

What Was Really Said?: A Consideration of the Nuu-chah-nulth and Kwakwaka'wakw
Testimonies Before the Royal Commission on Indian Affairs for
the Province of British Columbia (1913-1916)

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ABSTRACT

This thesis considers the Nuu-chah-nulth and Kwakwaka'wakw testimonies before the Royal Commission on Indian Affairs for the Province of British Columbia (1913-1916). To objectively analyze these testimonies content analysis was employed. Some issues considered by Aboriginal testifiers were land additions, Aboriginal title, local education, health care, non-traditional economic activities, and non-Native territorial expansion. The importance of these issues is similar for the Nuu-chah-nulth and Kwakwaka'wakw and the primary concern is additional lands.

A comparison with Naneen Stuckey's 1981 study of the Tsimshian testimonies reveals a relatively high similarity of concerns among these Nations, although the Nuu-chah-nulth and Kwakwaka'wakw are more similar to each other than either is to the Tsimshian.

By considering the Aboriginal testimonies one gains an understanding of the important issues and the First Nation perspective earlier this century. Given the significance of Aboriginal issues in British Columbia today, this provides an important historical background.

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For my family and best friend
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Chapter 1

Introduction

From 1913 to 1916, the Royal Commission on Indian Affairs for the Province of British Columbia travelled in British Columbia taking testimonies from First Nations Peoples on issues about Native lands and affairs. This Commission had been created following a 1912 agreement between James McKenna, the Commissioner for the Dominion of Canada, and Richard McBride, Premier of the Province of British Columbia. It is also known as the McKenna-McBride Commission. Canada and British Columbia agreed to “settle all differences between. . . [the] said Governments respecting Indian Lands and Indian Affairs generally” in British Columbia (Royal Commission on Indian Affairs General Report 1916:8, hereinafter cited as Canada 1916). The Commission was given the mandate to fix and determine what lands would be reserved for Aboriginal use following meetings with the Native groups in British Columbia. To accomplish this task, the Commissioners travelled in British Columbia for three years meeting with the bands from each Nation. Then, in 1916, they tabled their general report: a four volume compilation of findings and recommendations. Even though the original goal of the Commission was to define the establishment of reserves in British Columbia, the recommendations were not immediately accepted by

the governments. It was not until 1923 that the report was ratified by British Columbia. In 1924, the Dominion of Canada followed suit.

The McKenna-McBride Commission was important because it was created to establish the size and location of reserves in British Columbia. Testimonies heard were recorded to assist the Commissioners in these important decisions. In the end the Commission's decisions did not accurately reflect the testimonies. The testimonial record nevertheless offers valuable information about the primary concerns of First Nations earlier in this century. More important, it includes statements from many different people from all regions of the province, so a wide range of beliefs and desires can be discerned from this resource.

The Value of the Research

Unlike many other forms of information such as that recorded by missionaries, Indian agents or anthropologists about First Nations People, these testimonies reflect first hand what the Aboriginal concerns were in the earlier part of this century. Because First Nations claims are an important issue today, these testimonies can shed light on earlier desires, providing an important historical background within today's context. Additionally, in government documents that consider Aboriginal issues, all of British Columbia, or at least regions of the province, are often lumped together. In contrast to this pattern, the testimonies recorded by the Commission reflect beliefs and concerns of many groups at a community level. Therefore, by reading these

testimonies, one gains a clear picture of the different concerns and prevalent issues that existed among the First Nations in British Columbia at the time of this Commission.

Also included in the testimonies are remarks from local, non-Aboriginal settlers and from the Indian Agents employed in the various regions. These are important insights that point out the contrasting opinions that were present during this period. For example, at times, non-Aboriginal speculators were questioned regarding the value of the lands, and at other times, missionaries were asked to explain why they believed that the informants were concerned about certain issues. For these reasons, and because of the scope of the testimonies, they offer an excellent resource to discern the interests of a wide range of people concerning Aboriginal issues at this time.

There are many testimonies and because they are so extensive, research for this study was confined to two First Nations, the Kwakwaka'wakw (Kwawkewlth Agency) and the Nuu-chah-nulth (West Coast Agency). A study of the content of these testimonies can clearly recognize the issues about which these Aboriginal people were concerned. It also has value beyond what it will reveal about Aboriginal desires and concerns. Stuckey (1981) undertook a similar project in which she considered the Tsimshian testimonies. That study offers some insight into the Tsimshian's primary concerns when they met with the Commission. Most of these concerns were overlooked by the Commissioners and simply not addressed in the ensuing recommendations. For example, Aboriginal title to land was the main focus for the Tsimshian but this issue was not considered in the final report. The Commission constantly overlooked the concerns about title and ownership when talking to the

people and moved to different areas of discussion when these were raised. Similar results were found in the analysis of the Kwakwaka'wakw and Nuuchahnulth testimonies. Therefore a study like this not only reveals the Aboriginal concerns in the early part of this century, it also discloses areas the Commission and governments chose not to consider.

Stuckey's results demonstrate that a study of this nature is very beneficial, and I have found that a similar study of the Kwakwaka'wakw and the Nuuchahnulth testimonies also yield interesting results. To demonstrate these results and to gain a greater picture of what First Nations were saying to the Commissioners this study compares the results of the Tsimshian study and the Kwakwaka'wakw and Nuuchahnulth studies. This comparison provides an expanded understanding and is a significant step towards the eventual objective of having enough studies completed to adequately compare all British Columbia First Nations that testified to the Royal Commission. With a comparison like this an important historical background of many of the Aboriginal issues that are at the forefront today will be offered, and as more studies of this kind are completed, more inclusive and conclusive results will be seen.

A study of these testimonies is also valuable because what the people had to say to the Commissioners was not seriously considered. As already noted, when the Commissioners wrote their final report, and later when the recommendations were implemented, many of the requests were ignored. Ironically this lack of interest in the First Nations Peoples' requests and concerns in 1916 allowed support to the legal campaign for land claims today. Had the government created reserve lands that were

adequate, and had this been by treaty, the claims to traditional lands that are made today would not be legally as strong. This lack of concern expressed by the government in the early 20th century therefore actually benefits the First Nations' cause today.

The research method for this study was designed specifically to study effectively the testimonies of the Kwakwaka'wakw and Nuu-chah-nulth, and to discern the points of primary importance. The goal was to analyze the testimonies systematically in order to discover and describe the requests, needs, and desires of the Nations under investigation. By doing this, the Commission's "superficial coverage of Indian attitudes" is in part redressed (Stuckey 1981:5).

Selection of the Testimonies

The Nuu-chah-nulth testimonies were decided upon as one of the focuses of research because these people have always been of interest to me. I was raised in Port Alberni, British Columbia where two Nuu-chah-nulth groups live, so I have had contact with members of this Nation for many years. Many of the children of these two local groups attend the public schools I did, and many members are often involved in community programs with which I have been involved. Due to this contact, and because of this interest, I decided that I wanted to learn more about this Nation's past and present life. The Kwakwaka'wakw were also chosen to be included in this study because they are neighbours of the Nuu-chah-nulth, and the two groups have a long history of interaction. In addition, because the Nations are close geographically, and

because of the relations between them, a comparison of the viewpoints of the Nuu-chah-nulth and Kwakwaka'wakw reveal the differences and similarities between them, resulting in interesting conclusions. Finally, a comparison to the Tsimshian study results found by Stuckey (1981) will provide a picture of what the people from these three First Nations wanted from the Commission, and eventually, when enough studies of this kind are completed, a clear comparison can be made of all the Nations throughout British Columbia.

To begin this study, a short history of British Columbia land claims is included to put the McKenna-McBride Commission into an historical perspective. Following this are ethnographical sketches of the Nuu-chah-nulth and Kwakwaka'wakw to ensure that an understanding of the cultural background of these Nations is provided. Then, before reporting on the results of the research, the method of analysis is outlined to allow a better understanding of how this research was carried out. Next, the results of content analysis are given for the Kwakwaka'wakw and Nuu-chah-nulth bands¹ and then for the overall Nations². Finally, there is a brief look at the Commission's recommendations for these First Nations.

The Use of Band Names

Before commencing, some clarification about band names is required. In many cases, the names used by the Commission are different from those used today. This is

¹In this context of "band" I am referring to the contemporary Canadian political definition of the concept as the individual groups that are political units and not the anthropological classification of the term as a reference to a level of society.

²By "Nation" I mean the larger entity that is comprised of several bands.

because of amalgamations, name changes and different spellings. Wherever possible, I adopt the more recent names and spelling, but in some cases, for the sake of clarification, it was necessary to use those employed by the Commission. For example, this was required if today a band has amalgamated with another and through this has experienced a name change. A table of the names and changes is provided in Appendix 1.

Chapter 2

History of British Columbia Land Claims and Government Relations

Historically, the basis for Aboriginal land rights is the Royal Proclamation of 1763 issued by King George III. This recognized aboriginal title and prohibited the "alienation of Indian lands without the consent of the Crown" (First Nations Congress 1991:3). The Proclamation set out guidelines that clearly stated land was to be purchased by treaty and the Native people were not to be "molested or disturbed in the Possession of such Parts of Our Dominion and Territories as, not having been ceded, or purchased by Us, are reserved to them, or any of them as their Hunting Grounds" (Raunet 1984:75). This did not immediately affect mainland British Columbia or Vancouver Island because these lands were not under British control until the mid-nineteenth century. In fact, Europeans had not yet discovered that the land mass of British Columbia existed when this Proclamation was made. Nevertheless, the Royal Proclamation is widely cited today as a document that was ignored by the governments of British Columbia and Canada when British Columbia joined Confederation in 1871 (Kew 1990:160). Following many years of contact and the establishment of trading posts, in 1849 the Hudson's Bay Company was granted Vancouver Island on the condition that it be opened for settlement as a crown colony (Duff 1969:5). This

development meant that the Royal Proclamation of 1763 then technically applied to Vancouver Island. In 1850, James Douglas, who was Governor of Vancouver Island and Chief Factor of the Hudson's Bay Company, began treaty negotiations for parcels of land on Vancouver Island (Kew 1990:159). He purchased land from fourteen Vancouver Island groups but agreed that the Nations still held usufruct rights (British Columbia 1985:1). After the purchases, he wrote to Archibald Barclay, Secretary of the Hudson's Bay Company, stating that he "informed the Natives that they would not be disturbed in the possession of their Village sites and enclosed fields, which are of small extent, and that they were at liberty to hunt over the unoccupied lands, and to carry on their fisheries with the same freedom as when they were the sole occupants of the country" (cited in Duff 1969:7). When Douglas applied to the Imperial Government and Colonial Assembly for further funds to purchase more land, the application was denied. This obstruction however did not stop Douglas who continued to negotiate with the First Nations to create reserve land even though he could not buy it (Kew 1990:159). During negotiations, Douglas believed that "in laying out Indian Reserves that wishes of the Natives themselves, with respect to boundaries, should in all cases be complied with . . ." (Douglas April 27, 1863, as cited in British Columbia 1875:27). The lands that Douglas allotted for reserves were never surveyed, and as a result, the First Nations later lost a significant portion of what was set aside for them in the Douglas Treaties. In 1864, Douglas retired and was replaced by Joseph Trutch who was Chief Commissioner of Lands and Works (Kew 1990:159). Unlike Douglas, Trutch felt that First Nations Peoples did not have a legitimate claim to the land, so he

reduced the size of the reserves that had been created by Douglas (Kew 1990:159-160). Trutch continued this policy when he became Lieutenant Governor in 1871.

The first legislation from the Dominion of Canada affecting First Nations People was passed in 1868. This was the first time that the idea of reserve land held in trust for Native use was proposed (Canada 1916:16). Then, in 1869, gradual enfranchisement began with the implementation of location tickets. With this system, the reserves could be sub-divided into lots that could be held by a Native person who received a location ticket granting him the right to work the land (Canada 1916:16). Following this allocation, the individual and family were no longer considered status Indians.

In 1871, British Columbia joined Confederation and became a Province of the Dominion of Canada and British Columbia's First Nations fell under the 1868 Indian Act. During negotiations about British Colonies joining Canada, Aboriginal people were not consulted and the Terms of Union as proposed by British Columbia had no mention of Native issues (Fisher 1977:176). Eventually, when these terms were reviewed in Ottawa, Clause 13 was added, a clause that many people attribute to Joseph Trutch (Fisher 1977:176). This clause read that:

the charge of the Indians, and the trusteeship and management of the lands reserved for their use and benefit, shall be assumed by the Dominion Government, and a policy as liberal as that hitherto pursued by the British Columbia Government shall be continued by the Dominion Government after the union.

To carry out such a policy, tracts of land of such an extent as it has hitherto been the practice of the British Columbia Government to appropriate for that purpose, shall from time to time be conveyed by the Local Government to the Dominion Government in trust for the use and

benefit of the Indians, on application of the Dominion Government; and in case of disagreement between the two Governments respecting the quantity of such tracts of land to be so granted, the matter shall be referred for the decision of the Secretary of State for the Colonies (BNA Act 1867, as cited in Fisher 1977:176-177).

The section of this clause that requires the Dominion to be “as liberal as” the British Columbia Government is interesting since British Columbia's policy had been anything but liberal. In actuality, it was unfortunate that it was worded this way because it prevented the Dominion from effectively governing Native issues and as a result affected Native sentiment toward the Dominion Government. When Ottawa agreed to this clause the Dominion government revealed its ignorance of the issues and problems that were prevalent in the province.

Shortly after assuming responsibility of Aboriginal affairs, Ottawa appointed an Indian Superintendent, Dr. Israel Wood Powell, who worked out of Victoria and was concerned with coastal groups. A second Superintendent, James Lenihan, was appointed shortly after Powell. He worked out of New Westminster and was concerned with interior groups. Neither of these men was particularly qualified to carry out his duties: Powell was more concerned with his medical practice and Lenihan was a mentally unstable businessman from Toronto (Fisher 1977:181). In 1874, these two joined Trutch to form an “Indian Board” which was to solve the increasing number of problems concerning First Nations in the province. This effort proved ineffective and in 1876 the board was abolished (Cail 1974:191). To compound problems, whenever the Dominion became involved in British Columbia issues, they were deliberately obstructed by the provincial government whose members resented the

interference. Eventually, many First Nations became agitated due to the lack of attention to Native issues. In 1874, Powell received a petition signed by 110 First Nations leaders from the Lower Fraser Valley outlining their concerns. These concerns included: "the arbitrary way the Local Government of British Columbia have dealt with...[them]...in locating and dividing...Reserves;" their unhappiness about reserve size; their belief that "the aim of the white men...[was] to exterminate them;" and non-Native encroachment and their loss of reserve land as a result (British Columbia 1875:137). Shortly after this petition, in 1875, it was recognized in the Land Act that "land shall be reserved...for the use and benefit of the Indians" (Canada 1916:16). A problem with this stipulation of the Act was that the Dominion and the provincial government could not agree on how much land should be reserved. The Dominion suggested 80 acres be held for each household, while British Columbia suggested only 10 acres for each household of five people (Fisher 1977:183). Then, the Reverend William Duncan, an Anglican missionary working among the Tsimshian, suggested that the governments have no set number of acres and that each Nation be considered separately with an emphasis on group size and need (Canada 1916:17; Fisher 1977:183). The amount of reserve land required would then be established by an agent who would live among the group. The governments followed this suggestion and in 1875-76, the Joint Commission for the Settlement of Indian Reserves in the Province of British Columbia was created and

was "to fix and determine for each nation separately, the number, extent and locality of the Reserve . . ."; that "no basis of acreage be fixed--but that each nation . . . of the same language be dealt with separately"; that "each Reserve

... be held in trust for the use and benefit of the nation . . .”; that, “in the event of any material increase or decrease . . . of the numbers of a nation . . . [their] Reserve shall be enlarged or diminished . . .”; and that “the extra land required for any reserve shall be allotted from Crown lands, and any land taken off a Reserve shall revert to the Province” (Canada 1916:17).

To complete the task of this Commission, three Commissioners were appointed. The first, for the Federal Government, was A.C. Anderson, and the second, for British Columbia, was Archibald McKinlay. Both these men were former Hudson’s Bay Company employees. The third Commissioner, chosen by both governments, was Gilbert Malcolm Sproat. Sproat had spent time in the Alberni Valley on Vancouver Island throughout the 1860s and had recorded his experiences among the Aboriginal people (Sproat 1987). Because of this experience, it was believed that he had an understanding of both the Aboriginal and settler situations, and he was considered to be an asset to the Commission (Fisher 1977:189). Sproat was also a proponent of Douglas' policies and argued that many of the present problems existed because Douglas' ideas were no longer followed. Because of this belief, he was not popular among some British Columbians, and over time, he became very disliked because of his reputation for being too “generous” when creating reserves.

From the beginning of the Joint Commission for the Settlement of Indian Reserves, the British Columbia Government inhibited everything it tried to do. Part of the problem was that the provincial government was made up of settlers who primarily looked after their own interests. For example, when the Commission was created, it was argued that Ottawa should pay the bill because under the Terms of Union, the

Federal Government was responsible for Aboriginal affairs. Because of this problem, the Commission did not talk to people outside of Vancouver Island and southwestern British Columbia for the first year (Fisher 1977:189). Since the Commission was expected by interior First Nations, the people were angered when the Commission did not arrive as planned (Fisher 1977:190-191). The Commission was finally sent to the interior when the government began to receive letters from settlers who were worried about Native unrest and were concerned about a possible uprising.

One of the first duties of the Commission was to obtain a census of the number of people on the existing reserves so that the new reserves could be based on numbers that were considered accurate. The job of the Commission was not an easy task and the summer of 1877 was the last time that it was active with all three Commissioners. In 1878 it was reduced to a single member, Sproat, due to pressure from people who felt that the First Nations were getting more land than they required. This was the belief, although per person, they received less land than what European settlers were entitled to receive: "settlers were permitted to pre-empt up to 160 acres west of the Cascades and 320 acres east of the Cascades" (British Columbia 1985:2). First Nations people were not entitled to any land without the government specifically creating reserves held "in trust" for them. Sproat met more opposition when the British Columbia government announced that it would not accept the new or old reserves because they did not meet the new guidelines created in the 1879 Land Amendment Act. This created a problem for Sproat because to have all the reserves surveyed according to the new guidelines would cost the Commission substantially more. This

meant that "not a single reserve laid out by the reserve Commission was approved by the provincial chief Commissioner of lands and works" (Fisher 1977:197). Nevertheless, Sproat continued discussions with the First Nations until 1880, but eventually, he realized that "no Government of the Province will effectually recognize that the Indians have any rights to the land" (Sproat to Vankoughnet, 9 April 1879, as cited in Fisher 1977:198). Because of this opposition and public pressure, he was forced to resign. Following Sproat's resignation another Reserve Commissioner was appointed. This time it was Peter O'Reilly, Joseph Trutch's brother-in-law. O'Reilly was not as conscientious as Sproat had been. He was unconcerned about getting an accurate census of each reserve, he did not inquire about Aboriginal desires, and he spent very little time in each area. Even though this was the case, the Commission took many years to complete its study, but eventually existing reserves were confirmed, some reserves were extended, and others were created. The final result was that many village sites, cemeteries and major fishing stations were set aside for Native use. Still, problems arose because these areas were reserved separately so the people had access to only small plots of land rather than an all inclusive territory (Kew 1990:160). This Commission was not abolished immediately and it remained active for over thirty years until it was ended in 1908 by Premier McBride of British Columbia.

As well as creating this Commission to establish reserves, the Federal Government followed Reverend Duncan's other suggestion of establishing agents in each area of the province. This was done following Trutch's recommendation to Prime Minister John A. MacDonald. So British Columbia was divided into agencies, and by

1881, six agents were appointed to “advise” and “protect” First Nations Peoples within their agency. Agents also worked toward acculturation. For example, they, along with missionaries, pressured the Dominion to outlaw potlatching. They viewed this large scale, ceremonial exchange as heathenistic and they believed it impoverished the Native people. In response to this pressure, the Dominion banned potlatching in 1884. The ban was not strongly enforced at first, but throughout the 1920s people were arrested and sentenced to jail terms for their activities. Although many First Nations still held potlatches in secret, this law did leave a lasting impression. Large numbers of ceremonials were lost and many traditional activities ceased. Many argue that this law clearly reveals the common EuroCanadian notion that insisted that Aboriginal culture and people “could be legislated out of existence” (Fisher 1977:208). Eventually, this law was “quietly omitted” from the Indian Act in 1951 (Macnair 1986:5)³.

In addition to enforcing the prohibition of potlatches and other aspects of the Indian Act, agents were to settle any problems that arose in the communities and they were to ensure that the people did not break any rules that applied to them.

The next significant effort to resolve Aboriginal land issues resulted in the Royal Commission on Indian Affairs for the Province of British Columbia (1913-1916). This was first created in 1912 under Robert Borden's Liberals, and its goal was “to settle all differences between our said Governments [British Columbia Provincial Government and the Dominion of Canada] respecting Indian Lands and Indian Affairs generally in the said Province” (Canada 1916:8). It was also to “effect 'a final

³See Macnair 1986; Fisher 1977 and Tennant 1990 for further information on the potlatching laws.

adjustment of all matters relating to Indian Affairs in the Province" (Cail 1974:304). The Commission was composed of two members named by the Dominion of Canada and two by the Province of British Columbia. The Chairman was chosen by the first four Commissioners (Canada 1916:8). For the Dominion of Canada, Nathaniel White and James McKenna were chosen. For British Columbia, James Pearson Shaw and Day Hort Macdowall were chosen (Canada 1916:8-9). As Chairman, Edward Ludlow Wetmore was chosen, but shortly after he was replaced by Nathaniel White who was later replaced by Saumarez Carmichael (Canada 1916:8-9).

Under the McKenna-McBride agreement, "the Commission...shall have power to adjust the acreage of Indian Reserves in British Columbia..." (Canada 1916:10). However, part of this agreement was the stipulation that if a reserve was to be decreased in size, Native agreement was required (Canada 1916:10). It was agreed that if the previously allotted land was greater than what was considered to be required, then the excess land, with the permission of the group involved, would be "cut-off"⁴ and sold at a public auction held by the province (Cail 1974:234). The money received from the sale would be shared between the province and the Department of Indian Affairs which would hold the money "in trust" for the Nation (Cail 1974:234). Upon hearing of the Commission, the First Nations realized immediately that it only dealt with reserve problems and that it did not address aboriginal title, treaties, or self-government, all of which were important concerns to them at that time (Tennant 1990:88). However, the stipulation that land could not be "cut-off" without the

⁴The lands that were taken from the pre-existing reserves have become known as "cut-offs".

consent of the Nation involved seemed to indicate that their interests would be protected (Tennant 1990:89). Upon implementation of the Commission's recommendations, this clause was ignored and land was "cut-off" without the consent of the affected bands.

The Commissioners began their work in 1913. They travelled throughout British Columbia to hear the testimonies of many Native people and to question them under oath. Before each hearing, the Commissioners explained the "objective of the Commission and the restrictions imposed" (Canada 1916:18), and following the testimonies, they assured the people that they would "seriously consider" all that was said. Shortly after beginning their work, "McKenna and the other Commissioners became adept at turning references to original ownership into questions relating to current reserves and current needs" thus skirting the issue of title (Tennant 1990:97). Because of this, many Aboriginal concerns were not considered important to the Commissioners and were not addressed in the final report.

Following the questioning of most of the British Columbia groups, in 1916, the Commission published its findings which resulted in either reduced or enlarged reserves for the First Nations involved. Most of the communities that experienced "cut-offs" received little or no compensation in land or money and none was asked to give the consent that was originally agreed to be required (Tennant 1990:98). To contest the Commission's findings, the Nisga'a, Coast Salish and Interior Salish joined forces to form the Allied Tribes of British Columbia. "They managed to delay ratification of the decisions of the Commission for several years" (Kew 1990:166). In 1919 however, the

British Columbia Legislature passed the *Indian Affairs Settlement Act* that authorized the province to continue negotiations with the Nations in order to implement the report (Tennant 1990:98-99). Then, in 1920, the Federal Government passed Bill 13 giving Parliament the power to override the Native veto which was agreed upon when the Commission was created (Tennant 1990:100). So, in 1919-1920, the report was put into action under Borden's Government and it was adopted in a slightly revised edition in 1923 by British Columbia and in 1924 by the Dominion. "The Indians, however, were anything but pacified by the Royal Commission's Report of 1916. At no time did they accept it as a final award and settlement" (Cail 1974:239).

Since the conclusion of the McKenna-McBride Commission the land issue has been alive and well in British Columbia and the Government's wish that the problem would be solved did not come true. Since 1916, there have been a number of Aboriginal committees established to address the governments, and a number of individual Nations have worked towards a settlement. This situation for many years has resulted in stalemates between the Provincial Government that refused to negotiate, the Federal Government and the First Nations. As a consequence, court action has been taken by some First Nations against the government. However, in 1973, the Federal Government agreed that First Nation claims must be settled by negotiation and not litigation. As a result, throughout the 1970s and 1980s, many First Nations submitted claims to Canada under the Federal Comprehensive Claims Policy. When the Government of Canada decided that negotiations were to be done, they agreed that the provinces involved should be part of the process. However, until 1990, the British

Columbia government did not formally commit to negotiations. At present there is an agreement by both governments and the First Nations that negotiations are needed and these are occurring. Nevertheless, the process is long and complicated and is not without problems.

Chapter 3

Ethnographic Background

Before reporting the results of my content analysis of the testimonies, it is useful to have a basic understanding of the ethnographic background of the two Nations under investigation. The Nuu-chah-nulth bands live on the west coast of Vancouver Island and the Kwakwaka'wakw live on the north-east coast of Vancouver Island and on the mainland opposite to it. It is fruitful to compare these two Nations because they were often in intimate contact with one another, and have many similarities. They share a common proto-language, that is, Wakashan, a language family that has two branches: Kwakiutlan and Nootkan (Thompson and Kinkade 1990:34). Each branch consists of three languages and not all are mutually intelligible. Haisla, Heiltsuk and Kwakiutl (Kwakwala) are part of the Kwakiutlan branch and Nootka, Nitinaht and Makah are part of the Nootkan branch (Thompson and Kinkade 1990:34). The Nuu-chah-nulth and Kwakwaka'wakw were also similar culturally and there was contact between the two Nations, most particularly trade and intermarriage, prior to European contact. This contact was via a network of overland trails. It is known that trade was well established between them when the first European contact was made because there are notes in European journals about seeing trade items among

the Kwakwaka'wakw that were originally traded to Nuuchah-nulth groups (Macnair 1986:507). In addition, there is evidence of many cultural traditions shared between the two groups. It is likely that these traditions were obtained through marriage and trade alliances.

The Nuuchah-nulth

In the first few years of contact between the Nuuchah-nulth and Europeans, Captain James Cook mistakenly called these people, specifically the Mowachaht around Nootka Sound, the "Nootka". This name remained until recently when, the people who were considered "Nootkan", agreed among themselves that Nuuchah-nulth was a more appropriate name. When translated, this name means people living "all along the mountains" (Arima and Dewhirst 1990:410). It is derived from the term *nutci* which refers to the mountain range that runs down the center of Vancouver Island. Both *Nuuchah-nulth* and *nutci* are words from the Nootka language. At the time of contact, although these people shared common life ways, they were not united as one nation or under one name. The west coast of Vancouver Island was inhabited by over twenty different groups. Today sixteen are recognized as politically separate bands and are united as members of the Nuuchah-nulth Tribal Council (Arima 1983:2). Their population in 1881 was 3,613 persons and by 1949, had decreased to 1,815 persons. By 1984, the population had reached 4,720 persons (Arima and Dewhirst 1990:408).

The traditional territory of the Nuuchah-nulth consists of 250 miles of the west coast of Vancouver Island from Cape Cook south to Point No Point (Arima and

Dewhirst 1990:391). They are bordered on the north and northeast by the Kwakwaka'wakw and on the south and southeast by the Northern and Central Coast Salish. On these lands, the Nuuchahnulth hunted a number of different migratory fowl, as well as deer, elk, mink, bear, marten, raccoon and beaver. They had a very strong maritime orientation and depended on the sea for most of their protein and for many of their travel and trade routes. They fished for herring, salmon, halibut, cod and various bottom fish, collected shellfish, hunted various sea mammals from porpoises to sea lions, and they are famous for their whaling expertise (Arima and Dewhirst 1990:394-397). To procure the maritime-based portion of their diet, the people had traditional hunting and fishing stations. The fish were taken by weirs, traps and harpoons and were smoked and dried for use throughout the winter. The importance of this resource is displayed through many of the comments found in the testimonies that address the traditional resource sites. Obtaining these subsistence items created a yearly round which brought people together in the winter and dispersed them in the spring, summer and fall. Thus, this movement affected the "different locales and different sizes and social composition of the local community" (Donald 1985a:19).

Beginning about February, the non-unilineal descent groups that were together in the winter village moved to begin exploiting the arriving herring. Also at this time, migratory birds were caught. Later in the spring, descent groups moved to areas close to halibut fishing grounds and sea mammal hunting grounds. Then in March, whaling began and often this lasted throughout the summer months. These kills offered an important dietary supplement of oil. Also of importance was the collection of shellfish

and plant foods, tasks predominantly done by women who also prepared and preserved the food. By late summer, salmon began to return to the rivers. By September, all descent groups were at their fall fishing stations to catch and preserve enough salmon to supply them for the winter. Finally, by mid-November, with salmon and other foodstuffs preserved, people were back in their winter villages to spend the winter months together until the herring returned once again.

Social Organization

Social organization among the Nuu-chah-nulth was mainly focussed around the local group and the non-unilineal descent group. These people were bound together by kinship and by holdings on resource sites. Of the political groups, winter villages, and in some instances, federations of winter villages, were the largest. Two or more non-unilineal descent groups congregated to form the local group and they stayed together for the winter months and in the spring separated into their descent groups to exploit seasonal resources. Like most Northwest Coast Nations, "polity was the local group focussed on the winter village" (Donald 1983: 109). Some local groups did however join larger political units or "federations" (Donald 1983:109). These were congregations of local groups that shared a common summer village and whose leaders were ranked. This was mainly a "ceremonial and war unit" (Donald 1983:109). It is likely that federations were created in cases where the resource base was relatively poor because the further grouping and associations created by the federation gave people broader access to other resource areas.

Within the Nuu-chah-nulth social system there was a class-like hierarchy that consisted of nobility, commoners and slaves. Leadership was inherited patrilineally but outside of a chiefly class, “individuals validate claims to unit membership through non-unilineal genealogical ties” (Donald 1983:109). Membership in a stratum was defined by birth and people tended to marry within their strata (Donald 1983:110), so they were endogamous at this level. This meant that people of the same class married. To do otherwise was to disgrace family members. Because the Nuu-chah-nulth were non-unilineal, one had a choice regarding with whom he or she was affiliated. This gave a person the right to claim membership in more than one local group and allowed for movement between groups. Inheritance was through the extended family and was commonly done by primogeniture. This right was not restricted to males. If the eldest child was female, then the rights and possibly resources were passed to the female heir. This inheritance was not looked upon in terms of ownership, but that she was holding the inheritance in trust for her future son (Curtis 1916:64). It was also common to pass other rights to daughters, for example, women often inherited the rights to songs and dances.

Marriage between descent groups created alliances that were very important and often first marriages were village exogamous (Bancroft 1875:196). Through marriage, the non-unilineal descent groups often gained access to important resources. Because the alliance was considered important, it involved gift exchanges between the two families. In addition, polygyny was allowed and may have been desired because access to resources was once again increased. Even so, this was a very rare occurrence

because it was costly to obtain more than one wife, but it was possible through the levirate secondary marriage pattern. After marriage, patrilocal residence was the common pattern seen among the Nuu-chah-nulth. Still, because of non-unilineal descent practices, a couple was free to choose their place of residence, and they usually remained with the group that could offer them the best resources (Drucker 1951:278).

Rank and kinship in Nuu-chah-nulth society were fundamental to its organization. Rank was based on inherited property or rights called *tupati* (Arima and Dewhirst 1990:399). Depending on the nature of the *tupati*, it was inherited by the eldest son or daughter or shared with other children, or sometimes given to a son-in-law. The highest ranking member of a local group was considered the head or chief and all others were ranked according to how they were related to this person. This chief held all resource sites and collected “tribute” of an unset amount for their use. He did not work but had many relatives and slaves around him from whom he maintained his position. In return, the chief oversaw the local group and held ceremonies. Overall, a chief only had influence. If he no longer gave feasts or did not offer protection for his local group, his following diminished as people moved to other local groups in which they could claim rights. If this happened, the chief was often killed by another chief who then claimed the group’s territory. A chief and his immediate family were the highest ranked and they had the responsibility to look after the local group. These ranked positions were displayed at ceremonies in the seating arrangements, and in everyday life in the living arrangements of the big house.

Contact With Europeans and the Influx of Traders and Settlers

The first direct contact the Nuu-chah-nulth had with Europeans was on August 8, 1774 with Juan Jose Perez Hernandez, who was on a scouting expedition for Spain. This meeting was short-lived as Perez never went ashore to lay claim to the land for Spain. The first prolonged contact came in 1778, when Captain James Cook spent a month anchored at Nootka Sound to repair his ships and obtain provisions (Arima and Dewhirst 1990:407). He had been ordered to “take possession of any spot not already discovered by another European nation” (Cook 1973:86). While anchored, Cook traded with the people, essentially beginning the Northwest Coast fur trade. The sea otter pelts that became the main trade item were sold in China for a handsome profit. So good was the trade that when Cook’s men reached China (after Cook’s death at Hawaii) and discovered the riches to be made, they almost mutinied, wanting to return to the coast (Cook 1973:88). The fur trade exploded in 1784 when word of the commodity hit Europe through the official accounts of Cook’s voyage (Fisher 1977:2; Cook 1973:100) and the Northwest Coast was flooded with traders soon after. In 1785, the first trading vessels arrived at Yuquot which quickly became a major trading post on the coast along with Clayoquot Sound and Barkley Sound (Arima and Dewhirst 1990:407). The trade was so lucrative that from 1774 to 1825, approximately 450 trading vessels are recorded on the coast, most of these (275) being American from Boston (Cook 1973:551). During this period, trade was seasonal, and there was no settlement in the area, so the Aboriginal people were still relatively unhindered by British, American and Spanish governments. Nevertheless, trade was so

important to Spain that under the pressure of a southward movement by Russia, and exploration by Britain, it built a military fort at Friendly Cove in 1789 (Cook 1973:131). This post was maintained from 1789 to 1795 (Arima and Dewhirst 1990:407). After it was established, it became one of the focal points in what became known as the “Nootka Controversy,” a struggle between Spain and Britain. The commander of the fort, Estaban Jose Martinez, seized several British ships and held the crews as prisoners of war, charging them with violating Spanish sovereignty (Cook 1973:152). Eventually, the Britons were released and told not to return, but subsequently were recaptured for violating the order. The ships and crew were sent to Mexico and the ships were then used for Spanish exploration. This problem of who had claim to the Northwest Coast was not resolved until 1795, when it was agreed by Spain that all lands reverted to British control. The Nuu-chah-nulth had no say in these negotiations.

During the 1790s, the fur trade on Vancouver Island began to decline because of the depletion of the sea otter. From Vancouver Island, trade shifted to elsewhere on the coast. Trade was also curbed because of the violence that started to erupt. For example, early in the 19th century, Chief Maquinna and his Mowachaht men seized the *Boston* and the Clayoquot, under Chief Wickaninnish, seized the *Tonquin* (Arima and Dewhirst 1990:408). All the members of the *Boston* crew except two were killed. The survivors taken were John Jewitt and John Thompson, who then lived for two years as Maquinna’s slaves. “These attacks brought an end to the maritime fur trade in Nootkan territory and...[a] beginning of an era of sporadic contact with Europeans that

lasted until the mid-19th century” (Arima and Dewhirst 1990:408). By 1825, the Northwest Coast fur trade had declined greatly and anywhere that trade was occurring, it was closely associated with the Hudson’s Bay Company (Fisher 1977:3). This short-lived fur trade greatly affected the stable and consistent economic base of the First Nations and affected their population because of the introduction of European diseases. This change in the economic base forced many groups to amalgamate throughout the 19th century and it was the beginning of rapid change in all Northwest Coast cultures.

By the latter half of the 19th century, few settlers entered Nuu-chah-nulth territory. Nevertheless, relations with the government were tense. For example, because murders had been committed, some Native people were hanged by the government and because some groups attacked trading vessels, villages were destroyed. However, not all relations were strained. By the 1860s to 1870s, there was what could be termed a “recontact” period when more settlers began to move into the area (Donald 1995). At this time, many Nuu-chah-nulth worked to provide dog-fish oil to logging companies that used it as skid grease. In addition to this area of work, around 1870, many turned to sealing; an occupation that was carried into the 20th century. Many Native people were hired under contract by settlers and were employed on the EuroCanadian owned sealing vessels. The Native employees were paid a set amount for each fur they procured and it was not long before many were involved in trips to the Bering Sea and other Pacific destinations (Drucker 1951:13). Around the same time, many Nuu-chah-nulth became involved in the commercial fishing industry and were employed seasonally by the canneries on the Fraser River and at Rivers Inlet.

By the early 20th century, the fishing and logging industries were the major employers for the Nuu-chah-nulth (Arima and Dewhirst 1990:410).

The first intimate and permanent contact the Nuu-chah-nulth experienced with non-Native settlers began in the 1860s when a small settlement was established in the Alberni Valley (Drucker 1951:12). Further contact that had great impact began in 1875 when Father Joseph Brabant established a mission at Hesquiaht (Drucker 1951:13). This mission was maintained for many years and residential schools and more settlers were soon to follow.

Today, all Nuu-chah-nulth tribes or bands, with the exception of the Pacheenaht, belong to the Nuu-chah-nulth Tribal Council based in Port Alberni. This council was established in the early 1960s to serve as a representative and voice for the Nuu-chah-nulth people.

The Kwakwaka'wakw

Originally, and still commonly in use today, the Kwakwaka'wakw have been and are called the Kwakiutl or Kwakiulth. This term originates from one Kwakwaka'wakw group at Fort Rupert who are called the Kwakiutl (Macnair 1986:501). The name Kwakiutl is also problematical because it sometimes includes groups that are not considered by the Kwakwaka'wakw to be part of their Nation (Bella Bella, Haisla, and Oweekeeno for example) (Powell 1994:13). These more northern people became known as "Kwakiutlan" and to distinguish Kwakiutls from Kwakiutlans, "Southern Kwakiutl" was often used for the Kwakwaka'wakw (Powell

1994:13). Today, many Kwakwaka'wakw prefer this new title which was first suggested in 1980 by the U'mista Cultural Center. It means "those who speak Kwak'wala" which is, like Nootkan, a Wakashan language (Macnair 1986:501).

The Kwakwaka'wakw Nation occupies northeast Vancouver Island and the mainland opposite it. This includes the land from Campbell River to Cape Scott on the east coast of the island, and from Cape Cook north on the west coast. On the mainland, the land opposite Campbell River north to Smith's Inlet is traditional Kwakwaka'wakw territory (Macnair 1986:502). The Kwakwaka'wakw are bordered on the west by the Nuuchahnulth, on the north by the Owekeeno and on the south by the Coast Salish.

In earlier Kwakwaka'wakw times, there were approximately 30 different groups with their separate territories. Over time, there was a lot of splitting and amalgamating among these groups, intertribal relations were not stable, and conflict between distant groups was common until around 1900 as indicated by their southern movement (Codere 1990:359). The population among these groups has changed drastically since contact. In 1928, there were approximately 4500 Kwakwaka'wakw people. Their numbers however have increased and in 1986, their population was 19,125 persons (Boyd 1990:136).

In the Kwakwaka'wakw region, the sea largely dominated the daily and yearly routine. The people traditionally gathered shellfish and plant foods and fished for salmon, herring, eulachon, halibut and hunted many animals including mountain goats (Codere 1990:364). Knowledge of the environment was important because they were

dependent upon it for survival. It is commonly believed that resources were so plentiful on the west coast that life was relatively easy. This abundance was not necessarily the case however; knowing where food could be procured was vital. This knowledge was also important because local resources were depleted quickly when in the winter village, so people had to store enough food to last through the winter months (Macnair 1986:507). The winter village began its dispersal after the herring appeared on the coast which was usually by late February or early March. Each *numaym*, or non-unilineal descent group, had traditional beaches where it obtained herring roe and herring. After getting the herring, some non-unilineal descent groups moved to their traditional eulachon fishing sites, while others fished for halibut and hunted for sea mammals.

In the summer, descent groups were in traditional sites collecting various plants and sea foods. By late summer, when the salmon returned, the *numayms* moved to fishing stations to obtain and preserve enough salmon to supply them for the winter months that were again spent in the winter village.

Social Organization

Like the Nuu-chah-nulth, the largest political unit among the Kwakwaka'wakw was the winter village. In the winter there was little gathering or food preparation done. This was a time for ceremony and travel to distant villages. For the most part, the winter village consisted of independent extended families, but in ritual and war, it was possible for this unit to act as one (Boas 1966:41). Each winter village was

divided by *numayms* literally meaning “one kind” (Boas 1966:37). There were anywhere from one to seven *numayms* in each winter village (Codere 1990:366). This term “implies an extended lineage group, all of whom descend from a single mythic ancestor. Several *namima* constitute a village group...” (Macnair 1986:509). These *numayms* were bound together by strict social obligations and resource areas held specifically for its use. Each *numaym* had its own ceremonial prerogatives which are inherited by both men and women upon marriage, and most also had an origin story suggesting an animal ancestor. The animal ancestor was believed to have appeared at a certain location coming from the sky, the earth or the ocean (Boas 1966:42). Once it arrived, it removed a mask to change to human form and it began life on earth.

Kwakwaka’wakw *numayms* were “well defined social and political units...each...[with] a definite internal social structure, and...associated with a certain locality” (Galois 1994:25). These units had defensive and ceremonial obligations and it is possible that originally they were independent villages that congregated to form a “tribe” (Rohner and Rohner 1970:87-88). A short summary of the *numaym* function was given to Wilson Duff. It reads:

Each had its own territories, crests, privileges, and names for its important members. Each sponsored its own potlatches and winter ceremonial dances. Each owned its houses in the winter village, and its own seasonal camping spots, fishing places and hunting and gathering places (cited in Galois 1994:25).

Thus, the *numaym* was the basic resource-controlling unit. Like the Nuw-chah-nulth, the formal office of the *numaym* was inherited patrilineally and all other positions were

recognized through non-unilineal genealogical ties (Donald 1985b:238). This meant that each person was a potential member of several *numayms*.

All *numayms* were ranked, so each village had people who were ranked according to their *numaym* membership and the position they held within it. The head of each *numaym* was the person in its highest ranking position. However, this person was not a person of power, but was a representative for the *numaym* at ceremonies and was responsible for relations with other *numayms*. This person also managed the *numaym*'s resources and received a share of all the fish, game, berries, roots and other food stuff harvested from the territories (Suttles 1991:88). From the head person down, other people were ranked within the *numaym*. Unlike some other groups on the Northwest Coast, these positions were not accompanied by any political power, leadership or other privileges but were only important in the ceremonial context (Macnair 1986:510).

So, in the winter village, there were several *numayms* with one overall head and all other *numaym* heads ranking somewhere below him. This man was a ritual leader and he did not have a lot of political power.

As well as the *numayms*, people, and titles, winter villages were also ranked. They "were graded in a precisely scaled order of precedence" (Drucker and Heizer 1967:10). This scale was based on rank that was always expressed at the potlatch.

Social stratification was also very important in Kwakwaka'wakw society as it also was among the Nuu-chah-nulth. In both societies, people fell in one of three categories: nobility or "titleholder" (Donald 1985b:239), commoner or slave. People

became members of their class through birth, it was important to marry someone equal to oneself, and there was little social mobility.

Upon marriage, *numaym* privileges were transferred. This was so important that if a man had no daughter to marry off, part of his son's body was named female and a fictitious marriage took place so that the rights could be transferred (Codere 1990:368). This was most important in the highest position in the *numaym*. In this transfer by marriage a new son-in-law was given names and rights to hold for his children. This was also important because often, a man would utilize these rights to acquire a position in his wife's *numaym* before passing them on to his children. For the lower positions, this inheritance was more flexible. A position could be given to collateral relatives or sometimes even affines (Suttles 1991:90). However, it is likely that this flexibility came after the large population decrease that occurred after contact.

Marriages in traditional Kwakwaka'wakw society were usually arranged, sometimes as early as the couple's childhood. It was important to the *numaym* to obtain good marriage partners for its members because it created alliances between groups. Marriages were exogamous of the extended family and, with rare exception, exogamous of the *numaym*, thus creating relations with other groups and increasing access to further resources and privileges (Boas 1966:50). From the marriage, the groom's family benefited because the bride brought with her ceremonial privileges that were later given to her children. To reciprocate, the groom's family was required to give the bride's family goods. In more recent times this consisted of Hudson's Bay blankets, but in the past, cedar-bark blankets, boxes or a canoe were the primary gift

items (Macnair 1986:513). If a man was of high nobility, polygyny was a possibility, but this was rare (Averkiewa 1981:59). Finally, after a marriage, the couple usually resided patrilocally, but again, because the Kwakwaka'wakw were non-unilineal, there was some choice as to whom one associated with and matrilocality may have become more common with the population reduction and the resulting smaller *numayms* of more recent times.

Contact With Europeans and the Influx of Traders and Settlers

The first recorded contact with Europeans occurred in 1786 with James Strange, a British trader (Codere 1990:363). Following this, in 1792, the American, Robert Gray, the Briton, George Vancouver, and the Spaniards, Dionosio Alcala Galiano and Cayetano Valdes all visited the coast and met the Kwakwaka'wakw (Codere 1990:363). With this contact came increased importance of trade. In the early days of contact, much of what the Kwakwaka'wakw traded was done through the Nuuchahnulth on the west coast who played the middlemen in the fur trade. After Spain left the west coast of Vancouver Island and Britain took over, the maritime trade declined, much of the trade had shifted to the east coast of the Island, and by 1800, Nahwitti had become an important location (Galois 1994:28). Also at this time contact had become frequent and by the 1830s, the Hudson's Bay Company was active in the area because of the forts it had established in neighbouring regions (Codere 1990:363). These included Fort Langley in 1827, Fort Simpson in 1831, Fort Nisqually and Fort McLoughlin in 1833 and later, because of coal deposits, Fort Rupert in 1849. The

Kwakwaka'wakw were in contact with American and British traders and would often hold out for the best price they could receive. They were also known to trade with groups who would normally have taken their furs to Fort Langley. They would trade with these groups and then take the same furs to Fort McLoughlin to obtain a higher price (Codere 1990:636).

In 1849, Vancouver Island was formally made a colony and granted to the Hudson's Bay Company on January 13 of the same year (Fisher 1977:49). Conflict soon erupted in Kwakwaka'wakw territory and throughout the 1850s and 1860s this Nation experienced problems with authorities. In 1850, three British sailors who had deserted were killed and the Nahwitti band was blamed. It is possible that the Nahwitti people thought there was a reward for these men as rumours at the time suggested, but nevertheless, Governor Blanshard of the colony was angered by these deaths. He insisted that the Nahwitti turn the killers in and when they did not, their village was destroyed two years in a row (Fisher 1977:50-52). Eventually, the Nahwitti turned over two bodies that supposedly were the killers and that destruction stopped. Still further tensions were experienced on the coast and destruction of a Kwakiutl (Fort Rupert) village in 1865 resulted (Codere 1990:363).

Other hardships also hit the Kwakwaka'wakw in the latter half of the nineteenth century. Smallpox broke out on the Northwest Coast in the 1860s and by this time there was also a lot of pressure from contact with settlers. The settlement pressure and missionization over this period affected the Kwakwaka'wakw but overall, they "proved more resistant than many of their coastal neighbors" (Drucker and Heizer 1967:22).

The number of settlers moving to the area increased dramatically over the years. In 1881, there were forty settlers in Kwakwaka'wakw territory; in 1901 there were 650 settlers; and by 1921, the numbers had increased to over 5000 (Galois 1994:29-30). During the period between 1881 and 1929 there were 18 salmon canneries in Kwakwaka'wakw territory and by 1924, there were 56 established logging companies (Galois 1994:30). Also by this time, the Kwakwaka'wakw were becoming more assimilated. They wore EuroCanadian clothing, they used Canadian currency, and a cash income had become important. For many, a livelihood was made in the commercial fishing industry. By this time too, much of the money earned was spent on non-traditional goods for potlatching.

Today, each Kwakwaka'wakw band belongs to either the Kwakiutl District Council or the Musgamagw Tsawataineuk Tribal Council that are made up of elected members from every band. These organizations represent the Kwakwaka'wakw in the larger society. Additionally, the Kwakwaka'wakw are working to continue their traditions and have cultural centers to aid in educating their children.

Chapter 4

Methodology

In this chapter I describe the methods used in this research. To ascertain what the Nuu-chah-nulth and Kwakwaka'wakw people said to the Commissioners of the McKenna-McBride Commission, a method was required to objectively analyze the testimonies. To apply this formal technique and to gain results that were valid both quantitatively and qualitatively, the method of content analysis was chosen. Because this method varies by the kind of information and research one does, the particular approach used in this research is outlined below.

Selection of the Groups and Starting the Research

As already mentioned in the Introduction, the Nuu-chah-nulth were chosen because of my interest with these people. When their testimonies before the Commission were initially reviewed, I found that unlike groups such as the Tsimshian, the Nuu-chah-nulth did not make many formal or lengthy presentations to the Commissioners. Most of the Nuu-chah-nulth testimony recorded by the Commission is in response to questions asked by members of the Commission. It was largely because the Nuu-chah-nulth material was much less extensive than the Tsimshian material that I

decided to include a second Nation in this study, making it possible to add a comparison of three different First Nations. After reviewing the testimony of several groups, I chose to include the Kwakwaka'wakw in my analysis for several reasons. First, like the Nuu-chah-nulth, they live on Vancouver Island so they have likely experienced similar histories. Secondly, as noted they are culturally similar and would therefore provide some potentially interesting results. Finally, the testimonies themselves were similar enough to allow for a reasonable comparison and the results themselves would show how two closely linked groups were similar or different in their concerns earlier in this century.

Before beginning content analysis the testimonies were read to gain a perspective of the issues that were a concern to these two Nations. With this approach it was possible to create a list of topics or categories that included all that were discussed. I also used all those categories used by Stuckey in her Tsimshian study so that the final results could be compared to hers. Additional topics that were not used in the Tsimshian study were also included because after reading the Nuu-chah-nulth and Kwakwaka'wakw testimonies I realized that the issues of local health care and local education were of notable importance to these two Nations. These latter concerns had not been significant in the Tsimshian testimonies.

The Testimonies

The Royal Commission on Indian Affairs for the Province of British Columbia travelled throughout British Columbia from 1913-1916. During this time, they met

with many First Nations and recorded the meetings. This information is available in the form of the testimonies, interim reports and the final report. The testimonies of fifteen British Columbia Indian Agencies are available on microfilm and the reports are available in their published form. Few if any of these records are complete because they lack the exhibits (often lists outlining the requested land) given to the Commissioners at the hearings. It is likely that these exhibits have been lost or destroyed because their whereabouts are unknown (Stuckey 1981:52).

The testimonies of eighteen bands from the Nuu-chah-nulth Nation can be found on reel B1458 under the West Coast Agency (Nuu-chah-nulth Testimonies 1914) at the Provincial Archives of British Columbia, while the testimonies of the nineteen Kwakwaka'wakw can be found on reel B1455 under the Kwawkewlth Agency (Kwakwaka'wakw Testimonies 1914). These meetings were recorded by a clerk at the time the testimonies were given, but it is not clear if the same person was the recorder for all Nations or even for all the bands under one Nation. It is however clearly stated for most groups who was sworn in as translator. This person changed from group to group. The reliability of the recorder(s) and translators is unknown and "we are given no assurances as to the consistent accuracy of transcription" within the records as a whole (Stuckey 1981:53). It must be noted however that upon reading the testimonies, it is clear that little editing has been done upon them. This feature is realized because the language proves to be inconsistent with what would be expected from someone for whom English is a first language. For example, word order often is incorrect and there are numerous grammatical errors.

Even though the reliability of the recording of the testimonies is uncertain because of recorders and translators, they remain the best source of the Aboriginal point of view at that time. In addition, the testimonies are a "detailed record of 'events' as they occurred" (Stuckey 1981:53). They are not composed by non-Aboriginal authors and they are not written down after the fact. Thus content analysis of the testimonies is one way to seriously consider the Aboriginal beliefs and desires earlier in this century.

Content Analysis

The method for this study follows that method of content analysis that Naneen Stuckey used in 1981 for her study of the Tsimshian testimonies. The same method was chosen because the data and research goals are similar. By modeling this study after Stuckey's, the final results are comparable to the results she obtained. Stuckey attempted to discern through content analysis, the beliefs and concerns of the Tsimshian peoples who testified to the Royal Commission on Indian Affairs for the Province of British Columbia (1913-1916). This same goal is the concern for this study of the Nuuchahnulth and Kwakwaka'wakw testimonies.

Since the data that are available are the testimonies of the First Nations Peoples, content analysis was chosen as a method of approach. "Content analysis is a multipurpose research method developed specifically for investigating any problem in which the content of communication serves as the basis of inference" (Holsti 1969:2). By using content analysis, the "communication content is transformed, through the

objective and systematic application of categorization rules, into data that can be summarized and compared" (Paisley as cited in Holsti 1969:3). Content analysis is used only to measure the data and the true interests of the study are the relationships that are uncovered by it (Markoff et al. 1975:19). By studying these testimonies, it is possible to establish some of the more obvious information, like who testified, when it took place, where it occurred and what groups were represented. Even more important is that the testimonies can reveal what the people thought were important issues and what they desired at the time of the Commission. To complete a study of this kind successfully, it is essential that only the manifest content be used, ensuring that the researcher remains completely objective (Holsti 1969:12). This is required because if the researcher interprets what the testifier meant, objectivity is lost and the results may represent the researcher's interpretation rather than the speakers' desires. "The requirement of objectivity stipulates that only those symbols...actually appearing in the message be recorded" (Holsti 1969:12). "'Reading between the lines' so to speak must be reserved to the interpretation stage, at which time the investigator is free to use all of his powers of imagination and intuition to draw meaningful conclusions from the data" (Holsti 1969:12-13).

The Analysis

There is no single way to do content analysis and in practice, a variant of the method may be required for each case (Markoff et al. 1975:39). To begin, one must start with the text and process it into classifications or symbols (Markoff et al. 1975:2).

The researcher must create a study that will meet the goals of the research while ensuring that the methodology is systematic, objective and replicable (Markoff et al. 1975:7). The steps of this analysis are outlined below.

A. The Units

All Nuu-chah-nulth and Kwakwaka'wakw testimonies are considered relevant to this study. After isolating the data, it was read and broken into units. In this case, a unit is an issue that many testifiers were concerned with, for example, non-Native territorial expansion. From these categories, a data sheet was created that includes the main topics of discussion found in the testimonies. When the data sheet was created, the categories that Stuckey used for the Tsimshian data were included to facilitate a comparison of the final results. "The data sheets...[were] used to code the various topics about which the speakers were concerned and the nature of the interests voiced" (Stuckey 1981:55). Included on the data sheet is an area to record the personal information about the individual testifying. This was useful in establishing who testified, and if possible, his position in the group⁵. To ascertain the speakers' opinion, each opinion type was included on the data sheet. Following this information was an area to record some of the important issues discussed by the speaker. This made it possible to record any additional remarks that may have further explained those that were already coded. Finally, at the end of the coding section, there was a section in

⁵The Aboriginal people who testified to the Commission on behalf of these two nations were all men.

which other concerns could be recorded to ensure that all issues were considered. A copy of the data sheet is provided in Appendix 2.

B. Coding Technique

Content analysis must be done with a great amount of objectivity, ensuring, as already noted, that only manifest content is recorded. For this study, the recording unit was the sentence. Therefore, each sentence was read separately and its content recorded, along with the speaker's opinion if one was manifested. For most of the testimonies, many of the comments are a result of the people answering direct questions asked by the Commissioners. Because of this occurrence, one could ask if the true concerns of the Native people were being expressed. Nevertheless, these testimonies are the only data of their kind and therefore, they must be accepted for the information they contain. It must also be noted that in some cases the testifiers did express an opinion in both independent speeches to the Commission and in the question and answer sessions. Another common feature of the testimonies was that one person would address the Commission on behalf of the group and then the Commissioners would question that person and others about what was said in the speech.

As can be seen in the following tables, a comment is one or more sentences said by an individual on one of the topics being coded. In addition to coding the comments of each person who addressed the Commission, the intensity of their opinion was noted. To remain objective and to have comparable results with Stuckey, her scale was employed. For each category, the number of sentences said regarding it was recorded.

If the comment was made in one or two sentences, it received the level “one”, considered here as showing “moderate” concern. If the issue was raised in three to six sentences, it received a level “two” and the designation of “high” concern, and if it was addressed in seven or more sentences, it received a level “three” and a designation of “intense” concern (Stuckey 1981:59-60). When completing this aspect of the study, it must be stressed that the number of sentences was considered and not the number of lines, as the line length varies between each testimony. The level of concern was calculated by tallying the number of sentences regarding a category only after the person's testimony had been completely recorded. This was because a person may have a number of sentences overall relating to a certain issue but did not say all he had to say about a topic at one time. Often, the people discussed the same issue at different times in their testimony or they addressed the Commission at different times in their meeting. In a few cases, people addressed the Commission on different days at different meetings.

To begin coding, wherever possible I recorded any personal information about the person speaking. This information included rank, place of residence, religion and occupation. In most instances, such information was not available so is not included in the final results. When recording the comments, I began by giving each comment made the number one in the appropriate category. I then tallied the categories, in accordance with the adopted scale, when counts exceeded two. The categories which were coded are defined in Table 1.

When doing the original coding a standard approach was adopted for making decisions about which category to label certain potentially ambiguous remarks. Aboriginal title was a concern when a person was speaking in terms of “time immemorial” or “our forefathers”. This at times was difficult to distinguish from communal ownership, but if any history was mentioned, it was coded as Aboriginal title. Aboriginal title was also easily confused with individual ownership because some men spoke of the land their fathers owned as proof of their right to ownership. The reserve system versus the desire for additional reserves was also troublesome at times. The difference here was that if the reserve system was mentioned without any indication of the desire for more land, then it was recorded under the reserve system. Also under the desire for more land, people frequently said they wanted the land for the soil, the timber, for the rivers and for hunting and they often submitted a list of the land they wanted. In sentences such as these, all the issues were recorded: desire for farmland, desire for timber/logging land, and the desire for fishing and hunting stations. These were the only circumstances under which one sentence was considered to have multiple comments as it proved impossible to divide or group the comments without losing some of the information. The desire for farmland was recorded if it was explicitly noted or if it was said that the land was wanted for the soil. After the testimonies for each group under consideration were coded, the results were compared. This procedure was done for both the individual bands and for the Nations. In addition, intensity of interest in each category was calculated by finding the percentage of each possible opinion. In this way, it is possible to see the issues in which the people

were most and least interested. Using these data, the final results and overall desires of the Nations can be compared.

Table 1

Category Definitions

Category	Definition of the topic
Aboriginal Title	discussion of forefathers and the right to land from "time immemorial"
Reserve system	comments about existing reserves without reference to wanting/needing more land
Non-Native territorial expansion	comments regarding non-Native encroachment -- i.e. discussion about non-Native fishing, settlers moving stakes, settler cattle etc.
Desire for traditional fishing sites	discussion about their right or need for traditional fishing stations -- often told the Commission that they wanted the land for fishing
Desire for traditional hunting stations	discussion about their right or need for traditional hunting areas-- often told the Commission that they wanted the land for hunting or trapping
Desire for new/additions to existing reserves	suggestions of needing/wanting more land -- many groups offered lists of these applications to the Commissioners
Desire for farmland	explicit references to wanting the land for farming or "for the soil"
Non-traditional economic activities	reference to fishing, logging etc. for companies
Desire for timber/logging land	reference to wanting land for the timber -- both traditional and non-traditional activities considered
Individual ownership	reference to a single person owning an area of land -- i.e. "I want that land . . ."
Desire for fishing licenses	discussion about wanting the right to hold a license to become more involved in the commercial fishing industry
Communal ownership	reference to the group or band owning the land together--did not include the impression of rights to the land from "time immemorial"
**Desire for local health care	reference to local health care -- usually considered in the questions asked by the Commissioners
**Desire for local education	reference to local education -- usually considered in the questions asked by the Commissioners

**These topics were not included in Stuckey's (1981) final analysis.

Reliability Test

As I wished to use Stuckey's (1981) Tsimshian data in my comparison of testimonies, the issue of comparability of the studies was important. I attempted two replications of Stuckey's coding and with one data set (the Aiyansh) found a .85 correlation (Spearman's Rho) between our results. With the other set (the Kincolith), problems were encountered. In her thesis, Stuckey did not clearly list her results for this group, but only said that between x and y number of people discussed the issue at hand, so it was impossible to compare coding results. However, for the Aiyansh, it seems that our coding was very similar and I would conclude that our results are validly comparable.

I also ensured that consistency was maintained in the coding of the Nuuchahnulth and Kwakwaka'wakw by recoding the groups with which I began after I had completed all coding. My results were virtually the same both times I did the coding showing that I had maintained consistency throughout. I did this for both the Nuuchahnulth and the Kwakwaka'wakw.

The final result of using this methodology on the Nuuchahnulth and Kwakwaka'wakw testimonies before the Royal Commission is an understanding of what the people said and what was important to them. This information is often difficult and sometimes impossible to discern from government publications like the Commission report. Content analysis allows us to understand those issues that were not considered by the Commissioners and enables us to see the testimonies in a new and more accurate light.

Chapter 5

Comparison of Bands

The goal of this thesis is to establish what the Nuu-chah-nulth and Kwakwaka'wakw Nations were saying in the McKenna-McBride Commission testimonies from the early part of this century. Before considering the results of content analysis on the Nations as a whole, it is also important to look at the band results to gain a better understanding of the issues that were important to the individual bands as well as any differences among the bands' testimonies. This section considers the results of content analysis on the testimonies from each band within these two Nations to obtain a picture of what the people really said and were hoping to achieve in meetings with the Commissioners during the early part of the 20th century.

When reading the testimonies of the Nuu-chah-nulth and Kwakwaka'wakw there are some features of the hearings that should be recognized. The first is that the Commissioners spent a great deal of time questioning the witnesses and spent less time listening to what the people had to say through volunteer address. This questioning was common for both Nations. The most common questions were about how much money the people in the bands made through non-traditional economic activities, the kind of farming practices they had, if they owned any farm animals, what the soil was

like, and if the people owned any gas powered boats. In some instances, the Commissioners did ask questions about the marriage practices, the potlatch and other culturally related topics. In contrast to these focusses, the Aboriginal speakers wanted to discuss access to fishing sites, timber land, and other traditional territories. They wanted the Commissioners to deal with the influx of settlers, and they wanted the Commissioners to ensure that they did not lose their traditional lands. From these interests it is obvious that from the outset the Commission and the Aboriginal people had vastly different points of view regarding what was important.

In addition to the questions the Commissioners asked the Aboriginal testifiers, they sometimes questioned settlers who were in attendance at the meetings. These people were often asked about the wages the band members earned through non-traditional economic ventures, and they were questioned about the value and quality of the land. Although these testimonies are briefly discussed here, they were not included in the coding or the analysis because the interest is the First Nation point of view.

Another commonality found among the Nuu-chah-nulth and Kwakwaka'wakw bands who met with the Commission was that, prior to their meeting, they did not necessarily know what lands had been reserved to them. They often knew only that many settlers were in the area and that their traditional rights seemed no longer applicable. For this reason, the Commission was a learning experience for many band members because they discovered what lands were reserved to them and they were informed about a wide variety of laws that pertained to them. For example, many were concerned that there were settlers who were hunting and trapping on their reserves.

They were told by the Commissioners that this was not legal and that they should report any such incidences to the Indian Agent. In contrast, some people also learned that some traditional rights, like access to timber, were no longer valid.

For both Nations, the representatives of the bands who spoke to the Commissioners were in all cases men. The only woman to testify was a settler woman named “Mrs. Jane Cook”. She was sworn to give evidence about the Kwakwaka’wakw understanding of the reserves. All other addresses were given by men. In addition to the question of the speakers’ gender, another concern in the original coding technique was the speaker’s status. In some cases, the speaker is recorded as “Chief” but in very few is it recorded that the speaker calls himself by this title. For this reason, and because in most cases status was not recorded at all in the testimonies, this information could not play an important role in the final analysis. Without this information for all or at least most of the speakers, it is impossible to create a status profile of those people who testified. In fact, although at times it seemed that people had been chosen to represent the group overall, it was also clear that the Commission allowed anyone to speak at the meetings and that no one was prevented from speaking because of his status.

In all cases at the Kwakwaka’wakw and Nuu-chah-nulth meetings an interpreter was used to facilitate communication between the bands and the Commissioners. In some cases, it is recorded that the bands chose their interpreter. This is not the case in all the recorded testimonies however. In most, the only reference to an interpreter is that he or she (Mrs. Jane Cook was employed for this purpose) is named and it is noted

that they were sworn in. After these formalities the interpreter only interjected with an opinion if asked by the Commissioners or if he was a member of the band. Still, this interjection happened very rarely. Also noteworthy is that the interpreter's name is not recorded in all cases. However, the interpreters employed who were recorded were commonly settlers, the Indian Agent or a member of the band who spoke English.

Kwakwaka'wakw Bands

The Commissioners travelled through the "Kwawkewlth Agency" meeting with the individual bands from May 28 to June 10, 1914. In this time they met with nineteen bands. There was also an extra meeting held at Fort Rupert with what the Commissioners called the "Principle [sic] Tribes of the Kwaw Kewlth Nation" and another with a "Kwaw kwelth Band" classified here under the Kwakiutl (Fort Rupert) band testimonies. At the "Principle Tribes" meeting, many people from different bands were given the opportunity to speak in an open forum and, as in the other meetings, they expressed a wide range of concerns. In most cases, the band that the speaker belonged to was recorded, so each speaker was later classified with his home band in the analysis so that an entire representation of the individual bands could be obtained.

When considering results for the bands, one problem that should be considered in relation to these testimonies is whether or not the speakers are representative of the bands. This point is noteworthy because the number of people who attended the meetings is unknown and we do not know to what extent the bands chose those who spoke. Although the attendance was never discussed or recorded by the

Commissioners, it does seem that in most cases the meetings were accessible so they were likely well attended. Most of the meetings were held in Alert Bay. For many groups this was not a difficult or lengthy trip but for some of the mainland groups that testified in this community, the trip was rather long and they may have had fewer people in attendance. In addition to Alert Bay, some testimonies were heard on board the *S.S. Tees*. Most of the bands who testified on this ship lived at the northern end of Vancouver Island, the northern portion of the mainland included in Kwakwaka'wakw traditional territory and on the northwest coast of Vancouver Island. Because the bands in these areas lived a long distance from east-central Vancouver Island where most of the meetings were held, it is likely that the Commissioners went to these groups on the ship. Other meetings were held at Cape Mudge with the bands from this area. Finally, meetings with other bands were held on the reserves that the people were living on. For most groups then, the Commission meetings were accessible.

After completing all meetings with the Kwakwaka'wakw, the Commissioners had heard testimony from 46 different people. In all cases, those speaking were very cooperative with the Commissioners and were patient to answer all their questions. Contrary to this, when reading the testimonies one gets the distinct impression that the Aboriginal speakers were cut short so one is left with the feeling that they sometimes were unable to say all that they wanted.

As far as the content of the testimonies is concerned, the results of the analysis are summarized in Table 2. Rather than outlining the individual results for each band, some of the key results as found through content analysis will be addressed as well as

any anomalies found within the testimonies. Unlike in the Nuu-chah-nulth testimonies, in the Kwakwaka'wakw testimonies most people expressed an opinion. There were however 6 per cent of the comments that did not reveal the speaker's position on a topic.

At the meetings, the issues people spoke of were, in most cases, discussed positively meaning that generally they were telling the Commissioners what they wanted instead of what they did not want. However, there were some issues like non-Native territorial expansion that received negative comments. In nearly all cases, people were clearly against this influx of settlers. The only exception was for the Mamaleleqala Qwe'Qwa'Sot'Enox (Mamalilikulla) band where two people who considered this issue did not express an opinion. This same pattern is true for the issue of Aboriginal title. In all comments except those from two people who did not express an opinion, the concept was supported. The two that did not express an opinion were the only speakers for the Quatsino band to address this issue so it is impossible to establish this band's point of view on the topic.

In the testimonies overall there was little variation among the bands in the statements made in the testimonies to the Commission. Nevertheless, there were some minor differences. One of these differences is that the number of comments varied greatly. The fewest number of comments came from the Klaskino and Koskimo bands with six remarks overall. The most came from the Kwakiutl (Fort Rupert) band with a total of twenty-nine, all expressing clear opinions over a wide range of issues. Within these testimonies, there were some anomalies and/or discrepancies among the bands'

comments. The first is in the comments about the reserve system overall. In most cases, the speakers were against the system or they did not express an opinion. For most of the expressed opinions, the speakers were “moderately against” the system. This view however was not the case for one Kwakiutl man who, on the basis of the length of his comments, was the only person to express that he was “intensely against” the system. In contrast, one Nahwitti man raised this issue and of the fourteen comments made about the reserve system, his was the only one to support it. He said that they were happy with the reserves and that they did not want changes made to the system (Kwakwaka’wakw Testimonies 1914:40). A final difference concerns the issue of farmland. In all cases, when this subject was discussed, it was to tell the Commissioners that they needed more land for sustainable farming. However, for all bands except the Kwakiutl band, this was addressed by one person in only one or two sentences, so it was not deemed very important to the speakers. For the Kwakiutl band, three people considered this issue. One person only spoke of it once or twice. The other two people were far more concerned indicating, through the number of their comments, that they were “highly” and “intensely for” the addition of farmland. With all other issues considered in this research, the people who considered individual topics were very much in agreement. Overall, there were few discrepancies except for those already considered.

Table 2

Distribution of Band Results (Kwakwaka'wakw)

Units	Nahwitti	Koskimo	Klaskino	Quatsino	Gwasilla	Nakwotak
Number of people testifying	1	2	1	3	2	2
Number of comments	7	6	6	12	7	15
Aboriginal title		1+		2(0)	1++	2+
Reserve system	1+			1(0)		2-
Non-Native territorial expansion	1---		1-	1-, 1--		1--
Desire for traditional fishing stations	1+	1+, 1+++	1++	1+, 1++	2+	1++
Desire for traditional hunting stations			1+	2+	1+	2+
Desire for new &/or additions to reserves	1+++	1+++	1++	1+++	1+++	1++, 1+++
Desire for farmland						
Non-Traditional economic activities	1+		1+	1+		1(0)
Desire for timber/logging land		2++			1++	2+
Individual ownership	1++		1(0)	1+		1+
Desire for fishing license						
Communal ownership						
Desire for local health care						
Desire for local education	1++				1+	1+

Numbers indicate the number of speakers commenting on the issue.

- "moderately against", -- "highly against", --- "intensely against"

+ "moderately for", ++ "highly for", +++ "intensely for"

0 - the speaker offered no opinion

Table 2 (continued)

Distribution of Band Results (Kwakwaka'wakw)

Units	Kwakiutl	Nimkish	Tlawitsis	Mamalilikulla	Weewiakum	Tanak-teuk	Matilpi
Number of people Testifying	6	7	1	4	3	3	2
Number of comments	29	16	10	18	12	12	7
Aboriginal title	2+	1+	1++	1+	1+	1++	1+
Reserve system	1---	1(0)	1-		1-	1-	
Non-Native territorial expansion	3--	1--	1--	2(0), 1--	2--	1-	1-, 1--
Desire for traditional fishing stations	1+, 1++, 1+++	1+, 1++	1++	2++	1++	2+	
Desire for traditional hunting stations	1++	1+	1+	2+	1++		
Desire for new &/or additions to reserves	2+, 1++, 1+++	1+++	1+++	2++	1+, 1++	2+	2+
Desire for farmland	1+, 1++, 1+++	1+		1+			
Non-Traditional economic activities	1+, 3++	1+	1+	1(0)	1+	1+	
Desire for timber/logging land	1+, 1++, 1+++	1++	1+	3++	1+, 1++		1++
Individual ownership	2+	1+, 1++		1+, 1++		1(0), 1+	
Desire for fishing licenses							
Communal ownership					1+	1(0)	
Desire for local health care	2+	1(0), 1++	1+				
Desire for local education	1++	1(0), 1+	1+	1++		1+	1+

The numbers indicate the number of speakers commenting on the issue.

- "moderately against", -- "highly against", --- "intensely against"

+ "moderately for", ++ "highly for", +++ "intensely for"

0 - the speaker offered no opinion

Table 2 (continued)

Distribution of Band Results (Kwakwaka'wakw)

Units	Tsawa-taineuk	Hahuamis	Kwa-Wa-Aineuk	Kwicksutaineuk	Hahamatsees	Kweeha
Number of people testifying	2	1	2	1	1	1
Number of comments	8	7	8	8	7	7
Aboriginal title	1+			1++	1+	
Reserve system	1-	1-		1-	1--	1-
Non-Native territorial expansion	1---	1---	1-		1--	1-
Desire for traditional fishing stations	1++	1++	1++, 1+++	1++		1++
Desire for traditional hunting stations	1+++	1++	1+++	1+		
Desire for new &/or additions to reserves	1+++	1+++	1+, 1+++	1+++	1+++	1+++
Desire for farmland	1+				1+	
Non-Traditional economic activities				1+		1+
Desire for timber/logging land	1+++	1++	1+++	1+	1+	1+
Individual ownership			1+			
Desire for fishing licenses						
Communal ownership		1+		1+	1+	1+
Desire for local health care						
Desire for local education						

The numbers indicate the number of speakers commenting on the issue.

- "moderately against", -- "highly against", --- "intensely against"

+ "moderately for", ++ "highly for", +++ "intensely for"

0 - the speaker offered no opinion

Nuu-chah-nulth Bands

“Visitations of the principal Reserves of the West Coast Agency and meetings with the Indians thereof occupied the Commission from the 6th to 23rd of May, 1914” (Canada 1916:851). Throughout these days, they had 16 meetings with 18 Nuu-chah-nulth bands and five meetings with Indian Agent Cox. These meetings were held at various locations throughout traditional Nuu-chah-nulth territory, and in most instances, they were held on one of the reserves the people lived on so the meetings were accessible to every band.

In addition to the meetings the Commissioners held with the individual Nuu-chah-nulth bands, they also had five meetings with Indian Agent Cox. These meetings were held in private but they were recorded. The Commissioners asked Cox basic questions about the Nuu-chah-nulth Nation and bands that show they were concerned about issues like band size, soil conditions, farming activities, and the people’s “progress during the last year” (Nuu-chah-nulth Testimonies 1914:126). They also asked him about the different applications for further lands to gain his opinion on whether or not the lands were required. In most cases, if the land was not occupied by settlers and if it was, to his knowledge, traditionally used, Cox recommended that it be set aside. He also argued that a surveyor would be required to establish these new reserves.

After meeting with each Nuu-chah-nulth band, the Commissioners had heard testimonies from 60 people belonging to 18 Nuu-chah-nulth bands. At all meetings the people were cooperative and patient, answering each of the Commissioners’ questions.

Like the impression from the Kwakwaka'wakw testimonies, when reading these testimonies, one gets the feeling that the impatience fell to the Commissioners and that the Nuu-chah-nulth people did not always get to say all that they wanted.

This section considers some of the results found within some of the Nuu-chah-nulth bands. For greater detail of the results of the content analysis for the bands, see Table 3. From this table, one gains an understanding of the issues that were addressed by each band and some of the trends within the testimonies. For example, many speakers who addressed the Commission did not express an opinion. The number of these comments total 27.5 per cent of all comments made and because this number is so large, it is difficult to ascertain what these speakers really wanted from the Commission. Nevertheless, even without an expressed opinion, it is important to recognize the issues that the people addressed.

Another interesting consideration is the number of codable comments each band made. This does not correspond to the number of people who spoke for their band because people often made comments in a number of categories. The fewest comments made by a single band were four. This level of representation was the case for several groups. Two-thirds of the bands made fewer than ten comments while only one-third of them made ten or more.

In most cases, the issues that the Nuu-chah-nulth discussed were addressed in a positive fashion telling the Commissioners what they wanted instead of what they did not want. This is very much like what was found for the Kwakwaka'wakw bands. Still, as already highlighted, many of the comments contained no opinion. Of interest

here however is how the importance and interest of each unit varied between bands. Although these variations between bands were not common, there are some that should be discussed. The first of these is non-Native territorial expansion. As important as it was to the Nuu-chah-nulth bands, it was not considered in the Kyuquot testimonies and within the other testimonies it varied in degree of importance. For four speakers, it was expressed as an “intense” concern. It is interesting to note that the four speakers who considered expansion important were from different bands that are relatively distant from one another and they were all relatively isolated. This distance between the interested bands reveals that they were not feeling pressure from the same settler populations. One of the common threads of concern was non-Native fisheries off the coast and not necessarily the invasion of settlers.

Another issue considered by many speakers was the addition of lands to the reserves. In some cases the speakers discussed fishing and hunting stations, timber land, and farmland, while in others, the speakers only discussed general additions. Nevertheless, when considered together, there were 57 comments made within these units and nine of them expressed an “intense” concern. Fishing and hunting stations were most important to the Tseshaht and Opetchesaht while overall general additions were most important to the Che:k'tles7et'h, Ehattesaht, Muchalaht, Hesquiaht, Ahousaht and Kelsemaht. For the addition of farmland, only two people spoke; one each from the Tla-o-qui-aht (Clayoquot) and Pacheenaht bands. Although this was an important issue to the Commissioners, it was much less important for the two men who

raised it as they considered it only once or twice. It was even less important to the other Nuu-chah-nulth bands who did not consider it at all.

There are a few unusual features in some of the band testimonies among which two obvious ones are seen. The first is that although only six bands considered individual ownership, and in most cases only one person spoke about it briefly, for the Ehattesah, six people discussed it and all expressed a positive opinion. This is even more interesting because comments on this issue constituted 60 per cent of this band's total comments. Clearly individual ownership was very important to this band while it was much less important to the others.

Another unusual topic is the consideration of fishing licenses. Only one person from the Opetchesah band raised this and he said that he wanted to have access to a license so that he could be involved in the commercial fishing industry. No other bands considered this issue so it is assumed that it was not a concern for any other Nuu-chah-nulth people.

Finally, it is interesting to note that in most cases the Nuu-chah-nulth bands did not speak about local health care or local education. Although these issues were unimportant to most of the Nuu-chah-nulth bands, they were important to the Tsesah, the only band to consider both issues. They were clear that they wanted a sober doctor who would not charge them for his care. They stated that even though there was a hospital close by, they could not afford to use its facilities and the doctor would not travel to attend to them. Additionally, although there was local education available, one speaker said that the children learned nothing useful at school and

learning a trade there would be beneficial. It is likely that the Tseshaht people made these statements because they were one of the few bands who had enough first hand experience with these facilities to effectively criticize them because they were located in or near the community of Port Alberni. Many other bands did consider one or the other of these, but generally they did not put a great deal of emphasis on them.

To summarize the band analysis, a brief comparison is useful. In many instances the bands were similar in their responses and comments to the Commissioners. In all cases, no more than eight people and no less than one person testified for each band. The most important issue that these people discussed was the desire for new and/or additions to the existing reserves. All Kwakwaka'wakw bands considered this issue with the strongest opinion belonging to the Kwakiutl band. For the Nuu-chah-nulth, thirteen bands discussed potential additions and in most cases the speakers offered opinions in support of the new lands. In contrast, what was more important to the Nuu-chah-nulth was the expansion of settlers into their traditional territories. All but one Nuu-chah-nulth band considered this issue and almost all speakers were clearly against the movement, while only a few offered no opinion. This issue was also important to the Kwakwaka'wakw speakers and all but three bands discussed the problem. Here too virtually all testifiers spoke against it.

On many of the other issues the Kwakwaka'wakw and Nuu-chah-nulth were similar in their comments. A more precise discussion is in the next section.

Table 3

Distribution of Band Results (Nuu-chah-nulth)

Units	Che:k'tles7et'h'	Kyuquot	Ehattesaht	Nuchatlaht	Mowachaht	Muchalaht
Number of people testifying	1	2	8	2	2	3
Number of comments	6	4	10	4	8	10
Aboriginal title						
Reserve system					1(0)	
Non-Native territorial expansion	1--		1-	1--	1-, 1---	3--
Desire for Trad. fishing stations	1+	1+			1+	1+
Desire for trad. hunting stations	1++					1+
Desire for new &/or additions to reserves	1+++	1(0)	1+, 1+++	1++	1+	1+++
Desire for farmland						
Non-Traditional economic activities		1++				1+
Desire for timber/logging land	1+	1++	1+		1+	1++
Individual ownership			5+, 1++	1(0), 1++		2++
Desire for fishing licenses						
Communal ownership					1(0)	
Desire for local health care					1+	
Desire for local education	1++					

The numbers indicate the number of speakers commenting on the issue.

- "moderately against", -- "highly against", --- "intensely against"

+ "moderately for", ++ "highly for", +++ "intensely for"

0 - the speaker offered no opinion

Table 3 (continued)

Distribution of Band Results (Nuu-chah-nulth)

Units	Hesquiaht	Ahousaht	Kelsemaht	Tla-o-qui-aht	Ucluelet	Toquaht
Number of people testifying	3	7	3	4	1	2
Number of comments	5	10	10	15	4	6
Aboriginal title		1+		1(0)		
Reserve system		1++	1(0)	2(0)	1(0)	1(0)
Non-Native territorial expansion	1--	1(0), 2--, 1---	1(0), 1--	1(0), 1--	1(0)	1(0), 1--
Desire for traditional fishing stations	1+		2++	1++		
Desire for traditional hunting stations				1(0), 1+, 1++		
Desire for new &/or additions to reserves	1+++	2+, 1++	1+, 1+++	2+++		
Desire for farmland				1+		
Non-traditional economic activities	1(0)		1(0), 1+	1++	1(0)	
Desire for timber/logging land	1+++			1+, 1+++	1++	1+
Individual ownership		1+	1(0)			1(0)
Desire for fishing licenses						
Communal ownership						1+
Desire for local health care						
Desire for local education						

The numbers indicate the number of speakers commenting on the issue.

- “moderately against”, -- “highly against”, --- “intensely against”

+ “moderately for”, ++ “highly for”, +++ “intensely for”

0 - the speaker offered no opinion

Table 3 (continued)

Distribution of Band Results (Nuu-chah-nulth)

Units	Uchucklesaht	Tseshah	Opetchesaht	Huu-ay-aht	Ditidaht	Pacheenaht
Number of people testifying	2	3	3	4	6	2
Number of comments	6	13	8	4	6	9
Aboriginal title	1+	2(0)		1(0)		
Reserve system		1(0)	1(0)		1(0)	1++
Non-Native territorial expansion	2-	1-, 1--	1--, 1---	1(0)	1--, 1---	1(0), 1-
Desire for traditional fishing stations	1++	1++, 1+++	1++			1(0)
Desire for traditional hunting stations		1+	1+++			
Desire for new &/or additions to reserves		1+			2+	1(0), 1++
Desire for farmland						1+
Non-traditional economic activities	1++		1(0)	1(0)	1(0)	1+, 1-
Desire for timber/logging land	1+	1(0), 1+	1+++	1(0)		
Individual ownership						
Desire for fishing licenses			1+++			
Communal ownership						
Desire for local health care		1+++				
Desire for local education		1(0)				

The numbers indicate the number of speakers commenting on the issue.

- “moderately against”, -- “highly against”, --- “intensely against”

+ “moderately for”, ++ “highly for”, +++ “intensely for”

0 - the speaker offered no opinion

Chapter 6

Comparison of Nations

To gain an understanding of the issues that were discussed by the Kwakwaka'wakw and Nuu-chah-nulth Nations when they addressed the McKenna-McBride Commission, the results of content analysis at the Nation level are outlined in this section. The results reveal which issues were most important to the people and allow for a comparison of the Nations. Also included in this section is an overview of the results for the Tsimshian study done by Naneen Stuckey in 1981. By using both Stuckey's and my results, a picture of what the people were saying to the Commission will emerge for three significant areas of British Columbia.

Overall, the Kwakwaka'wakw had a total of 202 recorded comments and the Nuu-chah-nulth had 138. By looking at the overall results at this level it is possible to see the issues in a ranked order of importance. Although the rank is visible, when looking at the distribution of the comments there may be a problem with the ordering. Because of the limited number of comments made overall, when there is only a small or non-existent difference between the frequencies of the discussed issues, less stress can be placed on those closely ranked. Still, it is possible to see a clear picture of the primary issues and those of lesser concern. For a summary of the results of the

distribution of comments found for the Kwakwaka'wakw and Nuu-chah-nulth, see Tables 4 and 6.

Another area of consideration is the intensity of the opinions expressed. Tables 5 and 7 offer a summary of the intensities of opinion for the Kwakwaka'wakw and Nuu-chah-nulth. Using these data, it is possible to recognize the important comments relative to the degree of interest

Kwakwaka'wakw Nation Results

In the testimonies of people belonging to the bands within the Kwakwaka'wakw Nation, 202 codable comments were found. These reveal the primary concerns of the people who spoke and, by inference, the concerns of the Nation overall. From the 19 Kwakwaka'wakw bands who met with the Commission, 46 people were recorded as speaking. A summary of the main topics and concerns of those who spoke is outlined in Table 4 which shows that when taken together, most important was the addition of further lands. This was expressed in a variety of forms, the most common being through requests for additions to the existing reserves. This was discussed 28 times, totalling almost 14 per cent of all comments made. All these comments offered support for the additions. The second most important issue was the desire for traditional fishing stations, commented on 27 times. Like those made for additions to the reserves, all comments about this issue also supported the acquisition of the lands. Because these two issues are close to being equal in the distribution of the comments, it

Table 4

Distribution of Kwakwaka'wakw Comments by Topic and Opinion Expressed

Units	Comments		Opinion		
	# of comments	% of total comments	% for	% against	% with no expressed opinion
Aboriginal title	17	8.4	88.2		11.8
Reserve system	13	6.4	7.7	76.9	15.4
Non-Native territorial expansion	23	11.4		91.3	8.7
Desire for traditional fishing stations	27	13.4	100.0		
Desire for traditional hunting stations	17	8.4	100.0		
Desire for new &/or additions to existing reserves	28	13.8	100.0		
Desire for farmland	7	3.5	100.0		
Non-traditional economic activities	14	6.9	85.7		14.3
Desire for timber/logging land	22	10.9	100.0		
Individual land ownership	14	6.9	92.3		7.7
Desire for fishing licenses	0	0			
Communal land ownership	5	2.5	80.0		20.0
Desire for local health care	5	2.5	80.0		20.0
Desire for local education	10	4.9	90.0		10.0
Total	202	99.9			

is difficult to argue that one was more important than the other. Nevertheless, when considering these units, they are similar and very comparable because both show concern for ensuring that certain lands are available to the people. The only difference is the purported need for the additional lands. Another topic that concerned additional lands was the desire to hold rights to timber resources and many reasons were given for needing access to these rights. Some people said that they wanted the timber for traditional uses, others that they needed it for traditional and economic purposes, while still others wanted to have the timber to sustain themselves by logging. This issue was commented on 22 times and constituted almost 11 per cent of all comments made.

The desire for hunting stations was another area where more land was requested. This issue totalled more than 8 per cent of all comments made. Finally, farming was also a topic that resulted in a request for further lands. For the Kwakwaka'wakw this totalled 4 per cent of all comments.

When considered together, it is evident that access to further lands was a primary concern for the Kwakwaka'wakw. In total, these comments comprise 50 per cent of all those made. Another important aspect of these requests is that the majority focussed on reasons pertaining to traditional activities. They needed the lands to fish, hunt and trap and they also wanted the ability to be involved in the labour market by utilizing these lands.

Following these issues in importance was the concern about non-Native territorial expansion. Throughout the testimonies, 23 comments about this issue were made totalling just over 11 per cent of all comments made. Approximately 91 per cent

of these comments expressed the speakers' disapproval while 8.7 per cent of the comments contained no clear opinion. It is not surprising that this issue was important because the Commission was created at a time when there were many settlers coming to the area and the Aboriginal people were feeling pressure from the migrants. Also of concern to many speakers was the number of fishing vessels that came close to shore. One of the main concerns was that Japanese-Canadian fishing boats were depleting their fish sources. Additionally, they spoke about being stopped from fishing and from having access to timber sources by settlers, and many said that they did not want to be denied these rights.

All other comments that were coded were found to make up less than 10 per cent of all those made. These comments, nevertheless, are significant. In the case of Aboriginal title more than 88 per cent of the speakers who considered it were in support. All other comments on this issue contained no opinion. The reserve system, non-traditional economic activities and the issue of individual land ownership were also of similar concern at 6.9 per cent each of all comments. The opinions expressed about these varied. Both non-traditional economic activities and individual ownership were supported in more than 92 per cent of the comments. The remaining 8 per cent had no expressed opinion. For the reserve system, only 77 per cent of the comments expressed a negative opinion and 15 per cent offered no opinion. Additionally, it is interesting that one person (7.7) supported the system. The man who spoke in support was the only person from his band (the Nahwitti) to speak. He said that they were

happy with the reserve system and that they wanted it to remain as it is (Kwakwaka'wakw Testimonies 1914:40).

The final issues constituted less than 5 per cent of the total comments made. Each was either supported by the speakers or there was no opinion offered. The most important of these was the desire for local education, falling just below 5 per cent of all comments made. Finally, communal land ownership and local health care were the least important to the Kwakwaka'wakw but they were topics that were nevertheless considered over many other possible issues.

Intensity of Kwakwaka'wakw Opinion

In contrast to the distribution of the comments, another way to gain a picture of the primary issues is through a consideration of the intensity of the opinions. Kwakwaka'wakw opinion intensities are shown on Table 5. The two most important issues found by comment distribution are different in intensity of opinion. Additions of new reserve land had 50 per cent of all its comments expressing "intense support" while the other comments fell within either "high" or "moderate" support. For the desire of fishing stations, only 11 per cent of the comments revealed an "intense" interest with the majority of concerns falling within the "high" range of interest and a large number falling within the "moderate" interest range. This pattern is consistent with the rank order found in the distribution though additions to the reserves were somewhat more important. When considering all topics that considered additional lands however, all comments supported the additions. More than 41 per cent of the

comments offered “moderate support” for the additional lands, but both “high” and “intense” support were represented at 35 per cent and 23 per cent respectively.

For non-Native territorial expansion, intensity of opinion reveals the importance that the speakers placed on it. Although almost 9 per cent of these comments did not reveal an opinion, more than 52 per cent of them fell within the “highly against” range, while 13 per cent fell within the “intensely against” range. All other comments fell within the “moderately against” range.

All other issues discussed by the Kwakwaka’wakw bands in the meetings gained primarily “moderate” support with the remaining comments either falling within the “high” range of support or expressing no opinion. The exception was the issue of the reserve system. As already discussed, most speakers whose comments considered this issue were against the system (69.2 per cent) while some expressed no opinion. However, one speaker expressed “moderate” support for it while in contrast, one other expressed that he was “intensely against” the system.

Table 5

Relative Distribution of Kwakwaka'wakw Comments by Intensity of Opinion

Units	Relative Intensity of Opinion								
	# of comments (/202)	+++	++	+	0	-	--	---	Total
Aboriginal title	17		23.5	64.7	11.8				100.0
Reserve system	13			7.7	15.4	69.2		7.7	100.0
Non-Native territorial expansion	23				8.7	26.1	52.2	13.0	100.0
Desire for traditional fishing stations	27	11.1	51.9	37.0					100.0
Desire for traditional hunting stations	17	11.8	17.6	70.6					100.0
Desire for new &/or additions to reserves	28	50.0	21.4	28.6					100.0
Desire for farmland	7	14.3	14.3	71.4					100.0
Non-traditional economic activities	14		21.4	64.3	14.3				100.0
Desire for timber/logging land	22	13.6	50.0	36.4					100.0
Individual land ownership	14		28.5	57.1	14.3				99.9
Desire for fishing licenses	0								
Communal land ownership	5			80.0	20.0				100.0
Desire for local health care	5		20.0	60.0	20.0				100.0
Desire for local education	10		30.0	60.0	10.0				100.0

- + speaker supported issue
- speaker against the issue
- 0 speaker offered no opinion

The number of signs indicates the intensity of opinion: 1 sign = moderate, 2 signs = high, 3 signs = intense

Nuu-chah-nulth Nation Results

Sixty people from 18 Nuu-chah-nulth bands made 138 codable comments in their testimonies to the Commission. These comments represent a wide range of concerns and a wide variation of intensity of interest. The primary single issue of concern for the Nuu-chah-nulth Nation was non-Native territorial expansion. This issue greatly outweighed the others with 31 comments made constituting over 22 per cent of all comments. It was not supported in almost three-quarters of the comments, while the remaining quarter offered no expressed opinion. Part of the concern these people had was that there were fishing vessels fishing too close to shore, thus depleting fish stocks. Most people were mainly concerned with Japanese-Canadian fishing vessels. Another area of concern was access to traditional lands and the right to continue with traditional activities on these lands. The people spoke about being prevented from hunting and fishing and they spoke about their problems with settlers who were living in the area.

Although as a single topic non-Native territorial expansion was the most important issue, when the topics concerning land in general are considered together they total 41 per cent of all comments. The most common of these topics was the desire for additional reserve land. All but five bands considered this topic and in total there were 20 comments considering it, constituting more than 14 per cent of all those made. This issue was supported in 90 per cent of these while in 10 per cent, no opinion was expressed. The desire for timber land was also important totalling more than 10 per cent of all comments. The other significant aspect of this topic was that all but five

Table 6

Distribution of Nuu-chah-nulth Comments by Topic and Opinion Expressed

Units	Comments		Opinion		
	# of comments	% of total comments	% for	% against	% with no expressed opinion
Aboriginal title	6	4.3	33.3		66.7
Reserve system	11	8.0	18.2		81.8
Non-Native territorial expansion	31	22.5		74.2	25.8
Desire for traditional fishing stations	13	9.4	92.3		7.7
Desire for traditional hunting stations	7	5.1	85.7		14.3
Desire for new &/or additions to existing reserves	20	14.5	90.0		10.0
Desire for farmland	2	1.4	100.0		
Non-traditional economic activities	13	9.4	46.2	7.7	46.2
Desire for timber/logging land	15	10.9	86.7		13.3
Individual land ownership	13	9.4	76.9		23.1
Desire for fishing licenses	1	0.7	100.0		
Communal land ownership	2	1.4	50.0		50.0
Desire for local health care	2	1.4	100.0		
Desire for local education	2	1.4	50.0		50.0
Total	138	99.8			

bands spoke about it. Fifteen comments were made concerning this issue, and in 87 per cent of these, the speaker expressed support for access. Other land issues were traditional fishing and hunting stations, and the availability of agricultural land. Of these, fishing stations were the most important while there was very little concern over farmland. Another interesting aspect of the land issue is that all Nuu-chah-nulth bands addressed at least one aspect of obtaining additional lands.

When considered together, the importance that the Nuu-chah-nulth speakers placed on non-Native territorial expansion and additional lands is understandable. At this time, the people were losing access to their traditional territories as settlers were moving to the area. The Nuu-chah-nulth people were feeling pressure from this movement and they wanted to maintain their rights to their traditional territories and they wanted to use these lands as they saw fit. This use included the sale of timber and fish to sustain themselves in the new economy.

The remaining comments each comprise less than 10 per cent of the total. Of these, the issue of non-traditional economic activities and individual land ownership each comprised more than 9 per cent. Individual land ownership was supported in the majority of the comments, with those remaining containing no expressed opinion. Again, this pattern follows suit with the two primary issues already considered. The issue of non-traditional economic activities was split between those who supported it and those who offered no opinion. There was a small percentage of comments however that revealed that the speaker was against any non-traditional economic activities.

The reserve system received attention in only 8 per cent of all comments. Although almost 82 per cent of these contain no opinion, it is interesting that the remaining 18 per cent reveal support for the system. Many people were concerned that the reserves needed to be re-surveyed and that strong post markers should be erected. Additionally, no one expressed any clear resistance to the system.

The remaining issues all were considered in less than 6 per cent of the comments. Most express a strong support for the considered topic but some offer no opinion. Aboriginal title was discussed only 6 times constituting 4.3 per cent of the comments. The desires for local health care and local education saw people in agreement. Few people considered these topics but when considered they were supported. Finally, one person spoke about fishing licenses and the desire to get one. He was clear on what he wanted and expressed “intense” support for allowing First Nations people to obtain licenses. These remaining issues may not have been as important to the people as the other issues, but they were deemed important enough to be considered, so they cannot be overlooked here.

Intensity of Nuu-chah-nulth Opinion

When considering the intensity of opinion, the speakers who considered the addition of new reserves were in many cases “intensely for” the new land additions. Other land issues were also important according to the distribution of comments. For the “desire for timber and/or logging land” comments, most fell in the “moderately for” range with 20 per cent of the comments falling within both “high” and “intense” interest

ranges. This finding reveals that in most cases, when addressing this issue, the speakers were mentioning their concern in only one or two sentences. Many of the remaining land issues fell within the “intensely for” range. These issues include the desire for fishing stations and hunting stations. The final issue of farmland was not extremely important to either of the people who addressed it in only one or two sentences.

All other issues considered by the Nuu-chah-nulth were supported in varying degrees. The only exception was the issue of non-traditional economic activities which had 7.7 per cent of the comments falling within the “moderately against” range. In contrast, many of the remaining issues fell within the “intensely for” range. These include the desire for fishing licenses, and the desire for local health care. In the case of fishing licenses, although only one person considered it, his comments fell within the “intensely for” range. Also important was local health care which had one person expressing “intense” interest and the other “high” interest. This distribution of intensity of opinions shows that although not many people addressed these issues, many of those who did had very strong opinions regarding them. The remaining comments all had an intensity of opinion that fell in the “high” to no opinion range.

Table 7

Relative Distribution of Nuu-chah-nulth Comments by Intensity of Opinion

Units	Relative Intensity of Opinion								Total
	# of comments	+++	++	+	0	-	--	---	
Aboriginal title	6			33.3	66.7				100.0
Reserve system	11		18.2	81.8					100.0
Non-Native territorial expansion	31				25.8	16.1	41.9	16.1	99.9
Desire for traditional fishing stations	13	7.7	46.2	38.5	7.7				100.1
Desire for traditional hunting stations	7	14.3	28.6	42.8	14.3				100.0
Desire for new &/or additions to existing reserves	20	35.0	15.0	40.0	10.0				100.0
Desire for farmland	2			100.0					100.0
Non-traditional economic activities	13		23.1	23.1	46.2	7.7			100.1
Desire for timber/logging land	15	20.0	20.0	46.7	13.3				100.0
Individual land ownership	13		15.4	61.5	23.1				100.0
Desire for fishing licenses	1	100.0							100.0
Communal land ownership	2			50.0	50.0				100.0
Desire for local health care	2	50.0	50.0						100.0
Desire for local education	2		50.0		50.0				100.0

+ speaker supported issue

- speaker against the issue

0 speaker offered no opinion

The number of signs indicates the intensity of opinion: 1 sign = moderate, 2 signs = high, 3 signs = intense

Kwakwaka'wakw and Nuu-chah-nulth Nations Comparison

The previous results reveal that for the Kwakwaka'wakw and Nuu-chah-nulth Nations the most important issue expressed to the Commissioners was that they wanted and needed more land. For the Nuu-chah-nulth, this issue was discussed in 41 per cent of the comments. This was slightly more important for the Kwakwaka'wakw who considered it in 50 per cent of the comments. For both groups, the land issue that received the most attention was direct requests for new reserves or additions to those already existing. Fishing sites were next in importance for the Kwakwaka'wakw speakers while timber and fishing were very close in importance for the Nuu-chah-nulth.

When considering these respective topics as single entities, one difference between the two Nations is the degree of importance that the Nuu-chah-nulth put on the issue of non-Native territorial expansion, their primary single concern, and the degree of importance the Kwakwaka'wakw put on their primary single concern. For the Nuu-chah-nulth, non-Native territorial expansion was very obviously most important while the Kwakwaka'wakw primary concern was not as easily discernible. The Kwakwaka'wakw had a close ranking of the topics at the top of the scale with the issues of further reserve land and the desire for fishing stations being most important and non-Native territorial expansion falling after these. For the Kwakwaka'wakw these issues were separated in importance by only a few comments. In contrast, the Nuu-chah-nulth concern regarding non-Native territorial expansion was clearly most important to the speakers. Even though there are some differences in the primary

concerns, it must be recognized that for both Nations the most important concerns included additions to reserves and non-Native territorial expansion. Additionally, the opinions given in the comments made regarding these topics were similar. In the case of non-Native territorial expansion, most people from both groups expressed that they were against the process, but the Nuu-chah-nulth comments offered this opinion less often than the Kwakwaka'wakw comments. The Nuu-chah-nulth also offered a large number of comments which expressed no opinion on this topic. For both Nations the intensity of opinion about this issue reveals that most comments fall within the "high" range of interest. For additions to reserves, both groups expressed that they were in favour of the concept. More comments from the Kwakwaka'wakw Nation fell within the "intense" range of interest than from Nuu-chah-nulth Nation, where the intensity of interest fell mainly between "moderate" and "intense".

There are other similarities in the further results of content analysis. For example, both Nations placed the same emphasis on the desire for timber and logging land which constituted in both cases, 11 per cent of all comments. For this issue, the Kwakwaka'wakw ranked it fourth in importance (although it could be considered tied as third because additions to reserves and desire for fishing stations were closely ranked) and the Nuu-chah-nulth ranked it third. Overall, the Kwakwaka'wakw and Nuu-chah-nulth speakers supported the acquisition of timber rights although some Nuu-chah-nulth did not express an opinion. The intensity of opinion for these rights was stronger for the Kwakwaka'wakw than for the Nuu-chah-nulth. Most Nuu-chah-nulth had only "moderate" concerns regarding timber while most Kwakwaka'wakw had

“high” concerns. Other issues that were almost equally distributed in the testimonies were the desire for farmland, communal land ownership, and the desire for local health care. In each of these cases however, the number of comments was low, with the Nuu-chah-nulth having a slightly lower per cent of comments focussing on these topics.

In contrast to the issues that were similar in distribution, there were a number that differed. For Aboriginal title, the Kwakwaka’wakw offered almost twice as many comments as the Nuu-chah-nulth and came out in almost full support with only a few comments expressing no opinion. For the Nuu-chah-nulth, this issue was less important and most of the people who considered it did not offer an opinion to the Commissioners. Another difference was concern about the reserve system. Although by distribution the comments for this issue were only 1.6 per cent apart, the opinion varied between the two Nations. For the Nuu-chah-nulth, most people did not offer their opinion in their comments and surprisingly, 18 per cent of the comments offered support. In contrast, the Kwakwaka’wakw clearly indicated that the majority of people who spoke about this issue were against it, only a few giving no opinion and one giving support. Other differences were seen in the results of non-traditional economic activities. This issue consumed more of the Nuu-chah-nulth testimony than it did of the Kwakwaka’wakw. The Kwakwaka’wakw had more comments that expressed support while the Nuu-chah-nulth were split between support and no opinion. Individual land ownership was another issue that the Kwakwaka’wakw and Nuu-chah-nulth offered varying degrees of opinion on. It was more important to the Nuu-chah-nulth speakers but they did make more such comments without an expressed opinion than did the

Kwakwaka'wakw, nevertheless, both Nations supported this form of ownership. For the Kwakwaka'wakw, the desire for traditional hunting stations was fairly important, and 100 per cent of the speakers who addressed this subject supported access to the hunting grounds. This issue was of lesser importance to the Nuu-chah-nulth but more than 85 per cent of the comments did express support and the others expressed no opinion. Still, both groups offered support in all three ranges of intensity with "moderate" support being the most common. Finally, local education was not discussed at great length by either Nation but it was ranked higher in importance for the Kwakwaka'wakw than for the Nuu-chah-nulth. Only 50 per cent of the comments from the Nuu-chah-nulth supported it, while the other 50 per cent did not have an opinion. Nonetheless, only two people made these comments. For the Kwakwaka'wakw, 90 per cent of the comments made about this issue supported it, while the remaining 10 per cent expressed no opinion. For the Kwakwaka'wakw, intensity of opinion ranged from "moderate" to "high" with the majority in the "moderate" range, while for the Nuu-chah-nulth, the expressed opinion was in "high" support.

As can be seen from the above comparison, there are both differences and similarities in the testimonies. Some of the differences cannot be found through content analysis and must be considered subjectively. This perspective helps to clarify other differences found in the analysis. One of the primary differences was in the length of testimony and number of comments made. For the Nuu-chah-nulth, there was little volunteer testimony. Most people spoke only briefly at first and then were sworn to

give evidence. This procedure was much less often the case for the Kwakwaka'wakw bands. People from this Nation often addressed the Commission at length before being sworn to give evidence. In the voluntary testimonies many opinions were clearly expressed, something that was less common in the question and answer format the Commissioners used when someone was speaking under oath. Another primary difference was that the Kwakwaka'wakw told the Commission exactly what lands they wanted while the Nuu-chah-nulth did not do this as clearly. The Kwakwaka'wakw had written requests of lands that they wanted added to the reserves while the Nuu-chah-nulth often spoke in terms of general additions. This did not work as well because the Commissioners, in the end, tended to overlook general requests and dealt mainly with specifics. This resulted in a loss of land for the Nuu-chah-nulth overall and an overall gain for the Kwakwaka'wakw. A final obvious difference between the two groups' testimonies was that the Kwakwaka'wakw seemed more prepared. It is possible that this was because the reputation of the Commission was preceding itself. The Kwakwaka'wakw had large general meetings, they spoke of meeting with the Indian Agent to establish the total number and area of the reserves, and in most cases, they gave the Commissioners a list of the lands they wanted. This was not seen in the Nuu-chah-nulth testimonies. The Nuu-chah-nulth were visited prior to the Kwakwaka'wakw and it is possible that the Kwakwaka'wakw were prepared for the kind of information that the Commissioners sought.

The Kwakwaka'wakw, Nuuchahnulth and Tsimshian

Before beginning this aspect of the comparison it is necessary to outline the overall results of Stuckey's 1981 study of the Tsimshian testimonies⁶. Then a comparison of these results with those obtained for the Kwakwaka'wakw and Nuuchahnulth will be made. This comparison will allow the beginning of an overall picture of the Aboriginal concerns and points of view at the time the Commission was travelling throughout British Columbia. As previously outlined, it is possible to compare the results of content analysis upon the Kwakwaka'wakw and Nuuchahnulth with the results of the Tsimshian because a replication of the Tsimshian results was obtained after completing content analysis on bands within this Nation. The results obtained were closely correlated to the results that Stuckey obtained and therefore make the overall results of the three Nations comparable.

Tsimshian Results

Throughout the Tsimshian testimonies, 341 codable comments were made. Overall, 105 people from 21 different bands are recorded in these texts (Stuckey 1981:73). From this, Stuckey developed a picture of the overall concerns this Nation had. For a summary of these results, see Table 8. The primary concern was Aboriginal title to land. This was commented on 59 times and constituted more than 17 per cent of all those made. Eighty-eight per cent of these expressed full support while only 8.5

⁶Stuckey's study of the "Tsimshian" testimonies includes First Nations that consider themselves separate from the Tsimshian proper. The Nations she includes are the Nisga'a, Gitksan, Gitanyow (Kitwancool) and the Tsimshian.

per cent contained no explicit opinion. Stuckey suggests that this finding is not surprising because these testimonies were given during a time when the Aboriginal groups in this area were actively seeking title to their traditional territories (1981:66).

The next primary concern for the Tsimshian was the reserve system. Stuckey recorded 42 comments addressing this issue. The majority expressed the speaker's dislike for the system but over one quarter were in favour of it.

Closely following the reserve system in importance was non-Native territorial expansion. Overall, approximately 11 per cent of the comments focussed on this issue and they always indicated that the speaker was not in favour of the settler encroachment. The speakers were concerned about loss of land and loss of fishing rights.

In the rank order of the distribution of Tsimshian comments, the next two issues were of significantly less concern than the reserve system. The desire for traditional fishing stations and the desire for traditional hunting territories both represented more than 8 per cent of the total comments. Within these, the opinions expressed were always positive. According to Stuckey (1981:68), one of the main desires was to have areas set aside for Aboriginal use only.

The addition of new reserve land and the desire for farm land were equally ranked in the Tsimshian testimonies. Both comprised more than 7 per cent of the total comments. In the large majority of these, the speakers supported gaining the further lands.

The remaining issues were considered in 7 per cent or less of the comments. In rank order these concerns were: non-traditional economic activities, the desire for timber and/or logging land, individual land ownership, EuroCanadian legal status, desire for fishing licenses, and communal land ownership (Stuckey 1981:73).

Also of consideration for the Tsimshian testimonies was the intensity of opinion expressed by the speakers. Aboriginal title had the majority of opinions falling within the “moderately for” range. There were also comments that fell within the “high” and “intense” ranges. The second most important issue to the Tsimshian, the reserve system, had a wide range of opinions expressed about it and reveal that the Tsimshian were not in agreement about this topic. The large number of comments (26.2 per cent) fell in the “moderately against” range with others in the “high” and “intense” range of interest (19 per cent and 23.8 per cent respectively) All of these revealed opinions against the system. Almost 24 per cent of the comments were found to “moderately” support the system while another 2.4 per cent were found to offer “high” support.

Concerning the third most important issue to the Tsimshian, non-Native territorial expansion, it was agreed by all that this was not a positive occurrence. Most of the comments on this issue fell in the “moderately against” range but a significant number of the comments did fall in the “moderate” and “intense” ranges.

All other issues considered by the Tsimshian were supported by the speakers with many comments in all cases falling in the “moderate” range. The only exception was communal ownership which had no comments falling in the “moderate” range, and the majority falling in the “high” range.

Table 8

**Distribution of Tsimshian Comments by Topic and Opinion Expressed

Units	Comments		Opinion		
	# of comments	% of total comments	% for	% against	% with no expressed opinion
Aboriginal title	59	17.3	88.1	3.4	8.5
Reserve system	42	12.3	26.2	69.0	4.8
Non-Native territorial expansion	39	11.4		100.0	
Desire for traditional fishing stations	30	8.9	90.0		10.0
Desire for traditional hunting stations	28	8.2	89.3		10.7
Desire for new &/or additions to existing reserves	26	7.6	96.2	3.8	
Desire for farmland	26	7.6	88.5		11.5
Non-traditional economic activities	24	7.0	100.0		
Desire for timber/logging land	23	6.7	82.6		17.4
Individual land ownership	13	3.8	84.6	15.4	
Desire for fishing licenses	11	3.2	100.0		
Communal land ownership	7	2.1	100.0		
EuroCanadian Legal Status	13	3.8	100.0		
Desire for local health care	n/a	n/a	n/a	n/a	n/a
Desire for local education	<u>n/a</u>	<u>n/a</u>	n/a	n/a	n/a
Total	341	99.9			

**From Stuckey (1981)

The Comparison

In contrast to the Nuu-chah-nulth and Kwakwaka'wakw, the issue of primary importance for the Tsimshian was Aboriginal title. For the Kwakwaka'wakw, title to land ranked fifth while for the Nuu-chah-nulth it was even less important, ranking seventh. This difference likely was because the issue was not at the forefront in southern British Columbia while it was in northern British Columbia. The Nisga'a, prior to the Commission, had petitioned the Privy Council in Britain to recognize Aboriginal title and the people in this area were actively seeking it. In southern British Columbia, this issue was not as prominent on the public agenda. The groups in northern British Columbia, primarily the Nisga'a, have been seeking to obtain title for many years. They created their first Land Committee in 1890 with the objective of obtaining larger reserves and of reaching an agreement regarding the lands that had been seized by the government (Raunet 1984:133). This work continued quietly until 1913 when the Nisga'a issued a "Statement of the Nishga Nation or Tribe of Indians" which reaffirmed tribal ownership of the land and its resources. They based this assertion on both the Royal Proclamation and "fundamental human rights" (Raunet 1984:136). Then they submitted a Petition to His Majesty's Privy Council in London. It outlined the lands the Nisga'a were claiming and stated that they saw title as existing, having never been extinguished by treaty or war. This petition was never reviewed by the Privy Council because to be accepted in London, it had to be supported by the Canadian Government. Canada refused to give such support on the grounds that the McKenna-McBride Commission had been established to consider these matters. The

problem with this was that the Commission did not have the authority to affect changes in title. It was established to make recommendations about reserve size and location. When this Commission was completed the Nisga'a received a total of 7590 hectares of land, or half a per cent of the total area they were claiming (Raunet 1984:138). This claim has remained open since that time and the Nisga'a eventually took court action.

Another area of consideration is the request for additional lands. For the Kwakwaka'wakw this issue was very important comprising 50 per cent of all comments made. This was also important to the Nuu-chah-nulth with 41 per cent of the comments regarding this issue. For the Tsimshian, this was about as important as for the Nuu-chah-nulth with approximately 40 per cent of all comments directed at this issue. After considering the importance of this issue to the individual Nations, it is interesting to note the lands that resulted. The Tsimshian had a total of 8,620.52 acres added to their reserves, but also lost 11,928 acres through "cut-offs" (Stuckey 1981:32). For the Kwakwaka'wakw, 1,902.29 acres were added and 140.86 acres were "cut-off". The Nuu-chah-nulth had 657.15 acres added by the Commissioners but lost 840 acres through "cut-offs". This finding reveals that at least for these Nations, the more times lands were specifically requested during the testimonies, the greater the likelihood that they would be added. Nevertheless, even though many requests were made, the Nuu-chah-nulth and Tsimshian both experienced a net loss of land.

Another consideration among these three Nations is the issue of non-Native territorial expansion. This was very important to the Nuu-chah-nulth but less important to the Kwakwaka'wakw and the Tsimshian. The complaints regarding expansion of

settlers were similar among all three Nations. All were concerned about the loss of land and traditional rights, all agreed that Japanese-Canadian fishing on the coast was a problem, and many had concerns about settlers and companies infringing on their reserves.

A contrasting area in the results of these two studies is that in her final analysis, Stuckey did not consider the issues of local health care and local education because she found they resulted in less than 1 per cent of the total comments (1981:58). They were however included in this study because they represented a greater number of the comments than for the Tsimshian and these issues were of importance to the Kwakwaka'wakw and Nuuchahnulth. In contrast, the issue of EuroCanadian legal status was considered in the Tsimshian study and this revealed itself in almost 4 per cent of the comments. In my study, the topic was not excluded from consideration but it was not part of the final analysis because no comments considering it were recorded.

Another way to compare the concerns of these First Nations is to rank the topics by counting the number of bands from each First Nation that discussed each topic. This gives a sense of the most important issues from a different perspective. For a breakdown of the number of bands making statements about each topic see Table 9. After comparing the ranking, it was found that the Kwakwaka'wakw and Nuuchahnulth rank ordered topics had a .90 correlation (Spearman's Rho). This measure reveals that the testimonies of these two Nations have a very similar rank orders of topics. When comparing the Kwakwaka'wakw and the Tsimshian the correlation is .58 (Spearman's Rho) while for the Nuuchahnulth and Tsimshian the

Table 9

Distribution of Comments by Number of Bands Commenting

Units	Kwakwaka'wakw	Nuu-chah-nulth	Tsimshian
Total number of bands testifying	19	18	21
Aboriginal Title	14	5	20
Reserves system	13	10	17
Non-Native territorial expansion	16	17	15
Desire traditional fishing stations	17	11	12
Desire traditional hunting stations	13	5	12
Desire for adds./new reserves	19	13	10
Desire for farmland	5	2	13
Non-traditional economic activities	12	11	10
Desire for timber/logging land	15	13	11
Individual ownership	9	6	7
Desire for fishing licenses	0	1	6
Communal ownership	6	2	6
Desire for local health care	3	2	*N/A
Desire for local education	9	2	*N/A
Desire for EuroCanadian legal status	*N/A	*N/A	8

*N/A was scored as 0.

correlation is .50 (Spearman's Rho). All the correlations are statistically significant but the Tsimshian are not as similar as the Nuuchah-nulth and Kwakwaka'wakw rankings.

The most important difference between the Kwakwaka'wakw and Tsimshian rankings is seen in the topics of farmland and additions to the reserves. For the Nuuchah-nulth and Tsimshian, the most significant differences are farmland and Aboriginal title (which were scored equally) and the additions of new reserves. These differences are similar among these groups, and it is likely that the reasons for the differences are also similar. There is the primary difference of farmland for both Nations. This was important to the Tsimshian but was of little concern to the Nuuchah-nulth and

Kwakwaka'wakw. This difference is probably because there is little suitable farmland in traditional Nuu-chah-nulth and Kwakwaka'wakw territories so the people were not interested in attempting an economic venture that was likely to fail. The other major area of difference was the addition of new reserves. This was very important to Nuu-chah-nulth and Kwakwaka'wakw but less so to the Tsimshian. Instead of discussing this issue, the people asserted title over the land. They did not want the Commissioners to add the land because they viewed it as already belonging to them. The Kwakwaka'wakw and Nuu-chah-nulth did not discuss title so were more concerned about having enough land to remain self-sufficient.

After completion of the Nation level results, and after considering the Tsimshian results, the next step is to consider the results of the Commission and their findings in regards to the Kwakwaka'wakw and Nuu-chah-nulth. Included in the next section is a consideration of some of the Commissioners' recommendations affecting each Nation.

Chapter 7

The Commission's Findings

Although this thesis considers what the people who testified to the Commission said, it is also instructive to consider what the Commissioners wrote in their final report. The results that the Commissioners recorded were drastically different from what the people were saying to them. However, the Commissioners were never given the mandate to address any issue other than the reserves (Canada 1916:10). Although this was the case, they misled the people who testified to them when at the end of each meeting they made remarks like “as I said before, all that [sic] matters that you have brought to our attention this afternoon will have our careful consideration when we go back to Victoria...” (Nuu-chah-nulth Testimonies 1916:6-7). This misrepresentation may have contributed to the discontent the First Nations Peoples had with the Commission results. The people spoke to the Commissioners not only about wanting more land but also about problems with settlers, the Indian Agents, the health and education systems, off-shore fisheries and about their rights. Because the Commissioners were not given the mandate to address these issues and because they focussed on issues like farming, it was obvious that the Commissioners and the First Nations had very different viewpoints. This was also recognized because in the end, if

land was requested for agriculture, it was often granted or at least considered by the Commissioners. On the other hand, the Aboriginal testifiers spoke about traditional and non-traditional uses of the land addressing fishing and logging. Requests for land to be used in these ways was not always considered and granted.

In the end, the Commissioners' recommendations saw that, for British Columbia as a whole, more land was added than was taken, but the "cut-off" lands were considerably more valuable than those that were added (Kew 1990:160). In the province, 456 reserves were added to total 107,002.58 acres (Cail 1974:237). The land that was added was valued at \$444,838.80, while the land that was "cut-off" was valued at \$1.2 to \$1.5 million (Canada 1916:177; Tennant 1990:97-98). This was because the land that was taken was rich farm and ranch land or was desirable to developers, speculators and municipal officials (Tennant 1990:98).

For the two First Nations that are the primary focus of this thesis, the results were similar in several respects to the pattern for the rest of British Columbia. The Kwakwaka'wakw received slightly more land per capita while the Nuu-chah-nulth had a reduced area of land per capita. In addition, even though the Kwakwaka'wakw gained land, both groups did experience significant "cut-offs".

Kwakwaka'wakw

When the Commission published its recommendations, they recommended that the Kwakwaka'wakw Nation gain land overall. Their per capita acreage increased from 14.03 acres to 15.43 acres and the total acreage increased from 16,600.99 acres

to 18,228.06 acres (Canada 1916:380). The Commissioners wrote that they tried to meet the “reasonable requirement of cultivable lands” that “progressive members” of some bands requested (Canada 1916: 380). They also said that in many cases, they set aside land for fishing stations that were not previously reserved.

Even though the Kwakwaka’wakw did obtain these further lands, they also experienced “cut-offs”. The Nahwitti band lost 37.86 acres on Hope Island. This was to accommodate the settlers on the island who needed an area for harbour requirements. The Commissioners wrote that this did not affect the “reasonable requirements” of the Nahwitti people (Canada 1916:380). Two other reserve “cut-offs” affected the Klaskino band. The Commissioners noted that there was only one member of this band and that he did not require all the land that was reserved. Thus they recommended “cutting-off” two reserves leaving the man with one reserve of 12.5 acres. These “cut-offs” came after the speakers from both these bands told the Commissioners that they wanted more land reserved to them.

Although the Commissioners accepted testimonies on a variety of topics, they did not consider them all in the final report. For example, the Commissioners often asked questions about health care and education but in the end they did not address this issue. This omission was because they did not have the mandate to effect changes in these systems but they misled the people by constantly addressing these and other issues. At the meetings they considered issues that were important to the people but they neglected to say that they were not in a position to address the problems.

Nuu-chah-nulth

Through the Commission recommendations, some of the Nuuchahnulth bands also experienced reductions of their reserves, but unlike the Kwakwaka'wakw, they did not experience a per capita increase in the amount of land reserved to them. Overall, 840 acres were "cut-off" and 657.15 acres were added (Canada 1916:851). This changed the per capita acreage to 7.24 acres from 7.35 acres and left the Nuuchahnulth Nation with 12,200.25 acres (Canada 1916:851). The "cut-offs" affected the Tseshaht band and the Huu-ay-aht band. The Tseshaht lost 240 acres while the Huu-ay-aht lost 600 acres (Canada 1916:851). No other reserves were laid out for these bands in compensation for their loss.

Concerning the 657.15 acres that were added, the Commissioners wrote that this land was required mostly for fishing stations because this livelihood was vital to the Nuuchahnulth people (Canada 1916:851). They also recognized that allowing these extra fishing sites as reserves would assist the people in their work for the canneries.

Even though the Commissioners did in some cases recognize the importance of fishing, they did not always listen to the people and were misleading in their duties and responsibilities. They again asked many questions about a number of different issues that they could not address in their final recommendations. For the Kwakwaka'wakw, these topics included concerns about local health care and education as well as problems with settlers and off-shore fishing.

Chapter 8

Summary and Conclusions

Before summarizing the results of this research I will consider again the value of this study to put the final results in the proper context. First, the testimonies that were recorded in the Commission meetings are a valuable resource because they offer a point of view that until very recently was not readily available. The testimonies are closer to the words of the Native people than any other source available, so they allow one to see First Nations concerns early in the 20th century. Thus, unlike many other forms of information that are written about First Nations People, these testimonies reflect first hand what the Aboriginal concerns were in the earlier part of this century.

Another reason why it is important to consider these testimonies is because the Commission is significant in British Columbia history. It was created to establish the size and location of each reserve in the province and if this had been done fairly and equitably at the time, with the signing of treaties, it is possible that negotiations today would be very different.

The Commissioners spent three years, from 1913 to 1916, travelling throughout the province meeting with the bands of each of the First Nations. At the meetings, the Commissioners listened to speeches and addresses given voluntarily by some of the

Native people and they asked many questions. All the testimonies the speakers gave were recorded to assist the Commissioners in the important decisions they would later have to make about reserve size and the other requests of the people. In the end, what the Commissioners decided often does not respond to the issues raised in these testimonies. The testimonies nevertheless do offer valuable information about the primary concerns earlier in this century. Also of importance, they include concerns and remarks from many different people from all regions of the province, so a wide range of beliefs and desires can be discerned.

Today, in British Columbia politics, First Nations land claims are a debated and important issue. By knowing what was said in these testimonies the information can shed light on earlier desires, providing an important historical background for today's negotiations. It is also interesting to know what the people said because in the end, the Commissioners constantly overlooked the concerns about title and ownership when talking to the people and, in the meetings, they moved to a different area of discussion when these were addressed. This oversight also existed in the final report that the Commissioners submitted. It is obvious from a study of this nature that the Commission's point of view was vastly different from those of the Aboriginal people they met with. They addressed different issues and in the end, it was the Commissioners' and the governments' values and beliefs that prevailed. Therefore a study of this nature not only reveals the First Nations concerns in the early part of this century, it also reveals the areas that the Commission and governments chose to overlook.

Another important reason to study the testimonies outlined in this research is to add to the body of knowledge already obtained from them. Eventually, when each of the testimonies have been considered it will be possible to adequately compare the point of view of all Nations who testified to the Royal Commission on Indian Affairs for the Province of British Columbia (1913-1916). The result is an important historical background of many of the Native issues that are at the forefront today, and as more studies of this kind are completed, more inclusive and conclusive results will be seen.

To briefly summarize the results of this research, I will begin by considering the issues that were most important to the people. For both the Nuu-chah-nulth and Kwakwaka'wakw Nations, the majority of the comments made were about land. They wanted the Commissioners to secure tracts of land for different purposes. Some people discussed general additions to the reserves to ensure that their per capita acreage was adequate. This was especially prevalent among the Kwakwaka'wakw where many bands requested that two hundred acres be set aside for each man in their bands. The Nuu-chah-nulth were not as specific about the lands they wanted added or the amount of acreage they wanted but they too were very concerned about maintaining access and rights to their traditional lands. One of the largest concerns about land for both Nations was their traditional fishing stations. In many instances the people discussed these areas and they told the Commissioners that they wanted certain tracts of land for fishing sites. When considered together, the concerns over land are understandable because the people were losing their right to access them as they had since "time immemorial."

Although the concern about land was primary to both Nations, many other issues were also important. For the Nuu-chah-nulth, although land issues did comprise the majority of the comments, the single issue with the most comments overall was non-Native territorial expansion. This inward movement of settlers was also an important concern for the Kwakwaka'wakw where it ranked third in importance when considering single issues. The people had many personal stories to tell the Commissioners about their experiences with settlers. For example, there were people who told of instances when they had houses that were either taken over or destroyed by settlers. They also expressed concern about settlers hunting and fishing on their reserves, the settlers' cattle invading their lands and they spoke about constantly being prevented from continuing with their traditional activities. One of the more astonishing stories focussed around settlers who began logging at a Tsawataineuk grave site where the dead had been placed in trees. When the trees were felled the dead were disturbed, some being felled into the river. The testimonies are full of stories about the settlers and the problems between them and the Aboriginal people. Another problem that the people had concerning this issue was that Japanese-Canadian fishing boats using purse seines were fishing close to shore and at the mouths of the rivers. The people clearly stated that they were worried that this would destroy the fish runs which they so greatly depended on.

There were many other issues besides land and non-Native territorial expansion that the people considered in these testimonies. These too are important because of the many issues that could have been considered, the people overall tended to focus on

only a small number. This shows that the people on a large area of Vancouver Island were concerned about the same issues.

The final concerns varied from Aboriginal title to the desire for local education. For each of these, the people discussed in most cases why they were “for” or “against” the topic. For example, many people considered Aboriginal title and argued that they had this title because their grandfathers had been on the land since “time immemorial.” Some others argued that the land had been given to their ancestors by God and it was therefore theirs and was not available for the taking. This issue was discussed more by the Kwakwaka’wakw than the Nuu-chah-nulth, but where opinions were expressed in either group, it was clear that this was important to the speakers.

Two other relatively important issues were the reserve system and the issue of individual ownership. The great majority of the Kwakwaka’wakw people who considered the reserve system were “against” it while some Nuu-chah-nulth were either “for” it or they did not express an opinion. In most cases, the people said that they did not like the system and that the surveyor’s posts were always being moved by the settlers. One Nahwitti man even suggested changing the name of the reserves to “Indian Lands”. Another concern the people often had that they expressed to the Commissioners was that they did not own or hold clear title to the reserve land and that they could not use the lands as they wished. Here is where the issue of individual ownership played a part. Many people told the Commissioners that they wanted additional acreage and that they wanted the people to own their piece of land and do with it what they saw fit.

Finally, two other issues considered by the people in some meetings were the desire for local health care and local education. Of these, local education was more important to the Kwakwaka'wakw than local health care. For the Nuu-chah-nulth, these two issues were rated equally. In most cases the people discussed having to send their children away to school and said that they would like a local school so that their children could attend more often and not have to leave home. Local health care as a whole was less important but those who did consider it generally said that they wanted a doctor for their people and that they could not afford to pay for it. They also spoke of people being denied care because they could not pay or travel to the distant hospitals and a doctor would not attend on the reserves.

Although the Kwakwaka'wakw and Nuu-chah-nulth testimonies were the primary concern in this research, the Tsimshian were also of interest. The single most important topic that the Tsimshian addressed was Aboriginal title. This was to be expected because this issue had been at the forefront of Aboriginal interests in northwestern British Columbia for some time. Also of interest was land. After considering the different topics that resulted in the desire for more land, it was recognized that 39 per cent of the Tsimshian comments addressed this topic. Although this number is lower than for the Kwakwaka'wakw and Nuu-chah-nulth, it is still significant. Additionally, unlike the Kwakwaka'wakw and Nuu-chah-nulth, one of the main reasons for requesting further lands was for agricultural use. Still, this agricultural land was not as important to the Tsimshian as fishing and hunting lands were.

Overall, the Kwakwaka'wakw, Nuu-chah-nulth and Tsimshian people addressed many different issues and concerns hoping that the Commissioners would help to solve them and other problems. At the meetings, the Commissioners state that in many cases they would do their best to help. In reality, the Commissioners did not have the power to change anything other than the land issue and the reserves. This greatly misled the people and likely led in part to the discontent around the Commission findings in the final report.

When looking back over the results of the Commission report in contrast to what the people wanted and said, it becomes very evident that the fundamental beliefs and points of view of the Nuu-chah-nulth and Kwakwaka'wakw people were different from the Commissioners and the settler population in British Columbia. It is clear that because the Commissioners constantly addressed agricultural issues that they believed the Aboriginal people could be "civilized" through this form of economic production. On the other hand, farming was certainly less important to the Kwakwaka'wakw and Nuu-chah-nulth than access to their traditional lands and the ability to maintain their traditional rights. Because of these two vastly different outlooks, it is not surprising that the Aboriginal point of view was greatly neglected.

Finally, this research shows how important it is for the people to be heard and understood on their own terms. This examination of the Nuu-chah-nulth and Kwakwaka'wakw testimonies reveals what was really said and exposes what may well have been the true interests of these Nations in the early 20th century. It also begins to look at British Columbia as a whole with the addition of a brief comparison to the

Tsimshian results that Stuckey found in 1981. Thus, light is shed on Aboriginal concerns and interests instead of the all too common single point of view of the government and many EuroCanadians concerning these issues.

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Appendix 1

Kwakwaka'wakw Band Names

Names used by Commission	Duff (1964) or Handbook of North American Indians (1990)	Present Names*
Kwaw Kewlth Agency	Kwakiutl	Kwakwaka'wakw (Kwakiutl)
Akwhamish	Kwiksootainuk	Kwicksutaineuk-Ah-Kwaw-Ah-Mish/Hahuamis
Fort Rupert Band/Kwaw Kewlth Band	Kwakiutl	Kwakiutl
Klaskino	Quatsino	Quatsino/Klaskino
Kah-Kah-mit-sis Band (Salmon River Band)	unknown	Hahamatsees
Koskemo Band	Quatsino	Quatsino/Koskimo
Kwaihkah Band	Kwawkewlth	Kwiahkah/Kweecha
Kwawainuck Band	Kwawwaineuk	Kwa-Wa-Aineuk/Gwawaenuk
Kwicksitaneuk Band	Gilford Island	Kwicksutaineuk-Ah-Kwaw-Ah-Mish/Kwiksootainuk
Mahmalilikulla Band	Mamalilikulla (Village Island)	Mamaleleqala Qwe'Qwa'Sot'Enox/ Mamalilikulla
Mah-teel-th-pe Band	joined Turnour Island	Tlowitsis-Mumtagila/Matilpi
Nahkwockto Band	Nahwakto	Gwa'Sala-'Nakwaxda'xw/ Nakwoctak
Nahwitti Band	Nuwitti	Tlatlasasikwala/Nahwitti
Nimpkish Band	Nimpkish	Namgis/Nimpkish
Quatsino Band	Quatsino	Quatsino
Quawshelah Band	Quawshelah	Gwasilla
Tanakteuk	Tenakteuk	Tanakteuk/Tenaktak
Tsah-waw-tineuch Band	Tsawataineuk	Tsawataineuk/Tsawatainuk
Turner Island Band	Turnour Island	Tlowitsis-Mumtagila/Tlawitsis
We-Way-A-Kum (Campbell River Band)	Campbell River	Campbell River/Weewiakum

*From A Guide to Aboriginal Organizations and Services in British Columbia, 1994-1995./and Robert Galois

Nuu-chah-nulth Band Names

Names used by Commission	Duff--1969 or Handbook names	Present Names*
West Coast Agency	Nootka	Nuu-chah-nulth
Ahousaht Band	Ahousaht	Ahousaht
Check-le-set Band	joined Kyuquot	Ka:˘yu:˘K˘t˘h˘/ Che:k˘tles7et˘h˘ (Kyuquot)
Clayoquot Band	Clayoquot	Tla-o-qui-aht
Ehatt-isaht Band	Ehattesaht	Ehattesaht
Hesquoit Band	Hesquiaht	Hesquiaht
Kelsemaht Band	joined Ahousaht	Ahousaht
Kyuquot Band	Kyuquot	Ka:˘yu:˘K˘t˘h˘/ Che:k˘tles7et˘h˘ (Kyuquot)
Machilaht Band	Nootka	Mowachaht/Muchalaht
Nitinat Band	Nitinaht	Ditidaht
Nootka Band	Nootka	Mowachaht/Muchalaht
Nuchatlitz Band	Nuchatlaht	Nuchatlaht
Ohieht Band	Ohiet	Huu-ay-aht
Opitchesaht Band	Opetchesaht	Opetchesaht
Pachena Band	Pacheenaht	Pacheenaht
Toquaht Band	Toquaht	Toquaht
Tsechart Band	Shesaht	Tsesaht
Uchuckleset Band	Uchucklesaht	Uchucklesaht
Ucluelet Band	Ucluelet	Ucluelet

*From A Guide to Aboriginal Organizations and Services in British Columbia, 1994-1995.

Appendix 2

Notation Sheet For Rating Comments

Native/Non-native _____ Card no: _____
 Individual's name: _____ Rank/Status: _____
 Local Group: _____ Place of Res: _____
 Occupation: _____ Religion: _____
 Testimony Circumstance: _____

<u>TOPIC</u>	<u>mentioned</u>	<u>for</u>	<u>against</u>	<u>comments</u>
1. aboriginal title	_____	_____	_____	_____
2. the reserve system	_____	_____	_____	_____
3. non-native territorial expansion	_____	_____	_____	_____
4. desirability for traditional fishing stations	_____	_____	_____	_____
5. desirability for traditional hunting territories	_____	_____	_____	_____
6. new reserves &/or additions to existing reserves	_____	_____	_____	_____
7. desirability for farmland	_____	_____	_____	_____
8. non-traditional economic activities	_____	_____	_____	_____
9. desirability of timber &/or logging land	_____	_____	_____	_____
10. individual land ownership	_____	_____	_____	_____
11. EuroCanadian legal status for natives	_____	_____	_____	_____
12. desirability for fishing licenses	_____	_____	_____	_____
13. communal ownership	_____	_____	_____	_____
14. desire for local health care	_____	_____	_____	_____
15. desire for local education	_____	_____	_____	_____

Date: _____ microfilm cat. no.: _____ page: _____

Notes: _____

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