement that the mountain is sacred to the Stó:lō, and his comment, cited in this article, that it is a heritage site for his people, the final quotes in this article have the MLA stating his support for mining on the mountain, and a gravel company spokesman suggesting barge transport of gravel, as a way of bypassing the village, but still mining the mountain.

As recently as 2007, an interview appeared in the *Globe and Mail* that attempted to undermine a First Nation's event of direct action prior to it taking place. This was done by crafting an extremely damaging representation of an Indigenous leader. Writing for the *Globe and Mail* in 2007, Sarah Hampson interviews Chief Terrance Nelson about "His threats to 'derail the nation' with the Roseau River Anishinabe First Nation's blockade on an upcoming "national day of action".¹⁰¹ With her opening volley, Hampson suggests that Chief Terrence Nelson is aggressive ("Nelson shoots back"), Sentence number two has him "smirking", while over the next four sentences, what emerges is a picture of Nelson as unstable, "contempt[uous]", and aggressive.), According to

¹⁰¹ Sarah Hampson, "I've known violence all my life," *Globe and Mail*, January 18, 2007. Accessed from the University of Victoria Library online.

Hampson, Nelson is “suspiciou[s]”, “wary”, “beligerent’, “sly”, militant and threatening - in short, an incendiary, attention-grabbing trouble-maker. Nelson refers to a settler disruption and dislocation of Indigenous lives that is unyielding, and that only seems to relent under threat of violence or interference with profit. He may, or may not, have spoken bombastically, however editorial choice makes Nelson’s words themselves sound threatening.

Following this, the reader is provided a rather disingenuous observation that Nelson is “shy”. With its reference to Nelson’s “dark shaded glasses”, and the comment that he won’t “look you in the eye” as well as in the context of the article’s adept construction of Nelson’s aggression, a reader may be forgiven for interpreting “shy” as a generous shorthand for “shifty and untrustworthy.” The author, or editor, goes on to suggest that settler racism is all in Nelson’s head, and that it is with petulance that he “...goes on at great length” [about] the difficulties his people have encountered, none of which she discusses, apart from what *she* terms “the lack of easy access to private ownership.”¹⁰²

This opportunity to elaborate on the government policies that continue to create this on-going hardship is not only ignored, but, again, the turn of phrase is just vague enough to carry only the suggestion that Native people resentfully covet privileges hard-won by settlers. Further, the words “easy access to private ownership” are so nonspecific and unclear as to be bewildering, which allows the following line to emphasize that Nelson is unreasonable. This next sentence is worked up so that Nelson appears to claim that the “the lack of easy access to private ownership” is

¹⁰² Hampson, “I’ve known violence.”

equivalent to “undeclared economic sanctions imposed on Iraqis.” Of course, this reads as not only reactive, but ignorant. Unsurprisingly, the article then mentions a university degree - which, to most readers, must by now surely appear to be wasted on Nelson . A university education will no doubt also seem, to many Canadians, a privilege of the wealthy, which they themselves cannot afford.

In order to drive home this carefully crafted representation of Nelson’s questionable character, the reader is then offered the bracketed and gossipy aside, “(Rumours that opponents on his reserve have tried to oust him recently are unfounded *he says.*)” By now, the reader is primed to distrust anything Nelson says. He is asked “why he has adopted a confrontational stance,” and responds, “We buried so many of our people from violence and alcoholism.” Apart from his answer appearing to be no answer at all, the article skips over this obvious opening to examine on-going reasons for such tragedy, using it, rather, to reveal Nelson’s past alcoholism, calling up the settler image of the ‘drunken Indian, and undermining his reliability. Meanwhile, the reader can appreciate the author’s generosity in allowing Nelson his moment of “vulnerability”.

Hampson has now firmly established, for the reader, that Nelson is unbalanced and untrustworthy, if not downright violent and dangerous, but in case there should be any doubt, Hampson has Nelson himself state that he is a “bad Indian” this reference to an old settler stereotype is carefully elided, as the author goes on to characterize his teasing ‘as sly’, and to confirm his base character. This last is achieved not only by describing Nelson as racist, but also by slyly editing out a section of conversation, so that Nelson appears to be making an actual threat. The author can then bring in the ‘good Indian’, National Chief of the Assembly of First Nations, whom she describes as

Nelson's former ally, since reformed, and having a "more peaceful tone," "defusing anger", and "negotiating" within 'appropriate' political structures such as the "Conservative party" and "impartial judges". Despite the progress Fontaine has made, and even after the Minister of Indian Affairs has made Nelson a "peace offering", his irrational anger leaves him scornful and implacable. Indeed, he seems downright ungrateful, as he refuses to "back down".¹⁰³

Taken together, Hampson's these authorial or editorial manoeuvres effectively serve not only to denigrate Nelson, but also to undermine his position, that, in the context of relentless violation of Indigenous rights and title by government and industry, direct action is a reasonable and constructive means of eliciting change. The reader can hardly be blamed for misconstruing Nelson's point of view and intentions. Of course, Hampson has played on settler stereotypes throughout her article, and, by this point, the reader might well imagine the spectre of 'foolish and incompetent Indians susceptible to manipulation' by such a man. Nelson may see himself as simply taking care of "business", but, after all, even premier Gary Filmon has called him an "economic terrorist." One can only imagine the reader shaking her head in dismay.

Finally, the article includes, but fails to explore or elaborate Nelson's reference to state violence. Rather, it is used to remind the reader, yet again, of Nelson's own supposed penchant for gratuitous aggression. Shrewdly arranging Nelson's reference to 'Oka', when "a psychological barrier had been reached" [read: and could be breached anytime], to his comment regarding the usefulness of military training for young Indigenous people (according to Nelson, a means for working with their 'unfocused

¹⁰³ Hampson, "I've known violence."

anger' which has been "internalized and is self-defeating"), the article concludes with an allusion to media images of the military and masked men at Kanehsatake. With this implicit and ominous suggestion of incipient violence, the reader can be forgiven for construing direct action as the result of Indigenous aggression, fomenting retaliatory, obstructive, and violent acts.

Thus, a relatively recent article in a major Canadian newspaper draws on persistent and racist settler stereotypes to promote reader anxiety regarding Indigenous people. Seeing blockades as "criminal conspiracy" or as acts of "random terrorism" serves the same purpose today as it did during the latter decades of the 20th century, when events of Indigenous direct action were more common in British Columbia. It serves to deflect settlers' awareness from their responsibility in the present, so that generations not directly culpable for the theft of Indigenous lands and resources are allowed to enjoy the privilege accruing from these without guilt.¹⁰⁴ Colonialism remains a brilliant mechanism for imagining and reinforcing the representations that allow settlers to do what they want and take what they want, while taking no responsibility for the harm they inflict - remaining blameless.

In 2017, fishing periods for the Stó:lō people are more restricted than ever, despite evolving public discourse, and Indigenous art on the B.C. ferries.¹⁰⁵ In what follows, I document three events of direct action, undertaken by members of the Stó:lō Nation. I

¹⁰⁴ Blomley, "Shut the Province Down," p. 56.

¹⁰⁵ June Quipp, telephone conversation on August 23, 2017.

will rely primarily on information provided in oral testimony by Stó:lō leaders, supplementing it with details from newspaper articles.¹⁰⁶

Both the 1986 Paddle Wars and the 1993 CN Rosedale Blockade, organized by members of the Stó:lō Nation, were responses to DFO restriction to the Stó:lō Fishery and harassment of Stó:lō fishers.¹⁰⁷ Although Stó:lō community members had protested DFO policies during the 1960s and 1970s, DFO restrictions increased as the century progressed.¹⁰⁸ By the last two decades of the 20th century, the Stó:lō were limited to fishing periods wholly inadequate to meet their needs.¹⁰⁹

Ostensibly, DFO restrictions on Stó:lō fishery periods represented efforts to conserve the salmon, however, statistically, Indigenous fishers on the Fraser River never posed a threat to fish stocks.¹¹⁰ On a yearly basis, the Stó:lō generally caught 5% of the salmon, while the rest were being taken by sport and commercial fishers.¹¹¹ Despite

¹⁰⁶ I have found that it is helpful to use newspaper articles for clarifying dates of events and names of people involved in the events.

¹⁰⁷ This was confirmed by all of the interviewees. Please refer to the bibliography for interview details. Recordings of the interviews are housed at the Stó:lō Research and Resource Centre Archives in Sardis, B.C.

¹⁰⁸ Lester Ned described how Stó:lō fishers were being given “less and less time to fish” (2:30). Lester Ned Interview, on June 1, 2017.

Sonny “Albert” McHalsie also speaks to restrictions placed on the Stó:lō fishery (5:00). Sonny McHalsie interview, on June 2, 2017.

Please refer to bibliography for details

¹⁰⁹ June Quipp telephone conversation, August 23, 2017, and “interview,” May 30, 2017. Please refer to the bibliography for details.

¹¹⁰ Sidney Douglas spoke about how the DFO restricted the Stó:lō through “conservation” (26:06). Please refer to Sidney Douglas interview on May 29, 2017.

¹¹¹ Clarence Pennier interview May 24, 2017. For details on annual catch during this period please refer to David A. Smith, “Salmon Populations and the Stó:lō Fishery,” in Keith Carlson, ed. *A Stó:lō-Coast Salish Historical Atlas*. 3rd ed. Canada: Friesens, 2016. pp. 120-121.

During his interview, Sidney Douglas stated that during the early 2000s (prior to legalizing the drift net fishery), the DFO used an instrument to monitor the numbers of fish Stó:lō fishers were encountering on the Fraser River. Stó:lō fishers were encountering less than 10% of the fish. Sidney Douglas interview (31:06).

conservation concerns, commercial fishers were allowed to continue fishing in marine waters fed by the Fraser River, while Indigenous people fishing on the river were under restriction.¹¹² If the DFO's primary concern had been conservation, it would have placed greater restrictions on the commercial fishery, limiting or closing commercial fishing in the Puget Sound, Strait of Georgia, and Juan De Fuca Strait in order to protect the Fraser River's natal salmon.¹¹³ It is not necessary to identify the natal river or stream of every salmon swimming in the sea. Suffice to acknowledge the likelihood that a large number of salmon in the Puget Sound, Strait of Georgia, and Juan De Fuca Strait would be returning to the Fraser River to spawn. In other words, if the DFO was sincerely concerned about conservation, it would have restricted, or closed, the marine fishery. This is all the more true since an "in-river fishery" would enable scientists to monitor and protect the salmon in ways that are impossible in marine waters.¹¹⁴ Furthermore, had the DFO been truly interested in a sustainable fishery, it would have implemented policies outlawing harmful methods used by commercial fishers. According to biologists, alternative methods, including traditional Stó:lō fishing "devices" such as "weirs" and "traps", may help prevent decline of salmon stock when placed "at strategic locations".¹¹⁵

Limited fishing periods were not the only issue faced by Stó:lō community members. During the 1980s, the DFO was making a concerted effort to apprehend

¹¹² Sidney Douglas interview (8:30).

¹¹³ Sonny "Albert" McHalsie discussed DFO management of the Stó:lō fishery (4:20). Sonny McHalsie interview, June 2, 2017.

¹¹⁴ Keith Thor Carlson ed., *You Are Asked To Witness: The Stó:lō in Canada's Pacific Coast History*, 4th ed. Canada: Firesens, 2013. p. 159.

¹¹⁵ Ibid. pp. 158-159.

Stó:lō fishers participating in the underground commercial fishery.¹¹⁶ Since the latter decades of the 19th century, the Stó:lō had effectively been prohibited from participating in their traditional fishing economy.¹¹⁷ Prior to government legislation, enacted in the 1880s, Stó:lō people had not differentiated between fishing for food and fishing for trade, as the DFO does in distinguishing between a “food fishery” and a “commercial” one.¹¹⁸ Fishing to eat, fishing for trade, and fishing for other purposes were all integral elements of their economy, and of Stó:lō life in general.¹¹⁹ Despite government restrictions, Stó:lō fishers had continued to fish, to barter, and to sell their fish, on a small scale, which was their right as Indigenous peoples.¹²⁰ For the Stó:lō, exercising those rights was often difficult, since typically, apprehended fishers were fined, and their fishing equipment, boats, and vehicles were confiscated.¹²¹ In 1982, for example, the DFO devised an elaborate scheme that involved convincing Stó:lō fishers to sell their fish to “Alberta Fish,” a company invented for the sole purpose of ‘catching’ Stó:lō fishers involved in the underground commercial fishery. During this operation, Stó:lō fishers were encouraged to sell their fish to the company, and were then taken to court for doing so.¹²² It was difficult, if not impossible, for many impoverished Stó:lō families to

¹¹⁶ Lester Ned interview (2:30).

¹¹⁷ Ware, *Five Issues, Five Battlegrounds*, p. 21; Carlson, ed., *You Are Asked To Witness*, 143-145.

¹¹⁸ See the 1888 Fisheries Act in Ware, *Five Issues, Five Battlegrounds*, p. 21.

¹¹⁹ Ibid. pp. 14-15; Sonny McHalsie spoke about how money earned through the sale of fish enabled Stó:lō families to make ends meet (9:00) Dalton Silver spoke about this. Please refer to the bibliography for details about the interviews.

¹²⁰ Dalton Silver interview on May 26, 2017; Douglas Kelly interview on May 29, 2017 (4:00); Sidney Douglas (4:48); Lester Ned (1:24).

¹²¹ Lester Ned, (2:30; 5:43; 5:59).

¹²² “Alberta Fish” Sidney Douglas (10:54).

pay fees, spend time in court, and replace confiscated equipment.¹²³ Yet, they were unlikely to stop selling fish as this was necessary to make ends meet.

Decreases to allocated fishing time for Stó:lō fishers, and the DFO's refusal to consult the Stó:lō on matters affecting their fishery, pushed some member bands of the Stó:lō Nation to engage in protest fisheries.¹²⁴ In 1986, the situation reached a "boiling point."¹²⁵ Chief Lester Ned of Sumas Band described fishermen from his community engaged in a protest fishery, on the Fraser River, near Cheam. DFO officers began confiscating nets and charging protesters.¹²⁶ Tensions were running high - Ned himself was charged for threatening to throw a paddle at a helicopter carrying DFO officers.¹²⁷ That some action of Ned's, that looked like this to the officers, could even have taken place, raises questions about what those officers were up to. In any case the judge presiding over Ned's case dismissed the charges.¹²⁸ The DFO appealed the case, and Ned was forced to go back to court. According to Ned, this exasperating ritual had long been a regular occurrence for Stó:lō fishers.¹²⁹ Having no other recourse, Stó:lō community members responded with a number of similar protests along the river that

¹²³ Please refer to June Quipp interview (22:00); Lester Ned interview (35:00; 5:59; 27:15; 27:40). For "confiscations" also refer to Sonny McHalsie interview (9:00).

¹²⁴ Lester Ned interview (4:09); for more information on the different protest fisheries (or 'Paddle Wars'), refer to Ned (12:02).

¹²⁵ Lester Ned interview (12:02; 1700).

¹²⁶ Lester Ned interview (4:10).

¹²⁷ Lester Ned interview (5:00).

¹²⁸ Lester Ned interview (5:43).

¹²⁹ Ibid.

summer.¹³⁰ These size of these small protest fisheries made it easy for the DFO to pick them off.¹³¹ Thus, within a matter of weeks, the bands - Sumas, Cheam, and others - united in a single protest fishery near Cheam reserve.¹³²

Numbers of people were present at the protest. Among the many Stó:lō leaders were Sam Douglas of Cheam, Ron John, Kenneth and Lester Ned of Sumas, Douglas Kelly of Soowhalie, Clarence “Kat” Pennier of Skowkale, Sidney Douglas of Cheam, Dalton Silver Yakweakioose, to name a few. Many members of the Stó:lō Nation and of neighbouring nations, women and children among them, came to offer support, and to watch the protest from the riverbank.¹³³ There were also numbers of DFO officers on the river. According to Sid Douglas there were “...twenty or thirty officers on the water and twenty or thirty waiting...” on call.¹³⁴ Ned stated, “...[T]hey weren’t short of people... [T]hey meant to do business. Which they did.”¹³⁵

The attitude of DFO commanding officers created a good deal of tension.¹³⁶ According to Douglas Kelly, DFO regional manager, Fred Fraser, created problems with his “arrogant” attitude. ¹³⁷ Other Stó:lō leaders claimed that Fraser’s attitude and behaviour caused resentment and anger.¹³⁸ The actions of other DFO officers also

¹³⁰ Lester Ned interview (12:02).

¹³¹ Lester Ned interview (12:02); Sidney Douglas (9:35).

¹³² Lester Ned (12:02).

¹³³ Lester Ned interview (8:43).

¹³⁴ Quote taken from Sidney Douglas interview (9:55).

¹³⁵ Quote taken from Lester Ned interview (9:00).

¹³⁶ Sonny McHalsie refers to this point (7:00).

¹³⁷ Douglas Kelly on “Fred Fraser” (11:39); Lester Ned interview (6:20).

¹³⁸ Lester Ned interview (6:20)

caused problems. For example, in the process of confiscating fishing nets, officers beat Native fishermen with paddles and pike poles [an aluminum pole with a sharp end on it].

¹³⁹ Former Chief June Quipp stated that they hurt a couple people very badly - “my nephew was one - he was about twenty years old...”¹⁴⁰ Stó:lō fishers retaliated so that Kenneth Ned (Lester Ned’s brother) had to intervene.¹⁴¹ Ned described the scenario: “...my brother Kenneth talked to the RCMP there. The RCMP came over and were trying to keep the peace. My brother... talked the RCMP into getting Fred Fraser to come down [from] that helicopter...to get everybody to calm down.”¹⁴²

Stó:lō leaders have mixed feelings about the outcome of the “Paddle Wars.” Although the series of protests drew public attention to the issues, they did not stop DFO harassment, sabotage of fishing equipment, or infringements on their fishing rights.¹⁴³

In 1992, in the wake of the 1990 *Sparrow* decision, the DFO responded to Indigenous protest with the Aboriginal Fishing Strategies (AFS) agreements.¹⁴⁴ One of the stated objectives of the AFS was to establish a framework within which First Nations

¹³⁹ Lester Ned interview (7:00); Sonny McHalsie describes the event (6:50).

¹⁴⁰ June Quipp interview (10:05).

¹⁴¹ Lester Ned interview (7:00).

¹⁴² Lester Ned (7:20).

¹⁴³ Sidney Douglas articulates the value of exercising Indigenous rights (29:39-30:16). Sonny McHalsie also refers to Indigenous rights (15:30).

Lester Ned also refers to the ongoing DFO harassment - how they continued to “[push] people into a corner.” For example, Stó:lō people with drying racks around Yale were given less and less time to fish, despite the fact that they depended on that fish for food during the winter months (28:20).

¹⁴⁴ Lester Ned (15:43).

could become more involved in the management of their fisheries.¹⁴⁵ AFS also allowed for the limited participation of Indigenous fishers in the commercial fishery through the Pilot Sales Agreement.¹⁴⁶ Pilot Sales allowed for the participation of Indigenous fishers in the commercial fishery. Stó:lō leaders recognized the limitations of these agreements.¹⁴⁷ By signing the AFS, the Stó:lō would be effectively stating that government had the right to determine the numbers of fish Stó:lō fishers could catch and when they would be allowed to catch them.¹⁴⁸ This would undermine the Stó:lō position that Indigenous rights exist prior to Canadian law and are not subject to it. Another concern was that the AFS agreements failed to adequately address the “social” component of the *Sparrow* decision, to wit that Aboriginal fishing for “food, social, and ceremonial” purposes was to take priority over *all* other fisheries. Failure to properly incorporate the “social” component into the agreement, allowed the DFO to effectively block Stó:lō fishers from earning a modest living from the sale of their fish.¹⁴⁹

For these reasons, some Stó:lō leaders were loathe to sign the first year’s AFS agreement. However, the Pilot Sales Agreements, and the opportunity to end hostilities with the DFO remained compelling reasons to sign. In the end, Stó:lō leaders felt that

¹⁴⁵ AFS objectives can be found on the Department of Fisheries and Oceans website at: dfo-mpo.gc.ca.

¹⁴⁶ Pilot Sales allowed for the participation of Indigenous fishers in the commercial fishery. However, these commercial opportunities sometimes came at the expense of the Indigenous food fishery. As Sidney Douglas states, “...economic opportunity shouldn’t affect our food opportunity... but in actual fact when you sign that economic comprehensive fisheries agreement they use that to curtail [the] food fishery.” Sidney Douglas interview (26:06).

¹⁴⁷ Sidney Douglas (23:50); Lester Ned states that DFO has its own interpretation of the *Sparrow* decision (10:09); Lester Ned (29:30).

¹⁴⁸ Sidney Douglas interview (23:50).

¹⁴⁹ June Quipp telephone conversation on August 23, 2017.

they were ‘between a rock and a hard place’.¹⁵⁰ The decision to sign the agreement did not represent consensus that this was necessarily the right decision. Further, there is some suggestion that not all Stó:lō leaders were consulted.¹⁵¹ Nevertheless, in 1992 representatives of the Stó:lō Nation signed the first AFS agreement.¹⁵²

A significant disappointment of the AFS agreements has been the ongoing lack of meaningful consultation.¹⁵³ While the AFS mandate promised a shift towards collaborative engagement between Stó:lō leaders and government, the proposed objectives of the agreement have had little impact on the actual interactions that have taken place between the Stó:lō and the DFO. The creation of “steering committees,” sponsored by the DFO and comprised of Stó:lō and DFO representatives, has allowed the department to state that it has consulted with Stó:lō leaders on fisheries management, when, in reality, there has been little meaningful consultation taking place.¹⁵⁴ DFO representatives typically announce their intentions, or the ‘fishing plan’ for the week, and rarely take recommendations from the Stó:lō seriously, unless they feel threatened with direct action.¹⁵⁵ This lack of consultation inevitably creates ongoing issues for the Stó:lō.¹⁵⁶

¹⁵⁰ Ibid.

¹⁵¹ June Quipp telephone conversation.

¹⁵² Ibid.

¹⁵³ Dalton Silver interview (14:05).

¹⁵⁴ The participants spoke about the lack of meaningful consultation that led to many of the issues between the DFO and Stó:lō.

¹⁵⁵ Dalton Silver (14:00)

¹⁵⁶ Ibid.

A second AFS agreement in 1993, allocated 620,000 sockeye salmon to Stó:lō fishers.¹⁵⁷ However, the DFO overestimated the salmon run, allowed commercial fishing in marine waters, and then imposed conservation measures as the salmon returned to the river.¹⁵⁸ This was nothing new, and always involved closing the Stó:lō fishery. In 1993, this action on the part of the DFO did not necessarily represent greater hypocrisy, but it was perhaps a little more insulting, as just the year before, the DFO had rejected Stó:lō requests for an “environmental habitat program”.¹⁵⁹ Furthermore, the Stó:lō had still not been allowed, by the DFO, to make up the shortfall from 1992.¹⁶⁰ The 1993 closure was imposed when Stó:lō fishers had not yet caught their allocated number of sockeye, and, once again, the closure would result in a shortfall.¹⁶¹ Stó:lō leaders sitting on a “steering committee” with DFO had requested a forty-eight hour fishery to allow Stó:lō fishers to make up the shortfall in their catch; the DFO denied their request.¹⁶² In response, at the end of August 1993, Stó:lō community members, lead by Chief Sam Douglas of Cheam Band, participated in a forty-eight hour protest fishery in Cheam.¹⁶³

¹⁵⁷ For these details, please refer to articles written by Mark Falkenberg and Robert Freeman. See bibliography for details.

¹⁵⁸ June Quipp interview (7:40; 10:35; 16:00-16:36). Sonny McHalsie interview on “conservation measures” (4:20).

¹⁵⁹ Douglas Kelly discusses this during our conversation (10:00). Also, June Quipp clearly articulates the impact of industry on declining salmon stocks. Quipp has expressed her concerns to the DFO, but the department will not hear her concerns. June Quipp interview (20:15-20:50).

¹⁶⁰ For this bit of information see Robert Freeman, “Strahl ‘angered natives,’” *Chilliwack Progress*, Wednesday September 15, 1993. Please refer to bibliography for details.

¹⁶¹ Please refer to articles by Mark Falkenberg and Robert Freeman for information. Please refer to bibliography for details.

¹⁶² Sidney Douglas interview (14:38-15:37).

¹⁶³ June Quipp interview (10:35); See Mark Falkenberg, “Blockade: native protesters to stay until catch limit reviewed,” *Chilliwack Progress*, Tuesday, August 31, 1993. See bibliography for details.

During this protest, the DFO confiscated both nets and fish.¹⁶⁴ Stó:lō community members then responded by organizing an event of direct action which would block the CN rail line running through Cheam reserve.¹⁶⁵

Given the long-standing, unresolved grievances with CN, it makes sense that this site would be chosen for the protest. The dispute with CN goes back to 1919 when the company built the section of the line without approval from the Department of Indian Affairs. The Canadian government has acknowledged that fourteen acres of land on which the CN line runs has been used unlawfully.¹⁶⁶ Further, during the construction of the rail line, people were dislocated, and burial sites were damaged.¹⁶⁷ This is a very small reserve, and to this day, the coal dust, the speed of the trains, the noise and the environmental pollution from the constant traffic constitute ongoing health and safety issues for the Cheam community.¹⁶⁸

The CN Rosedale blockade was organized by leaders including Sam Douglas, Chester Douglas, Clarence ‘Kat’ Pennier, Lester Ned, Ron John, Frank Malloway, Dalton Silver, Douglas Kelly, and Bill Williams, while many other people, including Sidney Douglas, and June Quipp, were involved in the blockade.¹⁶⁹ First Nations from

¹⁶⁴ Falkenberg, “Blockade,” *Chilliwack Progress*.

¹⁶⁵ June Quipp interview (10:35).

¹⁶⁶ June Quipp interview (2:50; 4:30; 6:20; 7:00).

¹⁶⁷ Douglas Kelly interview (14:00).

¹⁶⁸ June Quipp speaks about the environmental pollution caused by the constant train traffic. I experienced the noise as around every fifteen minutes a freight train went screeching past us. You can hear it on the recording. See June Quipp interview.

¹⁶⁹ Please refer to interview recordings and transcripts for the names of leaders involved in the 1993 Rosedale Blockade.

other areas in the Pacific Northwest came to support the protesters. Sonny McHalsie suggested that, apart from the leaders, there may have been as many as one hundred people at the Rosedale Blockade.¹⁷⁰ For six days people camped on site.¹⁷¹ Local women prepared food and set up a food table for the protesters. A nurse came to check on some of the older participants.¹⁷² Children and elders attended during the day. Many went home in the evening, as the RCMP hinted they might raid the camp at night.¹⁷³ Additional supporters were unable to join the protesters but the RCMP blocked the Rosedale/Agassiz bridge, making it impossible to reach the site of the protest.¹⁷⁴

Fear was prevalent during the blockade and stoked by the RCMP's strategies of intimidation.¹⁷⁵ There was the ongoing threat of an RCMP raid on the protesters' encampment. Chief Dalton Silver recalls that, despite the fact that Stó:lō protesters were unarmed, RCMP officers flew low over the protesters' encampment in a helicopter, the doors of which were left wide open to display large guns.¹⁷⁶ The RCMP parked "paddy wagons" near the encampment, and placed snipers in the area surrounding it, to further intimidate protestors.¹⁷⁷ This aggressive posturing was compounded by the fact

¹⁷⁰ Sonny McHalsie interview (20:35); According to Lester Ned "just about every [Stó:lō] community supported [the] [blockade]..." Lester Ned interview (30:50). On widespread support for the blockade refer to Clarence Pennier interview (17:00).

¹⁷¹ Dalton Silver interview (22:57).

¹⁷² Dalton Silver interview (50:20).

¹⁷³ Dalton Silver interview (23:10).

¹⁷⁴ June Quipp interview (28:00-28:18).

¹⁷⁵ On prevalent "fear" refer to Douglas Kelly interview (30:00).

¹⁷⁶ Dalton Silver interview (23:00).

¹⁷⁷ Dalton Silver interview (50:20); Sidney Douglas interview (37:00).

that many of the protesters had already experienced DFO or RCMP violence, and they were confident it could be used again.

Nevertheless, some members of the RCMP worked hard to avoid confrontation. RCMP Superintendent Dave McClay recognized the delicacy of the situation and conscientiously maintained constructive dialogue with the protesters. According to Stó:lō leaders, McClay worked honourably and respectfully to prevent the eruption of violence. According to Douglas Kelly, McClay's approach differed from that of other RCMP officers who had automatically supported the DFO.¹⁷⁸

Though they were scared, the protesters could create problems for the CN and the RCMP. Although CN rerouted its trains to the CP line north of the Fraser River, the company lost millions of dollars over the six days the rail-line was blocked.¹⁷⁹ By the sixth day, Prime Minister Kim Campbell gave the RCMP the order to shut down the blockade. RCMP Superintendent Dave McClay reluctantly told Chief Sam Douglas that the RCMP had their "marching orders."¹⁸⁰ It was at this point that Douglas gave orders to place a "Cat" next to the tracks.¹⁸¹ Dalton Silver informed the driver of the "Cat" that if the negotiations did not go well, and Chief Douglas gave the 'sign,' the tracks were to be "torn up."¹⁸² It never came to this. Quipp stated that McClay asked Douglas to negotiate

¹⁷⁸ Douglas Kelly interview (18:10).

¹⁷⁹ For information on the "rerouting" of trains, please refer to Dalton Silver interview. Sidney Douglas spoke about the blockades effectiveness in highlighting the vulnerability of rail lines and "putting the crunch on government." (20:26).

¹⁸⁰ June Quipp interview (13:00-14:50).

¹⁸¹ Ibid.

¹⁸² Dalton Silver interview (29:00).

with the government. Douglas agreed, and DFO and Stó:lō leaders negotiated terms in an outbuilding in the gravel yard, by the track.¹⁸³

Although the Stó:lō leaders were relieved that the blockade ended without physical violence, the results of the negotiations were disappointing.¹⁸⁴ Through negotiations, the Stó:lō fishers won two fishing periods to make up the shortfall in their catch.¹⁸⁵ While, in one sense, this was a victory, it had to have been very frustrating for the Stó:lō, who had to spend six scorching days blocking the rail line, simply in order to achieve fishing periods they had requested, in order to catch fish they had been allocated. Ultimately, negotiations lead to a good deal of talk about the need for meaningful consultation, but nothing changed.¹⁸⁶ The DFO has continued to undermine the Stó:lō ability to catch their allocation of fish. Stó:lō fishers are subject to increasingly limited fishing times and continue to struggle, every year, for their right to fish.¹⁸⁷

Government dishonouring of Stó:lō rights to their lands and waters was not only manifest in DFO policy, but in the provincial government's refusal to consult Stó:lō leaders on matters impacting their traditional territories. In April 2003, the Sumas Band blocked a main road through their reserve in response to the proposal of an additional

¹⁸³ Dalton Silver interview (30:00); Douglas Kelly interview (30:05).

¹⁸⁴ On "disappointing" "results" refer to Clarence Pennier interview (25:25); refer also to Douglas Kelly interview (52:40); Sidney Douglas demonstrates that issues with DFO carried on after the blockade (26:06-34:00). Refer also to Lester Ned (32:00-33:15) - increasing restrictions (33:25).

¹⁸⁵ Please refer to Mark Falkenberg and Robert Freeman, "Blockade ends, natives win two openings," *Chilliwack Progress*, Tuesday August 31, 1993. See bibliography for details.

¹⁸⁶ Lester Ned interview "we still have very little say on the resource." Also, Ned mentions endless meetings with government representatives that do not change DFO policy. Fishing periods are shorter than ever (32:00-33:20).

¹⁸⁷ Ibid. Also, June Quipp telephone conversation August 23, 2017.

mining operation on Sumas Mountain.¹⁸⁸ The Sumas were frustrated and disturbed by the lack of government consultation on this proposed development. The blockade occurred after the provincial government had granted Golden Mineral mining company of Kelowna rights to a piece of land “next to the entrance of Sumas Mountain Regional Park.”¹⁸⁹ The company was offered this claim as compensation for the loss of a claim near Pitt River after people in the area had balked at having the mining operation near their homes.¹⁹⁰ Sumas Mountain, located in the Fraser River flood plain, had been a site for mining, logging, and livestock operations.

Industrial development on Sumas Mountain had jeopardized the environment and the culture of the Stó:lō people, and members of the Sumas Band were opposed to the quarry for good reasons. For example, “...upwards of 200 trucks a day...” were going through Sumas village.¹⁹¹ Fully loaded gravel trucks were travelling on a main road through the village of Sumas, and passing close by a preschool/daycare center.¹⁹² Further, as Sumas Chief Bea Silver stated, “... we’re tired of all the mining blasts that shake our homes and leave our doors and windows askew and leave cracks in our foundations.”¹⁹³ Also, the dust caused by the steady truck traffic was not only an annoyance, but posed a risk to ecosystems already compromised by industrial development on Sumas Mountain. Increased dust would affect trees, plants, and other

¹⁸⁸ Please refer to interviews with Dalton Silver and Lester Ned.

¹⁸⁹ Trudy Beyak and Robert Freeman, “Sto:lo man blockades to stop mining,” *Chilliwack Progress*, Tuesday April 1, 2003. See bibliography for details.

¹⁹⁰ Clarence Pennier interview (47:40).

¹⁹¹ Dalton Silver interview (59:30).

¹⁹² Beyak and Freeman, “Sto:lo man blockades to stop mining,” *Chilliwack Progress*.

¹⁹³ Ibid.

organisms living on the mountain. The impact on these life forms could indirectly affect other ecosystems, such as riparian zones, the health of which are critical to the salmon and other creatures.¹⁹⁴

Sumas Mountain is also a culturally significant site for both the Sumas Band and the Stó:lō people as a whole. Industrial development on the mountain would desecrate a place that is central to a Stó:lō understanding of the world. As Sumas Chief Dalton Silver described, Sumas Mountain is the site of burial grounds and is a sacred place.¹⁹⁵ An account passed down through generations of Stó:lō elders, describes the way Sumas Mountain, or *Tekwyeuk*, provided safety for people escaping a great flood 10,000 years ago. Thus, the mountain is “revere[d] as ‘sacred’” not only because of this story, but also because it has provided sustenance for Indigenous peoples for thousands of years.¹⁹⁶

The significance of *Tekwyeuk*, as described through Dalton Silver’s account is one component of a rich oral tradition which explains a Stó:lō conception of the world. Through their oral traditions, one learns about many things, including the creation of the world as we know it today, as well as how to engage in relationships with non-human life forms and spiritual beings that are based on respect and reciprocity.¹⁹⁷ Living respectfully involves protecting the non-human environment of the Fraser Valley (*S’ólh*

¹⁹⁴ Wendy Wickwire, seminar “Sacred Salmon,” and for background information on environmental impacts see Carlson, ed., *You Are Asked To Witness*, pp. 156-157.

¹⁹⁵ Dalton Silver interview (1:08:15). Trudy Beyak also describes the significance of Sumas Mountain for the Stó:lō people in “Natives block Sumas Mountain,” *Chilliwack Progress*, Friday, September 8, 2000. See bibliography for details.

¹⁹⁶ Dalton Silver interview (59:30) and Beyak, “Natives blockade,” *Chilliwack Progress*.

¹⁹⁷ For an understanding of this please refer to Carlson, ed., *Stó:lō Atlas*, p. 6; 8.

Téméxw). For the Stó:lō, non-human life forms in *S'ólh Téméxw* take on a meaning and value understood through their oral tradition.¹⁹⁸

The preservation of physical spaces is critical to the survival of the Stó:lō oral tradition which is embedded within the physical landscape of *S'ólh Téméxw*. Dr. Sonny McHalsie demonstrates this connection during his oral history tours - he does not rely on notes, but on physical places themselves as pneumatic devices that prompt his memory of particular stories and events.¹⁹⁹ If the Stó:lō are unable to access a culturally significant place, they may lose their ability to remember certain aspects of their history. Since teachings for how to live well in the present are a component of their oral tradition, the loss of culturally significant sites also impacts the way Stó:lō people may live in the present day. Seen in this light, the preservation of Sumas Mountain, the home of a transformer site “Lightening Rock,” is of the utmost importance to Stó:lō culture.²⁰⁰

Thus, it stands to reason that the Sumas Band protested additional development on the mountain. The blockade was initiated by Chief Bea Silver and Sumas Band council. Protesters were primarily from the Sumas Band, although there were some from the neighbouring community of Matsqui, as well as other Stó:lō communities.²⁰¹ “A trailer was parked at the end of the road” and protesters camped on site.²⁰² A checkpoint was established and gravel trucks had their passage blocked.²⁰³ Although the blockade

¹⁹⁸ Carlson, ed., *Stó:lō Atlas*, p. 8.

¹⁹⁹ Sonny McHalsie, *Bad Rock Tours*, May 2017.

²⁰⁰ Dalton Silver interview (1:04:12; 1:04:11); Carlson, ed., *Stó:lō Atlas*, p. 7.

²⁰¹ Dalton Silver interview (59:30;1:15:30).

²⁰² Ibid. (59:30).

²⁰³ Ibid.

generated support from Indigenous and settlers alike, it received some bad press, as it was depicted as interfering with the economic productivity.²⁰⁴ Silver had his doubts the effectiveness of the blockade. As a result of the blockade, an alternative route was established for the gravel trucks. However, this route was far from ideal as it went right through a traditional village site and a burial ground.²⁰⁵

In his article, “Shut the Province Down,” Nicholas Blomley provides the historical context within which Indigenous communities in British Columbia have seen blockades as the only means of having their need and concerns addressed. Focusing on First Nations of the lands now commonly referred to as British Columbia, Blomley demonstrates that blockades were a logical, strategic move in response to the government’s long-standing refusal to engage with, or even acknowledge Indigenous rights. Only in 1991, did the provincial government recognize Aboriginal title.²⁰⁶ Prior to that, Indigenous peoples had been trying, for over a century, to mitigate racist, assimilationist policies involving the forced dispossession of land, culture, and worlds, “economic dislocation”, and the forced removal, neglect and abuse of children. Generations of fruitless attempts to engage government in respectful negotiation, from sending “...delegations of chiefs to Victoria in the 1880’[,]” to the delivery of letters of polite request and thoughtfully expressed concern, formal petitions, and other forms of

²⁰⁴ Dalton Silver interview (1:07:13; 59:30).

²⁰⁵ Ibid. (1:03:00).

²⁰⁶ Blomley, “Shut the Province Down,” p. 16.

“quiet diplomacy” resulted in 1926, in “legal restrictions on land-claims organizing[.]”²⁰⁷ Between 1951, when the ban was lifted, and 1991, when the provincial government formally recognized Aboriginal title, public discourse was shifting. Nevertheless, “...legal risks and organizational demands...” meant that any event of direct action would have had to have been very carefully considered, and would only have been seen as reasonable when “...less confrontational methods ha[d] failed.”²⁰⁸ The changing sociopolitical climate of the 1970’s allowed more frequent use of direct action, to pressure intransigent government or industry, and, hopefully, to sway public opinion.²⁰⁹

Public opinion is, of course, powerfully influenced by the Press, and Blomley’s discussion has been useful in considering media representations of First Nations’ direct action. As I hope I have shown, these representations have been profoundly problematic. The psychological, spiritual, and social effects of ongoing colonial assault on Indigenous people and communities, only seems to confirm, for many settlers, the old racist stereotypes - the Indian as lazy, indolent, shiftless, drunken, aggressive, impulsive, or childish, for example. Any sincere examination of Indigenous lives and culture prior to and over the course of that assault, and any empathetic understanding of the trauma and harm necessarily caused by colonialist strategies, would prove the falsehood of such stereotypes. Nevertheless, even today, it is not uncommon to hear such misperception voiced by settlers. On May 6, 2013, an article by Emma Smith and

²⁰⁷ Blomley, “Shut the Province Down,” pp. 8; 16.
Cassidy, “Aboriginal Land Claims in British Columbia,” pp. 13-15.
Carlson, ed., *You Are Asked To Witness*, pp. 74-75.
Ware, *Five Issues, Five Battlegrounds*, pp. 24-25.

²⁰⁸ Blomley, “Shut the Province Down,” p. 15.

²⁰⁹ Ibid. pp. 8-11.

Katelyn Verstraten appeared in the *Vancouver Sun*.²¹⁰ The authors relate their conversation with a Sumas chief, Lester Ned, who tries to convey what the draining of Sumas Lake meant for the Sumas people - the “sorrow...the heartbreak” , and the hardship. According to the authors’ when Ned sought compensation back “in the late 1960s,” he was “...laughed out of the office[.]” The authors also interview Neil Smith for the article, whose family bought land when the lake was drained. “No one owned it before that I know of” says Smith as he relates the stories he once heard of the Indigenous people’s village on the lake. Neil then describes the Sumas people in an old familiar settler way. “They didn’t do anything much...they always have ambitions...but they never materialize.”

Fortunately, “The Times, They Are A - Changin.”²¹¹ The Smith/Verstraten article above is an example of a more contemporary style of media representation that reveals racist and willful ignorance for precisely what it is. The *Sparrow* decision of the Supreme Court of Canada, in 1990, confirmed Sidney Douglas’s statement highlighting the profound importance of direct action: that it pushes the fundamental issue into the courts, forcing them to define “Aboriginal Rights” that are recognized, but not adequately defined, in the Canadian Constitution.²¹² Regardless of mixed opinion, in the Stó:lō community, regarding the results of direct action, these events were the most reasonable, and likely the best option, at the time, and they have been powerful in

²¹⁰ See Emma Smith and Katelyn Verstraten, “Sumas Nation seeks compensation for its lost lake,” *Vancouver Sun*, May 6, 2013. See bibliography for details.

²¹¹ Bob Dylan, “The Times, They Are A-Changin,” (1964).

²¹² Sidney Douglas interview (29:59-30:16).

forcing a growing recognition of Indigenous rights and title. Going forward, they may be of use in forcefully stopping settler infringement on Indigenous rights and title.