

History and Politics of the 'New Relationship'

by

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B.A. University of Victoria, (2004)

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Supervisory Committee

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Abstract

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This essay looks at the Government of British Columbia's 'New Relationship' with indigenous people and how British Columbia's history can inform this public policy debate. Specifically, I draw on the approach used by historian Quentin Skinner to identify two distinct periods in British Columbia's early history, the coastal fur trade and the colonial period, and the key features of the relationship between indigenous people and Europeans was fundamentally different. After identifying the key features that made these relationships different, I challenge policymakers to look beyond the colonial period and its effect on our intellectual heritage. Through looking back to the fur trade period, I argue that we can begin to meet the promise contained in the 'New Relationship' and its statement of vision.

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Dedication

Growing up in North Vancouver, there was a Squamish Nation reserve a few blocks from my home. Situated next to the manicured lawns and well-maintained homes were approximately 200 run down homes. I remember being confused when I later learnt that the Squamish Nation was one of the wealthier First Nations in Canada.

At school I made friends with people who lived on the reserve. I remember going to see them and asking why their house looked so different from my own. As a young child, it just never made sense. This confusion got worse when I began to read actively. I remember an article in the newspaper, reporting on statements that the South African ambassador had made about how apartheid was no different from how Canada treated indigenous people. Despite my age, I knew that apartheid was bad; it was oppression. I asked family members if it were true that Canada was no better than South Africa. The ones who didn't know, or didn't care to acknowledge it, denied it. Others acknowledged it, but added in condescending tones, that it was better to be an Indian in Canada than a black in South Africa.

This essay is dedicated to those who tried to dismiss my youthful concerns and only ended up encouraging my curiosity.

CHAPTER 1 - *Introduction*

The history of relations between indigenous people and settlers in British Columbia is an enigma of sorts: it is short, but rich in events and details; it is tragic yet, when compared to the violence that accompanied settlement in other areas of the globe, peaceful; it is relatively straightforward, yet undeniably complex and full of unanswered questions. Now in the 21st century, the Government of British Columbia has announced a ‘New Relationship’ with indigenous people. This relationship, British Columbians are told, will ‘support the rebuilding of the historic Indigenous Nations of British Columbia and enable the establishment of political structures for meaningful government-to-government relations’.¹ Further, this ‘New Relationship’ will correct the growing socio-economic disparity between indigenous people and colonists. These goals are laudable, no doubt.

The ‘New Relationship’ is a policy of and for the 21st century. However, in as much as it is about building a better relationship with British Columbia’s indigenous people in the present, the ‘New Relationship’ is also about British Columbia’s past. The historic indigenous nations of British Columbia lived here well before the first traders or colonists arrived and named a broad swath of land British Columbia. The indigenous peoples of British Columbia are now subjects of the Crown and are, according to broad sets of social and economic indicators, poverty stricken, of poorer health, over-represented in prison populations, and more likely to suffer from substance abuse. It is difficult to believe that indigenous people would find themselves in these circumstances had British Columbia not been colonized.

¹ www.leg.bc.ca ‘2009 Speech from the Throne’

Recognizing the historic standing of indigenous people in British Columbia and the fate indigenous people have largely faced since colonization, it is incumbent on all British Columbians to engage with our history. The Government of British Columbia brought forward a new policy in 2005 that is aimed at improving the lives of indigenous people in British Columbia. Before proceeding, a few thoughts on the importance of pursuing a historical analysis of the 'New Relationship' are necessary. In a general sense, the interplay between history and politics is undeniable. History explains the past and helps us to understand the chaotic interactions between a multitude of actors and events. History also brings coherence to our present through giving meaning to the terms and concepts of our polyvalent language. Without history, our framework for understanding is without meaning. The very act of explaining actions, decisions, intentions, and ideas of individuals and groups as well as the construction, development, direction, and powers of our institutions is only possible because the terms we use to identify and describe them can be pieced together in a coherent way.

Consider a situation where people are discussing whether a particular practice constitutes an injustice. In order to begin the discussion, there must be a shared understanding of the practice being discussed and the circumstances in which it arose. This does not imply that everyone participating in this discussion will agree on a specific interpretation of the practice in question; or for that matter, the circumstances in which it arose – history, like our language, is polyvalent in nature. Rather, it means that the participants in this discussion share a referential framework that makes understanding possible. I believe that history has an integral role in forming this framework.

I will add greater clarity to the concept of a referential framework in the second chapter, but for the purpose of this introduction, when I reference such a framework, I am acknowledging the shared social and linguistic conventions that allow people to understand one another and weigh arguments about whether, for example, a particular practice is indeed an injustice. These conventions emerge largely from the historic and socially accepted practices governing usage and interpretation. Without the referential framework created by these conventions and their grounding in historic and socially accepted practices, we cannot engage one another and our individual perspectives will remain unintelligible.

Beyond the role of history in establishing a framework for understanding, history plays an important role in mobilizing people towards specific goals. Take two examples of political conflicts that are steeped in history: Ulster and Palestine. In both these places, political debate is infused with historical references that are employed to strengthen arguments and / or undercut someone else's argument. The relationship between history and someone's political reality is blurred in these examples: the present is merely the continuation and extension of the past, but the past that is being continued is understood within a referential framework that is influenced heavily by recent history. In Ulster, Catholics and Protestants once lived next to one another *before* the troubles. In Palestine, the history that each side calls upon to justify their positions and attitudes is also from a time when Jews and Arabs lived peacefully next to one another.

Yet, while these two examples are extreme, they speak volumes to the critical role of history within contemporary political debates. Both these conflicts serve as examples where people call on the past to make a point and as examples of where our political

debates largely ignore, or misuse, history. To clarify, in both Ulster and Palestine, political arguments focus on the present, searching and manipulating the past for evidence that justifies their perception of the world. That is, if the history does not conform to the conventional wisdom, ignore it or change it

The final area where history has a role in our political lives is where it legitimizes our political institutions. Our systems of government, in particular, are steeped deeply in our past. Without the legitimacy created by the recurrence of a particular action, we would not have constitutional conventions. For example, our constitution is silent on the role of the Prime Minister but yet there are well-established conventions that define his or her role in leading government.

My point in these last few pages is nothing more than to state that history matters. History has a significant role in how we see the world and how our politics function. However, it is also at times consciously manipulated or unconsciously ignored. Unfortunately, when history is manipulated the results are often at the expense of another group or individual. In the case of British Columbia's 'New Relationship', the challenge is understanding why how the 'New Relationship' can overcome the history that necessitates it in the first place.

The New Relationship

In response to a series of court decisions obligating governments consult with First Nations on decisions that have the potential to impact Aboriginal rights and title, representatives of the Government of British Columbia began meeting with the First Nations Leadership Summit, an umbrella organization comprising representatives of the

First Nations Summit, the Union of BC Indian Chiefs and the B.C. Assembly of First Nations. The intention of these meetings was to develop new approaches for consultation and accommodation on the part of the Government and to end the uncertainty and litigation on the part of First Nations. Over the course of 2005, The Government of British Columbia and the First Nations Leadership Council agreed to a framework for a 'New Relationship'.

A great deal of promise accompanied what appeared to be a seismic shift in the Government's approach to indigenous issues. The significance of the announcement was amplified by the inclusion of first nations leaders in the development and endorsement of this new policy. Many of these same first nations leaders had viewed the Government with contempt during its first term from 2001 – 2005. And for good reason. The B.C. Liberal Party under Gordon Campbell's leadership, who won election in 2001, was the same party that took the previous NDP administration to court in 1999 to prevent the implementation of the Nisga'a treaty- British Columbia's first modern treaty with First Nations.² Once in power, the Government had proceeded with a ill-thought out and divisive referendum on treaty negotiations in which eligible voters in the province were asked to opine on the province's mandate for negotiating treaties. In addition, the B.C. Liberal Party had continued the long standing policy of denying there were unextinguished aboriginal rights

² Previously, the only treaties with British Columbian first nations had been the in the early colonial period. These treaties covered approximately 2% of British Columbia's land mass. Throughout the remainder of the province, neither the colonial government or the provincial government had made any efforts to extinguish indigenous title. See pp. 52-55 for a discussion of the colonial treaties.

to the land, and even if unextinguished rights did exist, these rights had not yet been proven to exist.³

That the chain of successive abdication by British Columbia's government's to deal with indigenous people was broken is significant. But the fact that it was the government led by Premier Gordon Campbell who brought together the government and first nations surprised large segments of the population.

In the 'New Relationship' document, the Government of British Columbia and the First Nations Leadership Council committed to working together:

- To build a government to government relationship;
- To recognize aboriginal title;
- To consult with first nations and accommodate their views in land use decisions;
- To improve the physical, social, and financial well being of indigenous people in British Columbia; and,
- To support the revitalization of indigenous languages, laws, and knowledge.

Put another way, this document provides a strategic framework in which first nations and the government commit to work together to develop a framework for decision making, to make decisions about the use of land and resources, begin discussions of revenue-sharing to reflect Aboriginal rights and title interests and to assist First Nations with economic development, develop scenarios under which these concepts could be made to

³ In *Haida v. British Columbia (Minister of Forests)* [2004] 3 S.C.R. 511, 2004 SCC 73 the government argued that: "(the Government of British Columbia) has the right and responsibility to manage the forest resource for the good of all British Columbians, and... until the Haida people formally prove their claim(to the lands of Haida Gwaii), (there is) no legal right to be consulted or have their needs and interests accommodated."

work, and to collaborate on initiatives that would improve the health, economic, and social indicators for indigenous people.

In design, the ‘New Relationship’ is a forward thinking document. It sets a strategy for continued engagement on the part of the Government of British Columbia and first nations that will end the adversarial relationship that has existed throughout British Columbia’s history. The speech given by Premier Campbell’s after the announcement of the ‘New Relationship’ is telling:

“...The day has come to build a new relationship for a new Canada, one that offers all Canadians an equal promise of a better tomorrow, with equal access to education, health care, housing, economic development, and opportunity; one that recognizes the fundamental fact of our common heritage as Canadians.

It's that we are a nation of nations, defined not just by two solitudes that have preoccupied the history of Canada but by a third solitude as well, a forgotten solitude. It's a third solitude that exists, that has been ignored, dismissed through most of our history...”⁴

The policy framework agreed to in the ‘New Relationship’ is the latest in a debate on the status of indigenous people in British Columbia since Vancouver Island, and later British Columbia, became colonies of the United Kingdom and later, a province within

⁴ Transcript from Premier Gordon Campbell’s opening remarks at the 2005 First Ministers Meeting. See:

http://www2.news.gov.bc.ca/news_releases_2005-2009/2005OTP0137-001090.htm

Canada. That history is so important to the ‘New Relationship’ and understanding the troubled relationship between indigenous people and the government of British Columbia should then come as no surprise.

However, despite the obvious relevance of history to understanding and analyzing the ‘New Relationship’, the history of British Columbia is not of central importance to those charged with developing and implementing this relationship. It is, rather, “...about facing up to the failings of the past and the real needs of the present...not to find fault or to cast blame but to find new paths to a brighter future.”⁵ This essay challenges policymakers to reconsider this view and to look at British Columbia’s history with new eyes. It is also the intent of this essay to explore how we can use history to challenge our understanding of British Columbia’s history and to see what it is that this history can tell us, or rather, empower us to learn about the contingency and subjective nature of the present relationship between the government and indigenous people. It is with this goal in mind, that I turn to British Columbia’s history and look to uncover how British Columbia’s history can inform policymakers as they seek to further develop this relationship.

**

British Columbia’s history spans approximately 225 years. The first period of interaction between Europeans and indigenous people in the Pacific Northwest is dominated by the fur trade and lasts from approximately 1785 to 1849. During this period, explorers and traders visited the coastal regions of British Columbia and entered into commercial exchange centered around furs, and to a lesser extent, food. The Hudson’s Bay Company began establishing forts along the coast in the 1820’s. These forts became

⁵ Ibid.

commercial centers for the fur trade and, by the mid 1830's, the Hudson's Bay Company had monopolized the fur trade in present day British Columbia.

In 1849, colony of Vancouver Island was granted a royal charter. This charter marks the beginning of the colonial period and the end of the coastal fur trade period. The colonial period precipitated significant changes to the relationship between indigenous people and the successors of the fur traders, the colonists. As this essay will demonstrate, the relationship between colonists and indigenous people provided many of the features that continue to hold a deep influence on the relationship between indigenous people and the government.

It is worthwhile to pause here and speak to what I mean when I use the term 'relationship'. At an individual level, to speak of a relationship between two people is to speak broadly and indecisively about a series of constant interactions. In the context of indigenous people and fur traders, and later colonists and indigenous people, the term relationship refers to the web of political, social, and economic interactions that established the norms for interactions between these groups.

My aim in studying this relationship is not to provide a compendium of the political, social, and economic interactions throughout British Columbia's history. Such a study would be unwieldy and lack critical focus. Rather, I want to use the term 'relationship' as a means to introduce the premise of this essay; namely, that the relationship between indigenous and non-indigenous people during the coastal fur trade period and the colonial period of British Columbia's history was markedly different.

I will begin by looking at how indigenous people and fur traders interacted during the coastal fur trade period. This relationship was, in the simplest of terms, mutually

beneficial for both the traders and for indigenous people. Subsequently, I will show that the relationship between colonists and indigenous people was far from mutually beneficial. The third and fourth chapters contrast these two relationships in depth. However, for the purpose of further introducing this essay, I can provide a general summary of the relationship that existed in these two periods. During the coastal fur trade period the dominant influence on the social, political, and economic interactions between fur traders and indigenous people was commercial exchange. The fur trade was an enterprise that produced economic benefits for both indigenous people and traders. Fur traders and indigenous people had an interest in maintaining this commercial relationship and fur traders relied heavily on indigenous people for survival during this period. Moreover, during the fur trading period, traders did not have an interest in encouraging settlement. Far from it, in fact, permanent settlement would have displaced the fur bearing animals that drove the trade.

As the colonial period began, the commercial exchange that characterized so much of the fur trade period decreased in importance. Whereas fur traders and indigenous people had relied on each other for survival and commercial interests, colonists relied less on indigenous people and began to see indigenous people as competitors and obstacles. I believe that there are three main reasons for this sudden and large scale shift. First, the economic importance of the fur trade decreased significantly. No longer did, or could, indigenous people provide the furs which drove the exchange during the coastal fur trade period. Second, non-indigenous people began arriving in ever-growing numbers and created larger and permanent communities. These communities drove economic activity that did not require the fulsome participation of indigenous people. Moreover, these

settlements were provisioned by a growing agrarian class that pre-empted land around the permanent settlements. And third, in response to conflicts between colonists and settlers, colonial authorities began projecting a foreign value system over previously sovereign indigenous people. This projection of force minimized the extent of conflicts with indigenous people, but provided the same *de facto* effect as other forms of violent subjugation.

Much of what I have so far noted about British Columbia's history is accepted as conventional wisdom. The official policy towards first nations and their lands during the colonial period is a well-trodden and familiar subject for academics from a variety of backgrounds. Political scientists, such as Paul Tennant, have examined the history of indigenous land claims in British Columbia, historians, such as Robin Fisher, have provided detailed histories of the settlement of British Columbia, geographers, such as Cole Harris, have examined the implications of the reserve system on the struggle for greater access to the land and resources, legal theorists, such as Hamar Foster, have examined the legal implications of colonial policy on indigenous people, and sociologists, such as Renee Warburton, have explored the outcomes of the transition to a wage economy for indigenous people during the colonial period.⁶ And by no means is this a complete bibliography of works concerned with British Columbia's history.

⁶ Paul Tennant, *Aboriginal People and Politics: Indian Land Question in British Columbia, 1849 – 1989* (Vancouver: University of British Columbia Press, 1990); Robin Fisher *Contact and Conflict: Indian – European Relations in British Columbia, 1774 – 1890* 2nd ed. (Vancouver: University of British Columbia Press, 1992); Cole Harris *Making Native Space: Colonialism, Resistance, and Reserves in British Columbia* (Vancouver: University of British Columbia Press, 2002); Hamar Foster “‘We Want a Strong Promise’: The Opposition to Indian Treaties in British Columbia, 1850-1990,” 18 *Native Studies Review*, No.1 at 113-137 (2009), Hamar Foster “Does Law Matter? The New Colonial Legal History,” in Hamar Foster et al. (eds.), *The Grand Experiment: Law and Legal Culture in British Settler Societies* (Vancouver: University of British Columbia Press, 2009); Renee Warburton and Stephen Scott “The Fur Trade and Early Capitalist Development in British Columbia” in *Canadian Journal of Native Studies* 1 (1985) pp. 27-46

The introduction of a government initiative to build a ‘New Relationship’ however, requires us to think broadly about all these histories. When representatives of the government of British Columbia and first nations organizations signed a statement of vision, they agreed to ‘new approaches for consultation and accommodation and a vision for a New Relationship to deal with Aboriginal concerns based on openness, transparency and collaboration – one that reduces uncertainty, litigation and conflict for all British Columbians’.⁷

Prior to the signing, the Government of British Columbia had engaged in a divisive referendum and had gone to extensive lengths to deny the existence of aboriginal title in Canadian courts. In addition, the government had continued the policy of previous governments where they challenged aboriginal sovereignty and the very idea that there exist unextinguished aboriginal rights that are a burden on crown sovereignty in the province.⁸ Despite the actions they had taken between 2001 and 2004, the Government of British Columbia committed to trying to address some of the longstanding grievances of indigenous people.

It would seem obvious that the history of British Columbia is important for understanding the ‘New Relationship’- since the very idea of a New Relationship implies that there is a need for critical reflection on an *old relationship* that its participants no longer view as appropriate. However, policymakers are fixated on the pathway forward. The result is policymakers fail to engage British Columbia’s history and identify ways that this history continues to influence and structure the relationship between the government

⁷ http://www.gov.bc.ca/arr/newrelationship/down/new_relationship.pdf p. 1

⁸ Chapter 1 of Christopher MacKee’s *Treaty Talks in British Columbia Negotiating a Mutually Beneficial Future* 2nd Ed. (Vancouver: UBC Press, 2000) and Chapter 9 of Sidney Haring *White Man’s Law: native people in Canadian Jurisprudence* (UTP: Toronto, 1998) provide good introductions to colonial policy towards indigenous people.

and indigenous people. By not discussing this history, we limit our ability to challenge the referential framework for indigenous – government relations.

This essay will build an analysis of the ‘New Relationship’ from the premise that the relationship between colonists and indigenous people departed fundamentally from the relationship that was established by fur traders and indigenous people during the coastal fur trade period. Through exposing how traders and colonists approached their relationship with indigenous people, I will show that colonial period subordinated indigenous people into the colonial economy whereas the coastal fur trade provided indigenous people economic self-reliance, access to land resources, and powers of self government for indigenous people. I believe accordingly, that the primary risk facing policymakers as they develop the ‘New Relationship’ is the perpetuation of indigenous people into the colonial economy. To prevent the continuation of this relationship, I believe that the coastal fur trade provides a powerful counter narrative for developing a ‘New Relationship’ that improves the lives and well being of indigenous people throughout British Columbia.

**

As indicated earlier, studying history with the intent to inform discussion of a current political problem poses an interpretive challenge. This challenge is compounded by the tendency of policymakers to look at history as a linear progression of events and developments. To address this challenge, I lean on the methodological writings of Quentin Skinner. Skinner’s work on the history of ideas and his methodological reflections on his craft provide a useful tool for studying the history of ideas. I have chosen to rely on Skinner’s work as his approach was guided by a series of concerns he had with how

scholars looked at the history of ideas. One specific concern of Skinner was the influence of modern perspectives on the understanding of history. Skinner's critique of this approach provides important tools for conducting a history of the present and presenting an alternative view of the past. I will demonstrate how Skinner's method for uncovering the ways that ideologies form and change through the actions of actors – by which I mean participants- over time is a powerful tool for understanding how the relationship between indigenous people and the government was formed and changed since Europeans began arriving in the Pacific Northwest.

The next chapter of this essay examines the methodology Skinner has developed over his years as a historian. The central purpose of this examination is to break down Skinner's approach into five steps. The first four of these steps systematize the main elements of his approach to studying the past, or in his words, seeing things their own way. The fifth step builds off these first four steps and focuses on how Skinner believed his approach enabled people in the present to contrast different systems of thought. The primary value of this step is to provide a means for using history to challenge how we think about the present and to determine how the past can assist us in thinking through the present.

From the perspective of someone who is conducting a history of the present, this fifth step is the most important of Skinner's approach. Despite Skinner's assertion that this step has been present in his work since he began, his discussion of contrasting systems of thought has only become a notable aspect in his more recent work.⁹ The clearest example

⁹ In his essay [Quentin Skinner 'Surveying the Foundations: A retrospect and reassessment' in Jim Tully et al (eds.) *Rethinking the Foundations* (Cambridge: Cambridge University Press, 2008) p 394] Skinner notes that he first announced his interest in 'general terms' in his 1969 essay ['Meaning and Understanding in the History of Ideas' reprinted in Quentin

of Skinner's application of this step is found in *Liberty before Liberalism*. While a short section in a short book, his discussion of the importance of this step comes in the form of a rousing defence of the history of ideas and the useful application of the history of ideas for challenging our mainstream intellectual traditions.¹⁰ Much can be learnt from Skinner's approach to studying the history of ideas and exploring the ways in which contrasting different systems of thought can be used to challenge the beliefs that make up our 'intellectual heritage'.

After my discussion of Skinner's approach to studying the history of ideas, I become a practitioner interested in addressing how changes in the past have become part of our intellectual heritage. I first look at the coastal fur-trading period and identify three central features of the relationship between fur traders and indigenous people. First, I note that the fur trade created an economic relationship that was mutually beneficial for fur traders and indigenous people. Second, fur traders were aware of their reliance on indigenous people for subsistence and survival. This awareness is one of the main reasons that fur traders approached their relations with indigenous people in a manner more respectful of the autonomy and self determination of indigenous people. Without this awareness, the fur trade would have been less profitable and the very survival of traders making the long journey to and from the Pacific Northwest may not have been possible. And finally, beyond small trading outposts, fur traders were not interested in establishing permanent settlements. I argue that these three features underpin a relationship that was mutually beneficial for the participants.

Skinner, *Visions of Politics: Regarding Method*, vol. 1 (Cambridge: Cambridge University Press, 2002) pp. 86-9] but that his commitment to this research has only recently become explicit [Quentin Skinner, *Liberty before Liberalism* (Cambridge: Cambridge University Press, 1998) pp. 101-20.]

¹⁰ Skinner *Liberty before Liberalism*, p. 115

From here, I turn to the colonial period of British Columbia's history. Following the pattern of the previous chapter, I identify three key features of the colonial relationship with indigenous people. First, unlike the fur traders, settlers were very interested in establishing permanent settlements around the province. Second, whereas conflict between fur traders and indigenous people had largely been episodic, the colonial government began to project authority beyond the walls of forts and across the entire colony. And finally, the emergence of the wage economy began supplanting the fur trade as the primary means of earning money. These features are representative a broader shift in how non-indigenous people viewed the autonomy and self determination of indigenous people. After describing these three features, I note the discontinuity between the fur trade period and colonial period resulted in the incorporation of the settlers view of indigenous autonomy and self determination into provincial policy towards indigenous people.¹¹

In the fifth and final chapter of this essay, I return to the 'New Relationship' and emphasize the degree to which history is critical to political discussions. By way of summary of the previous chapters, I emphasize the degree to which the colonial period departed from the fur trade period of British Columbia's history. Drawing on Skinner's analytic tools, I reflect on the implications of the disjuncture between these two periods and suggest ways that policymakers can incorporate a more nuanced understanding of the relationship between history, politics and the 'New Relationship'. My main point is that policymakers would be better served by identifying ways that the 'New Relationship' could provide indigenous people with the economic self-reliance, access to land resources, and

¹¹ The importance of these differing perspectives towards indigenous autonomy and self determination was reinforced by Professor Matt James during my thesis defence.

powers of self government for indigenous people that they enjoyed during the coastal fur trade period.

CHAPTER 2 – *Quentin Skinner’s Historical Method*

In this chapter, I examine Quentin Skinner’s approach to studying the history of ideas. I then identify ways to apply his work in an analytic framework that will assist me in subsequent chapters. This framework focuses on identifying the ways that British Columbia’s colony history limits any potential to establish a New Relationship. Moreover, I demonstrate how Skinner’s approach to understanding the development of ideas in western political thought provides a number of considerations when examining our present system of thought regarding first nations.

.....

In terms of both methodology and substantive historical exposition, Quentin Skinner has made significant contributions to the study of the history of ideas. His immense output includes the two volume *History of Modern Political Thought*, *Machiavelli*, *Reason and Rhetoric in the Philosophy of Hobbes*, the three volume *Visions of Politics*, *Liberty before Liberalism*, along with countless essays and journal articles. These works have told the story of ideological shifts in early- modern and modern Europe and have, for a large part, provided the intellectual dowry of the so-called ‘Cambridge School’ of political thought.¹² Of late, Skinner has supplemented these historical and methodological enquires by reflecting on the purpose of his inquiries into the history of moral and political thought.

This chapter looks at Skinner’s method of historical enquiry. My aim is to identify the analytic tools that Skinner employs and see which of these tools can be applied to an

¹² The ‘Cambridge School’ is the nomenclature for intellectual historians who try to reconstruct the intellectual context within which major works of philosophy are studied.

analysis of British Columbia's 'New Relationship'.¹³ To complete this analysis, as a first step, I will set the stage through some biographical notes on Skinner. Specifically, I wish to identify the intellectual context in which Skinner began his academic project. The point of this context is to draw attention to the two approaches that dominated the history of moral and political thought at that time: the canonist approach and the empiricism embodied by historians such as Sir Geoffrey Elton and Lewis Namier. The importance of this context, beyond providing interesting reading, is that Skinner's dissatisfaction with these two approaches encouraged him to develop his own approach.

After this introduction, I will turn to a substantive analysis of Skinner's approach. The substantive analysis of Skinner's work begins with Jim Tully's systematization of Skinner's approach in 'The Pen is a Mighty Sword'.¹⁴ In his essay, Tully identifies the steps taken by Skinner in his historical analysis, to provide, in the words of Skinner, a method for seeing things their way.¹⁵ After discussing these steps, I further clarify the differences between Skinner's approach and the canonist and empiricist approaches by contrasting how each approach would look at Sir Thomas More's *Utopia*.

From my discussion of *Utopia*, I then turn to look at the value and relevance of Skinner's approach. To facilitate this discussion, I attach a fifth step in Skinner's analysis: identifying the disjunctures between past and present. This final step addresses a persistent

¹³ Skinner first acknowledged this feature of his work in 1969 [Quentin Skinner 'Meaning and understanding in the history of ideas' *History and Theory* 8 (1969) pp. 50-53]. More recently, his 1998 work has placed a greater emphasis [Quentin Skinner, *Liberty before Liberalism* (Cambridge: Cambridge University Press, 1998) pp. 101-20].

¹⁴ James Tully, 'The Pen is a mighty sword' in James Tully and Quentin Skinner (eds.) *Meaning and Context: Quentin Skinner and His Critics*, (Princeton: Princeton University Press, 1988), p. 30.

¹⁵ This phrase is taken from the title of the introductory chapter in: Skinner, *Visions*, vol. 1.

criticism made about Skinner's approach, namely that his approach is anachronistic and provides little value.

The Empiricist Tradition

It is with a sense of irony that I begin this section with the statement that understanding Skinner's approach requires understanding the context in which he began his academic career. Quentin Skinner emerged in the 20th century as one of the leading proponents of approaching the history of ideas as a historian. While seemingly self evident that the history of ideas should be studied historically, Skinner's position was not widely accepted when he began his career. There were two specific currents that Skinner's work ran against: the empiricist approach, whose focus on high politics as the primary evidence for understanding and explaining the past denigrated the history of ideas, and the canonist approach to the history of political thought, practiced by a wide range of intellectual historians, which in its simplest characterization, sought to separate ideas from their context.

Skinner's general critique of the empiricist tradition is found in his essays on Lewis Namier and Geoffrey Elton. Skinner places both these historians firmly in a tradition of history which believed the proper way to understand and explain the past required distinguishing between optional aspects; which includes philosophy, theology and literature, and real history; which includes court cases, financial records, and material objects. To Namier and Elton, it is this 'real' historical evidence that provides the evidence required to lay bare the foundations of political action.¹⁶ In the second chapter of *Visions*

¹⁶Skinner, *Visions* vol. 1, p. 13

of Politics: Regarding Method, Skinner republishes his 1997 essay ‘Sir Geoffrey Elton and the Practice of History’. Here, Skinner’s disdain for the approach, which he labels ‘the cult of the fact’, is palpable. And while the essay is primarily aimed at Geoffrey Elton’s reflections on his craft, Skinner is clearly using Elton as indicative of the empiricist tradition that Elton and Namier both represent.¹⁷ This chapter, despite at times sounding condescending, is rich in its criticisms of historians who believe their proper task is to ‘uncover the facts of about the past and recount them as objectively as possible’.¹⁸ And while Skinner is focussed primarily on Elton’s methodological writings, he echoes criticism he made of Namier in his earlier essay ‘The principles and practices of opposition: The case of Bolingbroke versus Walpole’. The main criticisms being that focussing primarily on ‘real’ historical evidence ignores the operative force of ideas.¹⁹

‘The Practice of History and the Cult of the Fact’ is however, still the more illuminating criticism. In this essay, Skinner describes a fictional situation of an apprentice under the tutelage of Geoffrey Elton proposing to study the art contained in Chatsworth. According to Elton, the apprentice historian should embrace all of the evidence and avoid making subjective judgements about the evidence. The apprentice then proceeds to begin cataloguing the various pieces of art contained in Chatsworth. The apprentice becomes troubled however, and begins to question whether the furniture would be considered art. Elton’s response is straightforward: only those pieces of furniture that are art should be

¹⁷ *Ibid.*, p. 8

¹⁸ *Ibid.*, p. 8

¹⁹ Quentin Skinner, ‘The Principles and Practices of Opposition: The Case of Bolingbroke versus Walpole’, in Neil McKendrick (ed.), *Historical Perspectives: Studies in English Political Thought and Society* (London, Europa 1974), repr. in Skinner, *Visions of Politics: Hobbes and Civil Science* Vol. 3 (Cambridge: Cambridge University Press)

counted as art. A dumbfounding answer to say the least, as the apprentice is now told she should elevate subjective judgements about his or her aesthetics to the status of fact.

While Skinner's description of this incident is humorous, it begs a serious criticism of the nature and quality of what is considered evidence in the strict empiricist approach advocated by Namier and Elton. Specifically, Skinner points out that judgements invariably have to be made about the nature and quality of evidence whenever one attempts to understand and explain the past. To the empiricist, the idea that the academic exercises this degree of control over what constitutes evidence is problematic.

The second criticism that Skinner directs towards Namier and Elton is that, in their elevation of 'real' historical evidence, they reject an agent's own account of what they were doing. Namier, for instance, believed that intellectual historians erred by taking the utterances of historical agents seriously. Further, Namier viewed the arguments put forth by princes, courtiers, statesmen, and intellectuals as sophisticated self-justification and incidental to the dynamics of power. As such, ideologies were, in Namier's mind, 'flapdoodle'.²⁰ Historians of ideas accordingly belonged, in Elton's words, in the 'scullery' of the historical profession and not in the 'drawing room'.²¹

The Canonist Approach

During the early and middle 20th century, the canonist approach was the dominant academic paradigm for examining the history of philosophy. The canonist view elevated certain classic texts which were deemed to contain "timeless elements", in the form of

²⁰ L. B. Namier, *England in the Age of the American Revolution* (London: Macmillan 1930), p. 95. For his general reflections on method, see *Personalities and Power* (London, Macmillan 1955).

²¹ G. R. Elton, *Return to Essentials* (Cambridge: Cambridge University Press, 1991), p. 12 qtd in Skinner, *Visions*, Vol. 1, p. 14.

“universal ideas”, even a “dateless wisdom” with “universal application”.²² These texts were perennially relevant and provided insights in both their own times and our own times. The author who wrote the text was relatively unimportant; it was the insights and internal coherence of the text that mattered.

The scepticism with which Skinner viewed the canonist approach is best identified in his 1969 essay, ‘Meaning and Understanding in the history of ideas’, which once had the slightly more telling title of ‘The Unimportance of the Great Texts in the History of Political Thought’.²³ Skinner’s primary criticism was that these reflections provided more insight on the present than providing an accurate account of the actual ideas presented in the text and he proposes that authors must be understood instead in terms of the way they operate within prevailing conventions. In making this argument, Skinner opened up a ‘canvas’ for drawing a new history of modern political thought that would provide a history of the *oeuvre* that an author was writing in, what that author was responding to, and what the author’s intention.²⁴ The place of an author is not primary in Skinner’s argument. Rather, Skinner’s intent is to look more broadly at the context and agency of texts. This point is best summed up by one of Skinner’s early students, Richard Tuck, in the preface of *Philosophy and Government: 1572- 1651*:

²² Quentin Skinner, ‘Meaning and Understanding in the History of Ideas’, in James Tully and Quentin Skinner (eds.) *Meaning and Context: Quentin Skinner and His Critics*, (Princeton: Princeton University Press, 1988), p. 30.

²³ ‘On Encountering the Past: An Interview with Quentin Skinner’, *Finnish Yearbook of Political Thought*, 6 (2002), pp. 34-63, at p. 35.

²⁴ Skinner makes reference to a canvas in his essay ‘Surveying the Foundations: A Retrospect and Reassessment’ in James Tully and Annabel Brett *Rethinking the Foundations* (Cambridge: Cambridge University Press, 2007) p. 395

“...to understand the political theories of any period we need to be historians... keen to depict as far as possible the character of the actual life which these theorists were leading, and the specific political questions which engaged their thinking.”²⁵

Since ‘Meaning and Understanding’ was published, Skinner has further reflected on his craft in a series of essays and applied this approach in numerous histories of modern and early modern political thought. ²⁶ I will now introduce the four steps which guide his approach to the study of the history of political thought.

1. Determine what the author is doing in writing the text in relation to other texts that make up the ideological context

There are two elements to this step: First, is that when an author writes a text, they are putting forward intelligible statements to those reading them. This means that the text is written against a general framework of meaning and sense that provide the backdrop that allows someone to digest what is written. The second element is that the speaker has an intended force when speaking or writing. ²⁷ These two elements can be defined as the *locutionary* and *illocutionary* meaning of the texts. The relevance of these meanings is that it is important to understand both what an author (or agent) is saying and the intended force of what the author is saying. To understand the *locutionary* meaning, Skinner believes that the social context in which it was written could provide a picture of what the author was

²⁵ Richard Tuck *Philosophy and Government: 1572 – 1651* (Cambridge: Cambridge University Press, 1993) p. xi

²⁶ Most of Skinner’s important works on methodology are contained in *Visions* Vol. 1

²⁷ See: Tully, ‘The Pen is a Mighty Sword’ pp 8- 9 and Skinner ‘Meaning and Understanding’ p. 61

saying. The *illocutionary* meaning requires going beyond the social context and understand the purpose of what the author was saying. To illustrate this point, look at how Skinner examines the statement ‘a prince must learn how not to be virtuous’ from Machiavelli’s *The Prince*.²⁸ With respect to the referential element of this statement, Skinner notes that understanding the ‘social context’ in which the statement is made is sufficient for examining whether this kind of advice was prevalent in renaissance tracts providing advice to princes. However, Skinner goes on to note that if one wishes to gain a fulsome understanding of the illocutionary meaning, a scholar must go beyond the ‘social context’ and determine what the author was attempting to do by providing this kind of advice to a prince: ‘the further point which must still be grasped for any given statement is how what was said was meant, and thus what relations there may have been between various statements even within the same general context.’²⁹

2. Determine the relationship between the text and the political action that make up the practical context

If the first question refers to the ideological context, that is, in Skinner’s example, what was Machiavelli doing in respect to the ideological context in which he was writing, this second question addresses the author’s intention in respect to the practical political context: that is, Machiavelli’s manipulation of the ideological conventions of the renaissance to legitimate a range of previously untoward political activity.³⁰ In Skinner’s later work, he adds an important limitation on both these questions by noting that ‘any text of complexity will

²⁸ Skinner, ‘Meaning and Understanding’ p. 61

²⁹ *Ibid.*, p. 62

³⁰ Tully, ‘Pen is a might sword’ p. 11

always contain far more in the way of meaning than even the most vigilant and imaginative author could possibly have intended to put into it...So I am far from supposing that the meanings of texts can be identified with the intentions of their authors; what must be identified with such intentions is only what their authors meant by them.’³¹

3. Determining how ideologies can be identified and their information, criticism, and change surveyed and explained.

The first two steps establish that ideology is comprised of conventions and the intersubjective meaning of language. In this step, Skinner aims to understand the precise moments where ideologies were either changed or reinforced. The importance of these changes speak to the first two questions, and also to demonstrate an important point that Skinner makes in respect to the value of his methodology over prevailing approaches: ‘is that the great texts are almost invariably the worst guide to conventional wisdom: they are often classics because they challenge the (ideological conventions) of the period.’³²

Further, this step seeks to understand how manipulating or confirming conventions can change the prevailing meaning of the key concepts which make up ideologies and ‘help to constitute the character of... practices’.³³ In that an ideology represents a shared intersubjective understanding of conventions and political vocabulary, Skinner demonstrates with this step how the manipulation of a convention or a social belief can lead to corresponding changes in social perceptions and attitudes. In Tully’s analysis of

³¹ Skinner, *Visions*, vol. 1 pp. 113-114

³² *Ibid.* pp. 12-13

³³ Quentin Skinner ‘Language and Social Change’ in Tully and Skinner (ed.) *Meaning and Context*, p. 132

this step, he notes that ‘Skinner’s work (on the value of understanding how manipulations of conventions within ideologies) here is still quite tentative’.³⁴ However, Skinner’s later work, and in particular his chapter entitled ‘Moral Principles and social change’ in *Visions of Politics* jumps more aggressively into demonstrating the value of this step in his analysis of how early capitalists ‘needed... to find some means of legitimizing their behaviour’ and therefore ‘appropriated the evaluative vocabulary of the protestant religion’.³⁵

4. Determine how ideological changes come to be woven into ways of thinking and acting.

This step seeks to explain how ideological change comes to be woven into ways of acting and how this then becomes conventional. Skinner’s approach to this step answering this question focuses on two elements: the ideological and the practical. With respect to the ideological, answering this question should illuminate how challenges to conventional understandings of concepts is partly related to how that particular concept or challenge fits within other available schools of thought. Moreover, it is important to note that the practical element is equally as critical to dissemination, and acceptance, of ideological change. Ideological change becomes orthodox insofar as the clash of political forces involves or succeeds in either defending or establishing practices that the ideological manipulation is utilized to characterize and legitimate. As Skinner demonstrates repeatedly throughout the two volumes of the *Foundations of Modern Political Thought*, it is not the immediate political conflict, which accounts for the acceptance of ideological shifts.

³⁴ Tully ‘The pen is a mighty sword’ in *Meaning and Context* p. 15

³⁵ Skinner *Visions* vol. 1 p. 157

Rather, it is the replaying of these conflicts in diffuse, but similar, settings that accounts for the acceptance of ideological shifts.

Through this four steps Skinner meant to identify the context in which a text was written and to identify what the author was hoping to do in writing her text. Through the understanding the author's intent and the time it was written, Skinner could then identify the ideological conventions that the author to either reinforce or challenge and determine the significance of the text in respect of broader historical shifts in ideology.

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To further clarify Skinner's historical method, consider two ways of examining Sir Thomas More's text, *Utopia*. Under the canonist approach, a scholar would analyze Sir Thomas More's *Utopia* in isolation, looking at the relevance of the text to how we look at questions of liberty of the subject and the ideal political community. The strength of these arguments would then depend on the internal coherence of the arguments that exist within the text.

Skinner's approach argues that if we understand the renaissance context from which *Utopia* emerges, we can begin to understand the point that Sir Thomas More was trying to make in writing it. Methodologically, this requires the reader to ask two related questions before interpreting *Utopia*: first, what is the author is doing by writing a particular text in relation to the other texts that comprise the ideological context? Next, his approach asks, what is the relation of the text to the practical context of political problems?³⁶ Through

³⁶ James Tully "The pen is a might sword: Quentin Skinner's analysis of politics" in Tully and Skinner (eds.) *Meaning and Context*, pp. 7- 25, esp. pp 7-16

these two questions, Skinner believes he can uncover both the “meaning of a text” and “what its creator may have been doing in creating it”.³⁷

As such, to understand the meaning of *Utopia*, one must first understand the relationship between this text and the ideology of civic humanism- Skinner may now place *Utopia* within the ideology *neo-Romanism*³⁸. Next, one must then understand the practical context of the political problems of early 16th century England and what *Utopia* contributes to this discourse. Therefore, when Skinner treats More’s *Utopia* to this contextualizing approach in his essay “Sir Thomas More’s Utopia and the language of Renaissance humanism”³⁹ he places *Utopia* and its author within the renaissance themes of *optimus status reipublicae* and the *studia humanitatis*.⁴⁰ After noting how *Utopia* fits within these broad humanist themes, Skinner then argues that More is challenging the vocabulary associated with describing what type of citizen is of *vera nobilitas*.⁴¹ Drawing on the

³⁷These questions are explored in Quentin Skinner “Motives, Intentions, and Interpretation” and Tully, “The pen is a mighty sword” in Tully and Skinner, (eds.) *Meaning and Context* pp. 68-78 and pp. 8- 12 resp.

³⁸ I do not wish to use this paper to engage in the debate over Skinner’s introduction of the term “neo-roman” to the study of early modern political philosophy in: Skinner, *Liberty Before Liberalism*. For the range of positions on this issue see: Blair Worden. ‘Factory of the Revolution’, *London Review of Books*, 5 February, 1998, 13-5; 15; Gisela Bock, Quentin Skinner, and Maurizio Viroli ‘The Republican Ideal of Political Liberty’, in *Machiavelli and Republicanism*, (Cambridge: Cambridge University Press, 1990), pp.293-309; Quentin Skinner, ‘Machiavelli on virtù and the maintenance of liberty’, *Visions*, vol.2, pp.160-85; Paul Rahe, ‘Situating Machiavelli’, in James Hankins, (ed.) *Renaissance Civic Humanism: reappraisals and reflections*, (CUP: Cambridge 2000), pp.270-308, here, Rahe questions the usefulness of the terminology of neo-Roman theory; Graham Maddox, ‘The Limits of neo-Roman Liberty’, *History of Political Thought*, 23, 3, (2002), 418-31; William Walker, ‘Paradise Lost and the forms of government’, *History of Political Thought*, 22, 2, (2001), 270-91; Jonathan Scott, *England’s Troubles*, (Cambridge: Cambridge University Press 2000); Conal Condren, ‘Liberty of Office and its defence in Seventeenth-Century political argument’, *History of Political Thought*, 17, 3, (1997) 460-82

³⁹ Skinner, “Sir Thomas More’s Utopia” pp. 123- 157

⁴⁰ *Ibid.*, pp. 125-157 esp. pp. 126-135 and pp. 147-156

⁴¹ *Ibid.*, pp. 135- 147; Skinner also makes this argument in: *Visions*, vol. 2, p. 412

Utopians disavowal of the traditional view that nobility ‘resteth in blood and riches’⁴² in favour of a humanist belief that a willingness to labour for the common good is the only true nobility⁴³, Skinner demonstrates here how the context of *Utopia* exposes its place within humanist political thought. After which, Skinner explores More’s use of two terms, *otium*- living well in the manner most befitting to citizens- and *negotium*- the life of active participation in the affairs of the state- then showing how *Utopia* employs *negotium* in to show how More uses *Utopia* to challenge the dominance of *otium* in Northern Europe in the 15th and 16th century in favour of *negotium*.⁴⁴

Skinner’s approach provides a rich understanding of the conventions that existed within the period when More wrote *Utopia*. The subtleties of these conventions are important for two reasons. First, through understanding the conventions of the period in which *Utopia* was written, a reader gains an accurate picture of how More’s work both fits within and challenges some of the central tenants of civic humanism as it existed in the 16th century. The relevance of this deeper historical understanding of *Utopia* is that the gains referential points to look at how Civic Humanism developed and changed and *Utopia* was a part of this larger change.

Contrasting Systems of Thought

The above four steps enable Skinner to view ideas within the historical context in which they emerged. Once these ideas have been situated within their appropriate historical

⁴² John Tiptoft, *A Declamation of Nobleness* qtd. in Skinner, ‘Sir Thomas More’s’ p. 136 fn. 74

⁴³ Skinner, ‘Sir Thomas More’ pp. 141- 147, esp. pp. 142- 145.

⁴⁴ *Ibid.*

context, Skinner takes the fifth step of his analysis. This step speaks to the applicability of Skinner's historical project for conducting a history of the present.

5. Determine what was uncovered through our historical inquiry and how this information can challenge hegemonic accounts in the present

This question is meant to challenge someone to question inherited intellectual commitments and ask, in a spirit of inquiry guided by the preceding four steps, what we can learn from other ways of looking at the world. In *Liberty before Liberalism* Skinner notes that this is not about exposing the disjuncture between the past and present and asking why, but rather about exposing the 'deeper level' at which our 'present values and the seemingly alien assumptions of our forbears... match up.'⁴⁵ Skinner's approach to contrasting our systems of thought is about applying his methodology to uncover the continuities and discontinuities between our past and present systems of thought. Through taking our analysis of the past through the previous four steps, a tapestry of conceptual and ideological complexity is laid out. Skinner's intention is to expose the richness of our past and demonstrate how 'timeless truths may in fact be the merest contingencies of our peculiar history and social structure'.⁴⁶ It is important to note that Skinner is not advocating that the ideas exposed through his methodology offer a 'solution to our own immediate problems' but rather to 'learn from the past... the distinction between what is necessary and what is the product merely of our own contingent arrangements'.⁴⁷

⁴⁵ Skinner, *Liberty before Liberalism* p. 117

⁴⁶ Skinner, 'Meaning and Understanding in the History of Ideas' p. 53

⁴⁷ *Ibid.*

This fifth step addresses the criticism that his work is only of some antiquarian and anachronistic value. The way that ideas are formed and transformed over time through the acts of people and entities provides a means for studying how ideas have transformed over time, and how these ideas have come to be part of the ‘intellectual heritage’ in *Liberty before Liberalism* or the ‘unrecognized constraints upon our imaginations’ in ‘Meaning and Understanding’.⁴⁸ *Liberty before Liberalism* provides the greatest clarity in respect to this step.

To add some context, *Liberty before Liberalism* is the published version of Skinner’s inaugural lecture as the Regis Professor of Modern History at the University of Cambridge and is primarily aimed at introducing a *neo-Roman* tradition that was distinct from the republican theory of liberty in the early modern period.⁴⁹ This claim comes from Skinner’s reading of those philosophers who did not strictly oppose monarchy and may have even seen monarchy as an integral aspect of political organization.⁵⁰ This argument has been the subject of significant discussion by scholars, but is not of any central importance to this essay. What is most important in *Liberty before Liberalism* is found in the final pages and provides Skinner’s clearest value proposition for his methodology.

In *Liberty before Liberalism*, Skinner argues that exploring how uncovering the discontinuities of thought can provide clarity to the relationship we have with our rich and diverse intellectual traditions. However, there is a tension between Skinner’s historical methodology and its value for critiquing the present. One particularly insightful review of *Liberty before Liberalism* by Blair Worden notes that Skinner is confronted by a ‘tension

⁴⁸ Skinner, *Liberty before Liberalism*, p. 117; Skinner ‘Meaning and Understanding’ p. 53

⁴⁹ *Supra* note 33

⁵⁰ *Ibid.* 11, 55, 177.

between the claims of historical-mindedness and those of present-mindedness' in *Liberty Before Liberalism*. Specifically, Worden's review questions whether Skinner fully comprehends the distinction between the recovery of the past for its own sake by the historian, and the recovery of former political values which might function as alternatives to present practice, or at least be commended as having relevance for understanding our present.⁵¹

Worden's criticism cuts right at the fifth step of Skinner's analysis, as Skinner does not develop his own analysis sufficiently to neutralize this criticism. While Skinner does provide a vigorous defence of his approach to studying the history of ideas, there is not much in the way of a discussion on the value of his method to understanding the relationship between the past and present. Skinner's work performs a fine balancing act between the anachronistic criticism levelled by his earliest critics, and the risk that veering too far towards historicism will undermine his whole historical project.

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In this chapter, I show how Skinner methodology exposes the referential framework that an author works within and the degree to which they can challenge this framework through *illocutionary* intent. Through challenging dominant interpretations, the author can either, consciously or unconsciously, challenge his audiences to see the world differently. The value of Skinner's approach to understanding, explaining, and proposing new directions for the 'New Relationship' is that his methodology gives us the analytic tools to

⁵¹ *London Review of Books*, 13-5; compare Skinner, *Liberty Before Liberalism*, 118 to Michael P. Zuckert, 'Appropriation and Understanding in the History of Political Philosophy: On Quentin Skinner's Method', *Interpretation*, 13, (1985) 403-24 on the Cambridge School's insistence on severing the history of political thought from one's own political life or action.

demonstrate the contingent nature of our referential framework and the importance actors in affecting change.

There are numerous examples of when events and actions challenge the referential framework that defines the self-referential framework that exists between political actors. As I noted earlier, Skinner demonstrates how Sir Thomas More challenged the idea that a Utopia was an ideal commonwealth and how these challenges became part of the self-referential framework for civic-humanist discourse. As such, subsequent discussions of the nature of an ideal commonwealth took place within a referential framework that had been modified by More's discussion in *Utopia*.

To look at an example involving public policy, one needs only to look at the arrival of social security, unemployment, and universal health care programs. These programs contribute to the notion of a welfare state. Irrespective of the merits or deficiencies, the concept of the welfare state cannot exist without the introduction of these state sponsored programs. This is an example of where the actions of a government have influenced the referential framework for analyzing and discussing the role of the state in the lives of its citizen.

The 'New Relationship' represents an attempt to challenge the existing referential framework for the indigenous – government relationship. Understanding what is being challenged however, requires that we understand the past and the way our referential framework developed. Skinner's methodology provides a means for understanding how the past is incorporated into the social and linguistic conventions of a society and how these conventions come to inform hegemonic accounts. Skinner may go further, and use his historical method to propose an alternative framework for understanding the concepts

and ideas. I believe, however, that in the context of the 'New Relationship', the value of Skinner's method is providing the tools for exposing the importance of how non-indigenous people viewed indigenous autonomy and self determination in both the fur trade period and colonial period. Moreover, through applying Skinner's methodology, I can demonstrate how the views of the colonial period fundamentally altered the referential framework for indigenous rights and continue to be felt in the way that the 'New Relationship' is approached. In the next chapters, I will draw this argument into focus by contrasting the relationship between fur traders and indigenous people with the relationship between colonists and indigenous people.

CHAPTER 3 – *The Coastal Fur Trade*

In the preceding chapter, I identified the main steps in Quentin Skinner’s approach to the history of ideas. Building from my analysis of Skinner’s approach, I will apply this approach to the fur trade period. This chapter will identify the key features that defined the relationship between fur traders and indigenous people during this period.

First Contact

On the northwest corner of Graham Island, in the archipelago known as Haida Gwaii, the remnants of the Haida village known as Kiusta sit amongst the old growth cedars. The village is situated in a sandy cove, protected immediately by a reef jetting out to the east corner and from the aggressive weather of the Pacific by Langara Island to the north. From a distance, the small lagoon created by this reef resembles the opening of a medium sized river. Travelling west from what is now British Columbia, Kiusta is the furthest point on Graham Island where a village could be established before reaching the open Pacific. Kiusta was never a year round settlement, it was a summer village where Haida from Masset and Naden gathered to fish the abundant surrounding waters. It is here, on 20 July 1774, that the *Santiago*, a ship piloted by Spanish explorer Juan Perez Hernandez, made contact with the indigenous people that would come to be known as the Haida.

Perez had received instructions from Antonio Maria de Bucareli, the Viceroy of New Spain, to travel north and scout the coast of present day Oregon, Washington and British Columbia to learn about Russian activities in the northwest.⁵² Bucareli wanted Spanish claims firmly established so that “any establishment by Russia, or any other foreign power, on the continent ought to be prevented, not because the king needs to

⁵² Douglas Hurt, *The Indian Frontier, 1763- 1846* (Albuquerque: University of New Mexico Press, 2002) p. 79

enlarge his realms, as he has within his known dominions more than it will be possible to populate within the centuries, but in order to avoid consequences brought by having other neighbors than the Indians.”⁵³

However, poor health on the part of many crew members and the rapidly diminishing provisions forced Perez to change plans. Instead of proceeding north to the 60th parallel, the *Santiago* turned west at the 54th parallel, well before encountering the Russian settlements on Kodiak Island, but fatefully, at the same latitude as Kyusita. The Spanish Friar, Juan Crespi recorded a firsthand account of the *Santiago*'s arrival at Kiusta in his diary:

And we noticed that a canoe came out from a break in the land like the mouth of a river and was paddled toward the ship. While it was still distant from the vessel we heard the people in it singing, and by the intonation we knew that they were pagans, for it was the same sung at the dances of pagans from San Diego to Monterey. Presently they drew near to the ship and we saw that they were eight men and a boy. Seven of them were paddling; the other, who was advanced in years, was upright and making dancing movements. Throwing several feathers into the sea, they made a turn about the ship. From the cabin we called out to them that they should draw near; and, although at first they did not venture to do this because of some fear they entertained, after showing them handkerchiefs, beads and biscuit, they came near to the stern of the ship and took all that was thrown to them. A rope was thrown to them, that they might come on board; although they

⁵³ Qtd. in Warren Cook *Flood Tide of Empire: Spain and the Pacific Northwest, 1543- 1819* (New Haven: YUP, 1973) pp. 57-8

took hold of it they did not venture to ascend it, but, keeping hold of it, they went on with us for a considerable distance.

... The pagans, seeing that we were going away from their country, invited us thither, and we knew, or understood from their signs, that they told us there were provisions and abundant water there and a place where the ship might anchor; and, we replying by signs that on the following day we would go thither, they went away.

These pagans are corpulent and fat, having good features with a red and white complexion and long hair. They were clothed in skins of the otter and the seawolf, as it seemed to us, and all, or most of them, wore well woven hats of rushes, the crown running up to a point. They are not noisy brawlers, all appearing to us to be of a mild and gentle disposition.

About half an hour after the departure of the canoe we heard singing again and we saw another canoe, smaller than the first, which joined the other, and the two came together to the ship. In the second canoe came six pagans. Both canoes drew near to the stern of the ship and we gave these people various trifles, telling them that on the day following we would visit their country. After having followed us for some time they went away, all very content.⁵⁴

⁵⁴ "Journal of Fray Juan Crespi" in *The California Coast: A Bilingual Edition of Documents from the Sutro Collection*, Donald C. Cutter and George Griffin Butler eds. and trans. (Norman: University of Oklahoma Press, 1969), pp. 225-41

Over the following days, the *Santiago* sailed the waters surrounding Kiusta and were visited by Haida on a few more occasions. Some trade occurred; one sailor obtained ‘a hat of rushes, well woven of several colors’ and another a ‘very good and showy piece’ of woven furs.⁵⁵ A few other items were obtained by the sailors of the *Santiago*, including some white fish ‘which resembled cod’ and other assorted local foodstuffs. The sailors traded some odd goods, including two large knives and some iron nails.

While no one from Hernandez ship ever touched land around Kiusta, this brief interaction, at what continues to be one of the most remote locations in British Columbia, is the first recorded contact between Europeans and the indigenous inhabitants of British Columbia. Aside from being a first point for the story of European presence in the northwest, this episode was a relatively minor event that had little impact, beyond historical value, on the relationship between indigenous people and Europeans. Four years after the *Santiago* travelled waters surrounding Haida Gwaii, Captain James Cook and his ship, the *Resolution* visited the coast of British Columbia. The ships logs reported on the fine otter pelts acquired from the Nootka and the high prices these pelts received in China.⁵⁶ In 1785, Captain James Hanna confirmed the potential profits of the maritime fur trade when the merchant vessel under his command returned to London with a substantial profit from

⁵⁵ *Ibid.*

⁵⁶ James Cook and James King *A Voyage to the Pacific Ocean... in his Majesty's Ships the 'Resolution' and the 'Discovery'. In the years 1776, 1777, 1778, 1779, and 1780.* (London: Champante and Witrow) Vol. 3 p. 288

the furs picked up in British Columbia.⁵⁷ With this confirmation of the riches waiting for merchants in the Pacific Northwest, the fur trade began in earnest.⁵⁸

At first, independent traders dominated this trade. By the 1820's the Hudson's Bay Company monopolized the maritime fur trade in the Pacific Northwest. Over the 64 years between first contact and the founding of the Colony of Vancouver Island in 1849, there were innumerable interactions between indigenous people and fur traders. Labeling this period as the coastal fur trade period highlights the dominance of the fur trade as setting the conditions of the relationship between indigenous people and fur traders.

As noted in the introduction, three features characterize the relationship between indigenous people and fur traders during this period. First, there was a mutually beneficial economic relationship between indigenous people and fur traders that centered on the commercial exchange of fur. Each party had an interest in trading and took some benefit. Second, the traders themselves depended on indigenous people for survival. Fur traders recognized that after the long journeys between ports and the importance of a profitable journey left traders in the position of needing to engage indigenous people respectfully once they arrived in the Pacific Northwest. Even once the Hudson's Bay Company established forts in the northwest, fur traders remained dependent on indigenous people to supplement their diets. Without this assistance, fur traders would have encountered far greater difficulty and the profitability of the fur trade lessened. The third and final feature of the relationship between indigenous people and traders was that fur traders did not project authority beyond the immediate areas surrounding the fur trading posts.

⁵⁷ James Gibson, *Otter Skins, Boston Ships, and China Goods* (Seattle: University of Washington Press, 1999) p. 22-24

⁵⁸ *Ibid.* p. 23

This chapter will elaborate on these three features, drawing on examples from this period and elaborating on their significance to the relationship between fur traders and indigenous people. In concluding this chapter, I argue that the fur trade was mutually beneficial for both indigenous people and fur traders.⁵⁹ This conclusion provides the groundwork for the argument that I make in the subsequent chapter, namely that the defining features of the relationship between indigenous people and fur traders were abandoned once the colonial period began.⁶⁰

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During the years immediately following the publication of the *Resolution's* travels, ships began arriving in steadily increasing numbers.⁶¹ Much to the chagrin of Spanish authorities in Mexico and Spain, British, followed by American, vessels travelled the area and began engaging in trade with the indigenous peoples of the Pacific Northwest. Spain attempted to reassert their authority through seizing British ships in Nootka Sound in 1789, but by

⁵⁹ Some of the works which have argued that the fur trade was a negative experience for indigenous people include: Calvin Martin *Keepers of the Game: Indian- Animal Relations and the Fur Trade* (Los Angeles: University of California Press, 1989); Peter Carstens *The Queen's People: A Study of Hegemony, Coercion and Accommodation among the Okanagan of Canada* (Toronto: University of Toronto Press, 1991); Barry Gough, *Gunboat Frontier: British Maritime Authority and the Northwest Coast Indians* (Vancouver: University of British Columbia Press, 1991).

⁶⁰ As will be discussed in the subsequent chapter, my argument parallels the conclusions reached by Robin Fisher in *Contact and Conflict* and Robin Fisher 'Indian control of the maritime fur trade' in J.R. Miller (ed.) *Sweet Promises: A Reader on Indian-White Relations in Canada* (Toronto: University of Toronto Press, 1991) pp.279- 286. A similar conclusion is made by Jonathan Dean in his essay exploring the Russian presence in Alaska: Jonathan Dean "'Uses of the Past'" on the Northwest Coast: The Russian American Company and Tlingit Nobility, 1825- 1867' in *Ethnohistory* 42:2 (Spring 1995) p 293- 295

⁶¹ For the number of ships visiting the Pacific Northwest during the early fur trade, see: Frederic Howay, 'A list of Trading Vessels in the Maritime Fur Trade, 1785 – 1794' *Transactions of the Royal Society of Canada*. Third Series, XXIV, pp. 122- 125

1790, Spain effectively ceded control of the Pacific Northwest to American and British trade.⁶²

Mutually Beneficial Economics

During the early years of the fur trade, independent merchants financed the American and British traders who traded with indigenous people in the Pacific Northwest. Their pathway, known as the golden circle was simple: depart Boston or Liverpool with manufactured goods, travel to the Pacific Northwest, and then trade these goods for furs.⁶³ Once full of furs, the traders would then sail to East Asia, where the furs would be either sold or traded for goods that could then be resold at home.

This early period of the fur trade generated tremendous profits for the fur traders. However, this was not a one sided trading relationship where traders took advantage of indigenous people with trinkets. Indigenous people recognized that the value of the furs allowed them to drive prices higher.⁶⁴ In 1805, one captain remarked that the demands of

⁶² Hunt, *The Indian Frontier* pp. 95-96 ; see also F.W. Howay 'An Outline Sketch of the Maritime Fur Trade' *Canadian Historical Association Report* (1932) p. 14 for an list of the ships which traded on the west coast during the early years of the fur trade in the Pacific Northwest. This list shows the limited number of Spanish ships which engaged in the fur trade on the west coast.

⁶³ Horath 'Trading Vessels' also notes the financing of these ships and their destination during the early years. These patterns and funding sources remained relatively constant until the emergence of fur trading companies in the pacific northwest see: Robin Fisher, *Contact and Conflict: Indian- European Relations in British Columbia, 1774-1890*. 2nd Ed. (Vancouver: UBC Press, 1992) p. 2-3; and Fisher 'Indian control of the maritime fur trade' p.279

⁶⁴ Gibson Otter Skins pp. 7-20; Fisher 'Indian Control' p. 279, 281; Fisher, *Contact and Conflict*, pp. 8 - 14

indigenous people were ‘so extravagant’ that it is ‘impossible to trade’.⁶⁵ Moreover, indigenous traders were adept at exploiting circumstances where numerous ships arrived in the same area at one time. The account of a Boston fur trader is indicative of the complex commercial relationships which emerged during the fur trade:

In the afternoon of the 9th, we put out of the snug cove in which we were lying, having been informed by the Indians that there was a ship in sight. This we found to be true, as on opening the sound, we saw her not more than a mile distant from us. Soon after we were boarded by Captain Rowan of the Ship Eliza of Boston, who had arrived on the coast at least a month before us, and who, having been very successful, was now on his way to the southward to complete his cargo and then leave the coast. He mentioned that ten vessels would probably be dispatched from Boston for the coast this season. From this information it was evident that it would require all our efforts to dispose of our articles of traffice (sic) advantageously before the competition should reduce their value. For the Indians are sufficiently cunning to derive all possible advantage from competition, and will go from one vessel to another, and back again, with assertions of offers made to them, which have no foundation in truth, and showing themselves to be as well versed in the tricks of the trade as the greatest adepts.⁶⁶

Despite the high prices sought by indigenous people, traders would go to extensive lengths to identify ways in which they could gain a commercial advantage during trading. The late 18th century fur trader, John Meares, brought fifty Chinese smiths and carpenters to build

⁶⁵ John D’Wolf, *Voyage to the North Pacific and a journey through Siberia more than half a century ago* qtd. in Fisher, *Contact and Conflict* p. 8

⁶⁶ Richard Cleveland, *Voyages and Commercial Enterprises of the Sons of New England* (New York: Harper & Brothers, Franklin Square, 1886) p. 94

an encampment at Nootka Sound and to fashion goods that could be traded with indigenous people.⁶⁷ Meares also gave passage to a Nootka man, Comekela, returning to his home after living in China. Meares believed that his friendship with Comekela would strengthen his trading position. This plan, as Meares notes, did not provide the benefits he had expected:

Comekela was, at first, very active in forwarding our commercial arrangement; but he had become very deficient in his native tongue, and he now spoke such a jargon of Chinese, English, and Nootkan languages, as to be by no means a ready interpreter between us and the natives; besides, in returning to the manners of his country, he began to prefer the interests of his countrymen, and amidst the renewed luxuries of whale flesh, blubber, and oil, to forget the very great kindness we had bestowed upon him.⁶⁸

In *Contact and Conflict*, Robin Fisher argues that indigenous people exercised a considerable degree of control of the fur trade.⁶⁹ It appears, however, that despite Fisher's rigorous research, some scholars continue to disagree with his findings and continue to argue that indigenous / trader contact was a period of time where traders exercised considerable control over indigenous people. For example, the first chapter of Jean Barman's *The West beyond the West*, emphasizes that fur traders dictated the conditions for trade and took advantage of indigenous traders. This account, while understandably

⁶⁷ John Meares, *Voyages Made in the Years 1788 and 1789 From China to the North West coast of America to which are prefixed an Introductory Narrative of a Voyage performed in 1786, from Bengal, in the ship Nootka*. (London: 1790) p. 3

⁶⁸ *Ibid.*, 121

⁶⁹ Fisher, *Contact and Conflict*, pp. 14, 16

appealing and convenient to those who have an interest in characterizing the whole of European contact as negative, the idea that indigenous people were the reluctant partner in a commercial relationship is inaccurate. Fur traders went to extensive lengths to satisfy indigenous desires for durable trade goods and indigenous people demonstrated a willingness to engage in practices which would ensure that they received the highest price for their furs. As Robin Fisher notes:

Trading Indians paid great attention to the quality of the goods that they acquired, and trade articles were examined closely and carefully before bargains were struck. Iron that contained flaws or was too brittle was of little value to the Indians because they worked it while it was cold. Indians showed great 'judgment and sagacity' when selecting firearms; woolen goods of insufficient quality were turned down, and porcelain imitations of dentalia were treated with contempt. Usually the Indians knew what they wanted when they were trading, and they were determined to get it.⁷⁰

The existence of a mutually beneficial economic relationship should not obscure the fact that fur traders meted out violent punishment when they felt wronged by indigenous people. These violent events should not, however, be exaggerated and should be viewed generally as isolated instances. Moreover, when violence did occur, it often resulted from misunderstanding and / or hubris on the part of the traders. An example can be found where a Haida Chief by the name of Koyah and Captain John Kendrick of the American vessel *Lady Washington*.

⁷⁰ Fisher, *Contact and Conflict*, p. 8

Koyah was the chief of the Haida community on Anthony Island. During June of 1791, the *Lady Washington* anchored outside of Anthony Island and began trading with group of indigenous people. Koyah's group stole some items from the *Lady Washington* and Captain Kendrick reacted strongly. The Captain proceeded to have Koyah flogged, his face painted, hair cut, and then proceeded to take a number of furs from Koyah's group. Subsequently, Koyah lost significant prestige within his village. Over the next few years Koyah and a small group of indigenous warriors engaged in a number of violent encounters with fur traders.⁷¹

While this violent encounter seems to contradict the thesis of a mutually beneficial economic relationship, it is important to note that this was an isolated incident. The *Columbia*, another American trading vessel that visited the area shortly after the incident aboard the *Lady Washington*, noted that similar thefts had taken place about their vessel, but since they had taken 'no rash means', it had not interrupted their trade.⁷² This single incident is indicative of much of the conflict that occurred on the northwest coast during the fur trade. The point of drawing attention to the incident on the *Lady Washington* is that the fur trade itself was not inherently violent. Rather, it was marked by specific violent episodes when either traders reacted to perceived offenses by indigenous people, or instances where traders were perceived to have slighted indigenous people.⁷³

Regardless of the degree to which one is prepared to go to argue about the benefits and control exercised by indigenous people over the fur trade, the fur trade was not a

⁷¹ F.W. Howay, 'The Ballad of the Bold Northwestman: An incident in the Life of Captain John Kendrick' *Washington Historical Quarterly* 20 (1929): pp. 114-123

⁷² John Hoskins 'Narrative of the Second Voyage of the *Columbia*' qtd. in Fisher, *Contact and Conflict* p. 15.

⁷³ See Fisher *Contact and Conflict*, pp. 13 - 19

matter of colonial hegemony or brutal exploitation, nor was it a particularly violent period. Rather, the fur trade operated under mutually beneficial exchange. Indigenous people knew how to engage fur traders to ensure that they got the best price and sufficient quality goods during transactions. The violence, often a main feature of the histories describing interactions between indigenous people and settlers were far from a dominant feature. In fact, as I have indicated, these violent episodes were exactly that, episodes. Both traders and indigenous people had too much to gain from the fur trade to allow violence to spill over.

The Fur Trade and Subsistence

During both phases of the fur trade period, fur traders depended heavily on indigenous people for their survival. The dependency of fur traders on indigenous people for survival was most acute during the first phase when captains with limited cargo space were unwilling to provision for the entire voyage. As such, fur traders came to rely on local indigenous people for subsistence.

For those traders who continued along to Asia to trade their furs, a well-provisioned ship was essential for a successful voyage across the Pacific. The potential medical problems associated with poor diet on a long journey means that there is a premium placed on fresh food. The voyage from America and British Colonies in the Caribbean was long and arduous, and the Spanish settlements along the Mexican coastline were not always open to traders. Consequently, ships arrived in the Pacific Northwest low on potable water

and food. Without the ability to trade and collect foodstuffs, fur traders would not have had the opportunity to engage in the fur trade.

This dependency on indigenous people was due largely to efforts to maximize the value of each voyage. Each pound of food and water for the crew was one less pound of space available for tradable goods. Accordingly, during the early fur trade period, traders packed lightly and sought out provisions when they arrived in the northwest. Indigenous people were often ready to assist the traders, especially if the exchange had the effect of facilitating trade between the two groups.⁷⁴

This is not to say that once trading posts appeared the dependency on indigenous traders lessened, but rather that the inhabitants of trading posts had greater flexibility due to the large stores that they could maintain and the potential for, albeit limited, agricultural activity.⁷⁵ The reliance of the fur traders on indigenous people for supplies decreased once forts were established, fur traders continued to rely on indigenous people to augment their diets with fresh game and fish.

Moreover, the tradable goods stocked by the forts served as currency for both furs and food. Economically, it represented a significant loss to trade goods that could otherwise be traded for furs, for food.⁷⁶ As such, while it made poor economic sense to

⁷⁴Hurt, *Indian Frontier*, p.91 – 92 and Warburton and Scott ‘The Fur Trade and Early Capitalist Development in British Columbia’ pp. 28 - 30

⁷⁵ Theodore Karamanski, *The Fur Trade and Exploration: Opening the Far Northwest 1821-1852*, (Norman: University of Oklahoma Press, 1983), pp. 195 – 210; John Lutz, *Makuk: a new history of aboriginal – white relations* (Vancouver: UBC Press, 2008) p. 166

⁷⁶ Karamanski provides a thorough discussion of the trading relationship between fur traders and indigenous people for food, and the significant loss that this trade represented for the Hudson’s Bay Company. This trade shrunk the company’s margins significantly. However, as Karamanski shows, this trade was essential to the survival of fur traders and helped reduce instances of scurvy.

trade goods for food the difficulty of feeding staff, particularly during winter, required forts to accept smaller margins.⁷⁷

Without Permanent Settlement

The third and final feature of the fur trade is that, at least during the early years of the fur trade, no attempt was made to establish a non-commercial presence in the Pacific Northwest: ships came, engaged in trade, and then left.⁷⁸ A gradual transition occurred after the signing of the *Convention respecting fisheries, boundary, and the restoration of slaves between the United States and the United Kingdom of Great Britain and Ireland*. This convention, also known as the *Treaty of 1818*, set out the boundary between Canada from the Lake of the Woods in South east Manitoba to the Rocky Mountains and placed the area west of the Rocky Mountains, north of California, and south of the Russian territory in Alaska under the joint control of both parties for a period ten years. During this ten-year period, both parties were guaranteed free navigation and had the right to claim land.

While the treaty of 1818 set the stage for a transition away from a fur trade dominated by independent traders, the transition was also the result of the increasing scarcity of furs and the higher prices demanded by indigenous people for those furs. When the Hudson's Bay Company began its operations in the Pacific Northwest in 1829, the situation was challenging. Much of the Company's efforts between 1829 and 1843 were devoted to eliminating competition in the Pacific Northwest. Edward Ermatinger remarks in his journals from this period:

⁷⁷ *Ibid.*

⁷⁸ Robin Fisher, *Contact and Conflict*, p. 2-3

When the company first went into the disputed territory of Oregon, they found the trade in the hands of the Americans & Russians; they contested it with them and drove both the Russians and Americans from the field in every part of the continent that belonged to or was claimed by Great Britain.⁷⁹

When the Hudson's Bay Company began establishing forts in the Pacific Northwest in 1829, only traders and company officials were resident. The central purpose of these traders and officials was to extract wealth from the local populations through trading European goods and European foodstuffs for furs and fresh food. During this time, the officials and traders living in the forts made no attempt to extend their authority over the larger territories that they operated in.⁸⁰

Initially, the Company established fur trading posts as a means to control competition from Russian and American fur traders. The economics of having multiple traders present in the northwest had the effect of increasing the prices that indigenous people could get for their goods. With the establishment of permanent fur trading posts and the efforts of the Hudson's Bay Company to establish a fur trade monopoly, prices gradually declined.⁸¹

It is important to note here that the Hudson's Bay Company fur trading posts were established for two specific reasons, neither of which was the settlement of British

⁷⁹ Edward Ermatinger, 'Edward Ermatinger's York Factory Express Journal, Being a Record of Journeys Made Between Fort Vancouver and Hudson Bay in the Years 1827-1828' (from *Transactions of the Royal Society of Canada*, vol. VI). [Ottawa, 1912].

⁸⁰ Paul Tennant, *Aboriginal People and Politics: The Indian Land Question In British Columbia, 1849 - 1989*, (Vancouver: UBC Press, 1990) p 17

⁸¹ See James Gibson *Otter Skins, Boston Ships and China Goods: The maritime fur trade on the northwest coast* (Montreal: McGill / Queens, 1992) pp. 151 - 156

Columbia. First, the economic benefits of the fur trade were gradually decreasing in value for Europeans. The multiple traders favoured indigenous traders in that they were able to command higher prices by playing European, and Russian, traders off one another. The establishment of the Hudson's Bay Company monopoly in conjunction with the permanent fur trading posts lowered the price of furs for the Hudson's Bay Company and the reduced overhead associated with operating ship-based fur trade operation. Second, the fur trade posts played an important role in securing the delineation of American and British territories in the Pacific Northwest. The fur trading posts represented the British crown in the northwest and announced that American incursions into Oregon and Washington territories could not occur without the knowledge of the fur trading posts.

Forever Changed

As the fur-bearing animals disappeared and new political considerations began to emerge, the fur trade began to lose significance. On 15 June 1846, the United Kingdom and the United States signed the *Treaty of Oregon* and set definitive territorial boundaries between British and American territories. The Americans would receive all territories south of the 49th parallel and the British would control the land to the north, as well as all of Vancouver Island. The day this treaty was signed would become the reference point for when what would later become British Columbia would come under the undivided sovereignty of the British Crown. Not surprisingly, the political relationship between Europeans and indigenous people in the Pacific Northwest also began to change once this happened

Even though the Treaty had set out the boundaries between American and British territories in the Pacific Northwest, the British feared that settlers in the Oregon territory would not respect the border.⁸² To buttress their claim to the territory north of the 49th parallel and Vancouver Island, the United Kingdom issued a Royal Charter for the colony of Vancouver Island 13 January 1849. The charter opened Vancouver Island to settlement, but left the mainland of British Columbia as a fur trading area administered by the Hudson's Bay Company. As Vancouver Island had already lost much of its value as a fur bearing territory, the Colonial Office believed a colony on Vancouver Island would have little impact on the operations of the Hudson's Bay Company on the mainland while simultaneously ensuring recognition of British claims to the area.⁸³ It was once the colony of Vancouver Island was established that the political relationship between indigenous people and settlers fundamentally changed.

What this chapter has shown is that during both periods of the fur trade, the relationship between indigenous people and fur traders was based on three characteristics: the mutually beneficial economics of the fur trade, the dependence of fur traders on indigenous people for provisions, and the inability of traders to project authority beyond the walls of fur trading posts. With the decline of the fur trade and the charter for the colony of Vancouver Island, the relationship between indigenous people and the newcomers to what is now British Columbia was destined to change. Fur traders recognized the importance of good relations with indigenous people and respected indigenous autonomy as it was a means to ensuring continued trade with indigenous people.

⁸² Hunt, *Indian Frontier*, p.87-90

⁸³ Barman, *West beyond the West*, pp. 54-58

The primary element to note here is view of the fur traders was accommodating of indigenous autonomy and indigenous self determination. As such, it is my view that the relationship between fur traders and indigenous people should not be viewed as a deeply problematic period in British Columbia's troubled relationship with indigenous people. In addition, the next chapter will demonstrate that the relationship between fur traders and indigenous people should be viewed as a distinct period of British Columbia's history. This difference provides an important historical reference point for advancing a claim that the history of indigenous – European relations in British Columbia has not been an unmitigated disaster for indigenous people and that there was once a time when non-indigenous people respected the autonomy and self-determination of indigenous people. It is my view that the fur trade period must be viewed in isolation and our intellectual heritage, or perhaps our historical guilt, should not obscure that there was a period in British Columbia's history where indigenous people and settlers interacted in a more equitable fashion. Moreover, as I will note in the final chapter of this essay, the fur trade period provides the historical evidence of how dramatically the relationship between settlers and indigenous people has changed and the contingent nature of the Government of British Columbia's present relationship with indigenous people. This information is invaluable as it provides the historical evidence necessary to ask the questions: are we beholden to our intellectual heritage when we think about the possibility of a New Relationship with indigenous people and is there another way of approaching the 'New Relationship'?

CHAPTER 4 – *The Colonial Period*

In this chapter, I note that the features defining the relationship between indigenous people and fur traders disappeared quickly after 1849. I argue, further to the argument I made in the preceding chapter, that the fur trade period produced a mutually beneficial relationship between indigenous people and fur traders and that the fur trade period had little impact on the current relationship between indigenous people and the BC government. The colonial period of 1849-1871 did have a lasting and major impact on the current relationship between indigenous people and the BC government. It was colonization of British Columbia which allowed for greater self-sufficiency on the part of the colonists, the end of a mutually beneficial economic relationship, and as foreshadowed by the nomenclature of this period, permanent inhabitants with little or no interest in the fur trade.

.....

When the colony of Vancouver Island received its charter in 1849, there were few colonists interested in settling in some of the remotest territory of the British Empire with little in the way of economic prospects. The first Governor, Richard Blanshard, would later remark he was ‘the governor of nothing more than a fur trading post’.⁸⁴ However, in the second half of the 1850’s, gold was discovered in the Fraser River and the number of colonists coming to British Columbia increased exponentially.

In this chapter, I analyze the three major features of the relationship between indigenous people and the colonists. These three features represent a significant departure from the relationship between fur traders and indigenous people, and as I argue, provide the referential framework that policy makers looking at a ‘New Relationship’ with indigenous people operate. The first feature of the relationship between colonists and indigenous people is that where the fur traders had operated mainly from ships and isolated trading

⁸⁴ E.E. Rich, *The History of the Hudson's Bay Company 1670-1870*. 3 vols. (New York: MacMillan, 1960) vol 2. p. 761

posts, colonists built a permanent presence in traditional indigenous territories. This permanent presence dislocated traditional indigenous resource management and subsistence patterns and created significant tension with indigenous people.

The second feature is that colonial authorities began projecting authority beyond settlements and over the entire territory of British Columbia. This feature was a response to the tension that emerged between colonists and indigenous people and is a natural consequence of the permanent presence of colonists. Further, efforts by the colonial government to dispense out a foreign form of punishment undermined existing forms of authority within the territories of indigenous people and further undermined indigenous leadership.

The third feature of the relationship between settlers and indigenous people is that, as settlers became increasingly self-sufficient, they no longer relied on indigenous people to meet their food needs. This represented a significant departure from the economics of the fur trade and introduced indigenous people to a wage economy that severely disrupted indigenous communities. Taken together, I demonstrate that the views of settlers changed significantly as a result of this disjuncture and that this change has heavily influenced indigenous – non-indigenous relations ever since.

Permanent Settlement

In British Columbia's history, there is nothing as vexing and indeed troubling as British Columbia's land question. And the feature of permanent settlement cannot be separated from the land question. While Fort Victoria was established in response to

American intentions to annex the territory around the lower Columbia River, when Vancouver Island transitioned to a colony of the British Crown, the Hudson's Bay Company instructed its chief factor, James Douglas, to organize land purchases and to secure title to the land. Archibald Barclay, the principal secretary of the Hudson's Bay Company, provided unequivocal direction to purchase lands from the indigenous inhabitants on Vancouver Island.

With respect to the rights of the natives, you will have to confer with the chiefs of the tribes on that subject, and in your negotiations with them you are to consider the natives the rightful possessors of such lands only as they are occupied by cultivation, or had houses built on, at the time of the when the Island came under the undivided sovereignty of Great Britain in 1846. All other land is to be regarded as waste, and applicable to the purpose of colonization.⁸⁵

Douglas organized nine purchases in the area surrounding Fort Victoria, two further purchases in 1851, a twelfth on the Saanich Peninsula in 1852 and the thirteenth in Nanaimo in 1854. In all, Douglas purchased approximately 358 square miles or three percent of Vancouver Island's total territory and absolutely none of the mainland's territory on behalf of the British Crown.⁸⁶ These were the only purchases during the colonial period.

Beyond these treaties, Governor Douglas instituted a policy of pre-emption in both the colony Vancouver Island and the mainland colony. The pre-emption policy, as Paul

⁸⁵ Barclay to Douglas in *Papers Connected with the Indian Land Question, 1850 - 1875* (Victoria: Government Printer, 1875) Reprinted, Victoria: Queens Printer 1987); Derek Pethick, *James Douglas: Servant of Two Empires* (Vancouver: Mitchell Press 1969) p 77

⁸⁶ Tennant, p. 19

Tennant notes, was never fully disclosed to the Colonial Office in London.⁸⁷ Pre-emption did not address the burden of aboriginal title on crown sovereignty; it only extended the rights that colonists enjoyed to indigenous people. The Colonial Office believed that the colony must pursue treaties with indigenous people and settle any questions regarding aboriginal title. Douglas, at least initially, recognized the need to extinguish aboriginal title through land purchases:

As the native Indian population of Vancouver Island have distinct idea of property in land, and mutually recognize their several exclusive possessory rights in certain districts, they would not fail to regard the occupation of such portions of the Colony by white settlers, unless with the full consent of propriety tribes, as national wrongs... Knowing their feelings on this subject, I made it a practice up to the year of 1859, to purchase the native rights in land, in every case, prior to the settlement of any district; but since that time in consequence of the termination of the Hudson Bay Company charter, and the want of funds, it has not been in my power to continue it. Your Grace must, indeed, be well aware that I have since then, had the utmost difficulty in raising money enough to defray the most indispensable wants of Government.⁸⁸

The Duke of Newcastle – the Colonial Secretary in 1861- noted, that while the Colonial Office was concerned with the treatment of indigenous people and believed the purchase of

⁸⁷ Tennant, p. 30

⁸⁸ See: Douglas to Newcastle, 25 March, 1861 in *BC Papers Connected with the Indian Land Question, 1850- 1875*, (Victoria: Queen's Printer, 1987) p. 19

indigenous land was necessary to remove aboriginal title to the land, the purchase of land was a purely local issue that required local support:

I am fully sensible of the great importance of purchasing without loss of time the native title to the soil of Vancouver Island; but the acquisition of the title is a purely colonial interest, and the Legislature must not entertain any expectation that the British taxpayer will be burdened to supply the funds or British credit pledged for the purpose. I would earnestly recommend therefore to the House of Assembly that they should enable you to procure the requisite means, but if they should think it not proper to do so, Her Majesty's Government cannot undertake to supply the money requisite for an object which, whilst it is essential to the interests of the people of Vancouver Island, is at the same time purely Colonial in its character, and trifling in the charge it would entail.⁸⁹

Newcastle's position recognized 'native title to the soil of Vancouver Island' but was unequivocal that the British government would take no responsibility for financing the extinguishment of this title. While Douglas was encouraged to continue efforts to extinguish aboriginal title, he held that shortage of revenue was the main reason that purchases could not be supported.

Colonists too wanted to see aboriginal title extinguished through land purchases. Amor de Cosmos, who would later become one of British Columbia's first premiers after confederation, wrote in his *British Colonist* newspaper that Indian title must be extinguished:

⁸⁹ 'Newcastle to Douglas', 19 October 1861, *Papers.*, p. 20

Why is Indian title to Cowichan not extinguished at once? This demand is repeated over and over again, yet no response is heard from the government. It may require judicious management, but it has to be done. The country expects it without delay.

We want farmers, - and the best way is to get them is to open the lands of Cowichan to actual settlers by extinguishing the Indian title.⁹⁰

Douglas stopped pursuing treaties in 1854, yet, the debate around aboriginal title to the land continued well past Douglas's tenure as Governor to that of his successor, A.E. Kennedy.⁹¹

The treaties that were signed did not address indigenous title in areas outside the immediate vicinity of existing settlements; which is over 99% of the landmass of the current province of British Columbia. As such, most settlement activity in British Columbia took place on land which had never been ceded to the colony. The existence of these settlements without having first completed treaties contradicted the direction provided by the colonial secretary. However, the general sense amongst colonists was to proceed and marginalize indigenous people:

As an inferior race...we believe...they must give way in order to make room for a race more enlightened, and by nature and habits better fitted to perform the task of converting what is now a wilderness into productive fields and happy homes.⁹²

During the years following Douglas's retirement from the colonial administration, the most liberal aspects of Douglas's policy, namely that indigenous people be afforded the

⁹⁰ 4 July 1859, *British Colonist*

⁹¹ Robin Fisher disputes this 1854 date in *Contact and Conflict* on p. 151 by noting that a 'deed of land purchase' for land in the Barclay Sound area was produced, but never signed.

⁹² *British Colonist*, 19 February 1861, qtd. in Fisher, *Contact and Conflict*, p. 95

same rights for pre-emption and homesteading, were removed.⁹³ In addition, subsequent land surveys reduced the size of reserves. By the time that British Columbia entered confederation in 1871, the approach of the colonial government to the indigenous population needed special recognition in British Columbia's terms of union.⁹⁴

While the period of 1774- 1849 had seen a relationship between indigenous people and fur traders that was, as I argued in the preceding chapter, mutually beneficial, the period after 1849 was anything but. The establishment of Vancouver Island and British Columbia as colonies necessitated a discussion over aboriginal title. However, while there was recognition of aboriginal title to the land, it was offset by the view that indigenous people, and the 'Indian Problem', would soon vanish.⁹⁵ And, if recalcitrant Indians were encountered, the settlers had a distinct advantage- they could rely on the Colonial government to assemble "...a force sufficient to answer the ends of justice, and to teach the savages to respect the lives and property of Her Majesty's subjects."⁹⁶

⁹³ Barman, *West beyond the West* p. 153 - 154

⁹⁴ Article 13 of British Columbia's Terms of Union: "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."

⁹⁵ This is an argument made throughout [Wilson Duff, *The Indian History of British Columbia: The Impact of the White Man*, (New Ed.)(RBCM: Victoria, 1997)]

⁹⁶ C/O James Douglas to Rear-Admiral Henry William Bruce, 27 July 1857 (BC Archives)

Projections of Force

On the evening of April 3rd, 1863, William Brady was murdered by a small group of indigenous people on Pender Island. His companion, John Henley, seriously injured but alive, escaped and sailed to Victoria to inform the colonial authorities. Against a nearly ever-present southwest wind, John Henley made the slow voyage to Victoria. One can imagine the sensational ways he could have thought of to describe the evening of April 3rd 1863. Soon however, Henley's description would no longer matter. Word of Brady's murder spread throughout the colony and on April 10th, Victoria's *British Colonist* carried the headline "HORRIBLE MURDER BY INDIANS".⁹⁷

By coincidence, that same day a man from Mayne Island arrived in Victoria to report what he believed to be two more murders, that of Frederick Marks and his daughter. Despite the absence of evidence confirming the murders of Frederick Marks and his daughter, rumour became truth and the following Day, the *British Colonist* ran another incendiary headline: "ANOTHER ATROCIOUS MURDER".⁹⁸

Under considerable pressure from colonists to respond to these murders, Governor James Douglas requested the British naval vessels, *HMS Forward* and *HMS Grappler* support the search for the murderers of William Brady and Fredrick Marks and his daughter.⁹⁹ The ships commanders were instructed to go as "far as Comox" in search of the

⁹⁷ *British Colonist*, 9 April 1863

⁹⁸ 10 April 1863, *British Colonist*

⁹⁹ Douglas to Commodore John W.S. Spencer, April 13, 1863. Enclosure in Spencer to Admiralty, 4 May 1863, Adm 1/5829

suspects and to “give confidence to the settlers and to allay any feelings of alarm that may at present exist among them.”¹⁰⁰

Over the next month, Royal Navy gunboats moved up and down the east coast of Vancouver Island, searching out the suspected murders of William Brady. Ultimately, Commodore William Parry ordered four ships: The HMS *Grappler*, *Forward*, *Devastation*, and the *Enterprise* to reassure the colonists and to search out the suspects in Brady’s murder.

A number of violent conflicts occurred around Kuper Island and Cowichan Bay, with the most serious occurring at Kuper Island.¹⁰¹ Lt. Commander Horace Lascelles, in command of the *HMS Forward*, engaged a small group of indigenous people at the village of Lamalcha on Kuper Island. During this engagement, 8 indigenous people living in the village of Lamalcha and one sailor from the *Forward* were killed.

While a few small conflicts occurred after and before the fight at Lamalcha, this was the most serious. Over the next three weeks, the Royal Navy and the civil authorities played a delicate game of reassuring the colonists, and attempting to track down the suspected murderers of Brady and the Marks. After nearly months of searching the suspects surrendered at Cowichan Bay and were taken back for trial in Victoria.¹⁰² The trial was short and at the end, two defendants were sentenced to hang.

¹⁰⁰ *Ibid.*

¹⁰¹ 27 April 1863 *British Colonist*; Lieut. Commander Horace Lascelles to Commodore John W.S. Spencer, “Letter of Proceedings April 25th”, 1863. Enclosure in Commodore John W.S. Spencer to Secretary to Admiralty, 4 May 1863, Adm. 1/5829, Cao. S89. Log HMS *Forward*, 15 April 1863, Adm, 53/8028.

¹⁰² Spencer to Secretary of the Admiralty, 6 May 1863. Adm 1/5829.

The murder of William Brady occurred five years after Governor James Douglas became the governor of the two colonies of British Columbia and Vancouver Island. During these years, there were major changes to the economic, social, and political relationship between indigenous people and settlers.

The indigenous people ultimately tried and convicted of Brady's murder were members of the Cowichan tribes. The indigenous people of the Cowichan were angered when the Colonial government, in the absence of treaties, decided to open the Cowichan Valley to settlers.¹⁰³ Vancouver Island's Attorney General George Cary informed settlers interested in establishing themselves in the Cowichan Valley they would be "...amply protected in their rights to the land by the employment of a little moral force, backed up by a little physical force."¹⁰⁴

A year later, tension remained between the settlers and the Cowichan people. The settlers had established themselves in the Cowichan Valley and the Government had yet to compensate the Indigenous people of the Cowichan Valley. As reported in Victoria's Daily Evening Express:

The settlers are told that the principle cause of the difficulty arises from the Government having broken its promises in regard to the payment for the land, and the belief is general that until they are paid, the settlers can have no feeling of security.¹⁰⁵

¹⁰³ Only twelve treaties were signed on Vancouver Island. These treaties were pursued and signed by Douglas in his role as Chief Factor for the Hudson Bay Company.

¹⁰⁴ *British Colonist* 30 July 1862

¹⁰⁵ Daily Evening Express, 29 April 1863; Chris Arnett, *The Terror of the Coast: Land alienation, and Colonial War* (Talon Press: Vancouver, 2004)

Intermittent episodes of violence, such as the Murder of William Brady, Frederick Marks, and his Daughter were answered by force¹⁰⁶ while couched in the language of “...enforcing the law”. This notion of enforcing the law gave legitimacy to the application of force against the first nations living in the Cowichan Valley and on Kuper Island.¹⁰⁷

The response to the murders of Marks and Brady speaks to the degree to which the colonial government provided the means to support the colonial government. The situation was not much different on the mainland colony of British Columbia. The euphoria of gold brought settlers deep into the interior of the colony in search of quick riches.¹⁰⁸ While fur traders and explorers had preceded the miners, the wave resulting from the gold rush disrupted life on a far greater scale.¹⁰⁹ Governor Douglas remarked in a correspondence as early as 1858 that indigenous people “...were strongly opposed to (the miners) digging the soil for gold”¹¹⁰ but the Governor did little to mitigate the disruptions caused by the miners aside from dispatching government agents and land surveyors.

In both colonies, a palpable tension existed between settlers and indigenous people. This tension resulted in occasional confrontations between settlers and indigenous people. However, Governor Douglas was anxious to avoid the ‘great mismanagement’¹¹¹ at the root of the interracial wars being fought in the United States. Douglas’s approach was to

¹⁰⁶ *Ibid.* pp. 88-170

¹⁰⁷ *Daily Evening Express*, 30 April 1863

¹⁰⁸ See Fisher, *Contact and Conflict*, p. 89

¹⁰⁹ Fisher, *Contact and Conflict* and Gordon Elliot, *Barkerville, Quesnel, and the Cariboo Gold Rush* (Vancouver: Douglas and McIntyre, 1978) show the influence of the Gold Miners to be far more damaging than the fur trader given the changing nature of the relationship between gold miner and indigenous person versus indigenous person and fur trader.

¹¹⁰ Douglas to Labourchere 6 April 1858 CO 305/9

¹¹¹ Douglas to William Molesworth 8 November 1855, CO.305/6

two forms: on the coast, Royal Navy gunship's ferried soldiers, civil authorities and members of along the coast to assuage the fears of settlers and enforce the law. On the mainland, use excessive force, or the threat of excessive force, to enforce laws and ensure that isolated conflicts do not degenerate into open warfare.¹¹² The physical presence of militiamen and well-armed police forces or, in some circumstances, just the threat from local administrators to call in these forces was usually enough to ensure that settlement advanced with minimal disturbance. And for the most part, it did.

While this section has focused almost entirely on the murder of William Brady and the response of the colonial government to this attack, the actions of the colonial government to address episodes of violence between indigenous communities and colonists represents an important shift in how the colonists responded to conflict. The manner in which the colonial government responded to the murders of Brady and the Marks ensured indigenous people recognized that only those who committed the crime, or harboured those who committed the crime, would be punished.¹¹³ This approach challenged existing conceptions of justice within indigenous communities, as payment was often considered acceptable redress for crimes.¹¹⁴

As an important feature that distinguishes the fur trading period from the colonial period, the projection of force should also be seen in conjunction with the permanent presence of settlers in British Columbia. Through the projection of force by the Royal

¹¹² Fisher, *Contact and Conflict* pp. 95-118 discusses the tensions that emerged with the sudden influx of gold miners into the interior and the responses of the colonial executive to these tensions.

¹¹³ Harris, *Making Native Space* p. 22

¹¹⁴ Arnett, *the Terror of the Coast* pp. 160 – 164 describes the different perspectives on justice.

Navy, settlers could have an added sense of security when farming disputed lands in the gulf islands and Cowichan valley. As Cole Harris notes:

At times (Douglas) thought that whites on Vancouver Island lived on ‘a smoldering volcano, which may at any moment explode with the most destructive force’ a view reinforced in the mid 1850’s by the seasonal arrival of hundreds of northern ‘savages’ and by Indian wars in Washington territory... With no troops at his disposal, faltering plans for a local militia, and no Royal Navy gunboats stationed on the coast, only a carefully choreographed display of violence, of which Douglas was a master, could keep the peace.¹¹⁵

Despite incidents of intense violence and confrontations between colonists indigenous people and colonists, at no point did these conflicts degenerate into the protracted fighting that was occurring in the Washington and Oregon territories.¹¹⁶ Even without an ‘Indian War’ the importance of conflict has been widely debated by historians. The debates have tended to focus on the relative importance of conflict to the colonization of British Columbia. My point here is that violence or the lack of violence is not a characteristic that should be viewed as integral to the settlement of British Columbia. What is important is the projection of force as a means of securing the colonies. Through the projection of force and

¹¹⁵ Harris, *Making Native Space* p. 22

¹¹⁶ A number of ‘wars’ took place in the Washington Territory. The one closest to the colonies of British Columbia and Vancouver Island took place in Puget Sound between 1855 and 1856. The catalyst of the war was the Treaty of Medicine Creek of 1854. Negotiated by Washington Territory Governor Isaac Stevens, the treaty preserved indigenous fishing rights at the cost of farm land in the Nisqually valley. The fighting commenced in October of 1855 between a citizen militia and Nisqually tribesmen. For further information on the Puget Sound War, see: Janice E. Schuetz, *Episodes in Rhetoric of Government-Indian Relations*, (Westport: Praeger, 2002), pp. 1-24 and J.A. Eckrom, *Remembered Drums: A History of the Puget Sound Indian War*, (Walla Walla: Pioneer Press, 1989), pp 1-30.

authority beyond the immediate settlements, non-indigenous people took hold of the entire territory.

The Wage Economy

The final feature of the relationship between indigenous people and settlers that this chapter addresses is the emergence of the wage-economy during British Columbia's colonial period. The relationship between the fur traders and indigenous people had been one that created mutually beneficial economics, while the colonial period fundamentally restructured the economic relationship with indigenous people. Wilson Duff, writing in 1964, summarizes this transition in his *Indian History of British Columbia*:

The native systems for the production of food and wealth were based on fishing, hunting and gathering; the systems for their distribution involved trade with other tribes and social mechanisms such as the potlatch, the feast and patterned gift exchanges between relatives. The impact of the white man has put an end, or nearly so, to these old systems and replaced them, though not completely, with a new economic framework...some of the early changes wrought by the fur trade... (brought) a new wealth of new goods... white settlement and the adoption of the money economy brought disruptive changes to the Indian economic patterns. Slowly and irreversibly, traditional hunting and fishing rights have been curtailed.¹¹⁷

¹¹⁷ Duff, *The Indian History of British Columbia*, pp. 128-9

The rapid transition from the fur trade economy to a wage economy brought significant change to how indigenous people interacted with colonists. The growth of a wage economy ended, to a significant degree, the symbiotic economic relationship that was established by the fur trade. With this decline, indigenous people moved quickly to the periphery of a new economic structure for the colonies of Vancouver Island and British Columbia.

The impetus driving much of the structural change to the colonial economy was the rise of a new economics of land ownership and industrialized exploitation of resources such as fish, minerals, and timber. Consequently, indigenous rights, which as noted earlier, were largely unextinguished throughout the territory, became a burden on economic progress better left ignored. As Cole Harris notes, the rise of a new economy was profound on the lives of indigenous people and their outlook of the world:

Capital had found new opportunities for investment as changing technologies of transportation and communication were sharply compressing time and space and repositioning British Columbia within the world's economy. It, too, had a sharp eye out for land. There had just been a series of gold rushes. The first factories in British Columbia – sawmills on Burrard Inlet were in operation. Land speculators were active, and prospective town sites were beginning to be boosted. In a few years, the first salmon canneries would be built. Expectations were not immediately realized, a somewhat latent bonanza was in the air, but prospects, whatever they were, depended on access to land. It was, therefore, as much in the interest of

capital as of settlers to brush aside Native claims to land and ensure that land was accessible. Progress and development required as much.¹¹⁸

In as much as there was an air of economic progress, there was little sympathy in the two colonies for land policies that gave indigenous people rights to desirable tracts of land. With the change from indigenous people as partners in a mutually beneficial economic relationship to indigenous people as a burden on the economic progress of the new colony, indigenous people were viewed increasingly as obstacles to colonial progress.

In *Makuk: A new history of aboriginal – white relations*, historian John Lutz challenges the notion that first nations were marginalized participants in the wage economy and argues that, initially, the economic development of British Columbia relied heavily on indigenous people.¹¹⁹ Lutz relies heavily on primary and secondary sources to paint a picture of indigenous people initially playing an important economic role during the early years of the colonial period. My argument is not inconsistent with the argument made by Lutz, rather it is a matter of perspective.

The development of the wage economy was a significant feature of the colonial period. As the population of colonists increased, indigenous people found employment or began economic activities that supported colonial activities, for example, ‘Aboriginal people remained crucial to the mining operations’ around Nanaimo and Fort Rupert.¹²⁰ In addition, indigenous people played an important role in forestry operations around the province. Lutz further identifies economic opportunities for indigenous people: the first mill established at the head of Alberni Inlet and the mills established in Burrard Inlet

¹¹⁸ Harris, *Making Native Space*, p. 52

¹¹⁹ See Chapter 6 of John Lutz, *Makuk: a new history of aboriginal – white relations* (UBC: Vancouver, 2008)

¹²⁰ *Ibid.* p. 172

recruited and attracted indigenous people to work the mills.¹²¹ Further, indigenous people throughout the province found employment on farms, both for themselves and for colonists.¹²²

While Lutz rightly points out that, at least initially, indigenous people were indispensable to the economic development of the colony, as the wage economy progressed and indigenous people began to be further marginalized by expansionist colonists, the employment opportunities for indigenous people became fewer and fewer. Moreover, traditional activities such as subsistence hunting and fishing were becoming more difficult. New hunting techniques also reduced the need for the involvement of indigenous people. As a result, the wage economy positioned indigenous people as labourers and the means that through which indigenous people had been able to engage in a mutually beneficial trade with colonists was lost.

My point when speaking about the transition to the wage economy is not that the wage economy was in and of itself a bad thing. Indigenous people *were* integral to the economic development of the province, but they were not able to take advantage of the opportunities presented by the colonists in the same way that colonists were able to enrich themselves from the resources of British Columbia. So while Lutz is correct to argue that the wage economy did not immediately relegate indigenous people to a position of dependence, the wage economy did not afford indigenous people the same opportunities to determine their economic future.

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¹²¹ *Ibid.* pp. 181-184

¹²² *Ibid.* p. 167

The colonial period brought significant changes to the lives of indigenous people. Colonists no relied on their relationship with indigenous people to survive or prosper in British Columbia. Whereas fur traders had been cognizant of the importance of their relationship with indigenous people, settlers of British Columbia viewed their relationship with indigenous people with indifference. In the next chapter, I will explore the relevance of the disjuncture between these two different relationships and make recommendations to policy makers on how recognizing this disjuncture between the fur trading period and colonial period may provide new avenues and ways of approaching the ‘New Relationship’.

CHAPTER 5 - *Conclusion*

In examining the relationship which existed between indigenous people and fur traders and indigenous people and colonists, I have shown how colonists approached their relationship with indigenous people was markedly different from fur traders. In this chapter, I will identify why and how we can rely on this history to inform debates about the 'New Relationship'.

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The Importance of Historically Informed Discussions

In this essay, my approach to British Columbia's history is guided by the methodology of Quentin Skinner that I outlined in the second chapter. However, before proceeding to a summary of this essay and my analysis of British Columbia's history, I want to speak briefly about the recent book, *The Uses and Abuses of History* by Margaret MacMillan. In this book, Professor MacMillan reflects on the important role of history in western society:

It is wiser to think of history, not as a pile of dead leaves or a collection of dusty artifacts, but as a pool, sometimes benign, often sulphurous, which lies under the present, silently shaping our institutions, our ways of thought, our likes and dislikes. We call on it, even in North America, for validation, whether of group identities or for demands, or justification, almost always comes from using the past... sometimes we abuse history, creating bad or false histories to justify treating others badly, seizing their land, for example, or killing them. There are also many lessons and much advice offered by history, and it is easy to pick and chose what you want. The past can be used for almost anything you want to do in the present. We abuse

it when we create lies about the past or write histories that show only one perspective. We can draw our lessons carefully or badly.¹²³

MacMillan goes on to argue that there is an increasing need for professionally trained historians to enter into public discussions. It is MacMillan's view, however, that professional historians are retreating to marginal aspects of history described through a "specialized language and long and complex sentences". The absence of professional historians then creates a void that amateurs "rush in to fill."¹²⁴

At times, MacMillan's book is a polemic against what she views as the growing influence of poorly researched and poorly written history in public discussion and the willingness with which professional historians have surrendered 'their territory'.¹²⁵ As evidence of the importance of history and examples of where history has been abused, MacMillan sights nationalism in Israel, the two world wars, and the cyclical rise of the sovereignty movement in Quebec among others. In each example, MacMillan notes that public discussion would have benefited from being more informed historically. This is not to say that historically informed public discussion can change the future, but rather in debate over what the future should be, historically informed public discussion could lead to better outcomes.

To MacMillan, history, due to its importance in situating ourselves in the world around us, must inform discussions about the present. While I am less troubled by the encroachment of amateurs into the field of history, I accept MacMillan's argument that public debate benefits by being informed historically. Yet, to me, one of the most striking

¹²³ Margaret MacMillan, *The Uses and Abuses of History* (Toronto: Viking, 2008) pp. x-xi.

¹²⁴ *Ibid*, p. 35-36

¹²⁵ *Ibid*, p. 36

elements of British Columbia's 'New Relationship' is the absence of a critical examination of how British Columbia was colonized and the influence that the views of colonists had on how successive provincial governments have approached indigenous autonomy and self determination.

In the previous chapters, I have demonstrated that there was two distinct periods in British Columbia's early history. In each of these periods I evidence the views of the main non-indigenous actors with descriptions of the key features of how each approached their relations with indigenous people. The coastal fur trade period, lasting from first contact off of Haida Gwaii in 1774 until 1849, was a period of focused around a commercial exchange: fur traders and indigenous people engaged in a trade that provided both sides with benefits. This trade was facilitated by respect for indigenous autonomy and self determination, and as I have argued, ensured that the fur trade had a limited impact on the ability of indigenous communities to exist as autonomous groups.

As the fur trade ended and the colonial period began, the mutually beneficial relationship that existed under the fur trade ended. The relationship during the colonial period was anything but mutually beneficial. Whereas the commercial exchange between fur traders and indigenous people had provided both sides with economic benefits, the colonial period ushered in a period of competition for land and resources. Far from relying on indigenous people for survival, colonists viewed indigenous people as an impediment to the colony's development. The development of the wage economy further limited the ability of indigenous people to interact on their own terms. No longer could indigenous people reconcile existing patterns of resource use. In addition, conflict between fur traders and indigenous people had been limited. During the colonial period, the government

projected force across the colony and enforced a foreign system justice over indigenous people. Individual indigenous people were held accountable for crimes committed against colonists, and when indigenous communities resisted or attempted to settle disputes or provide redress in more traditional forms, they were met by overwhelming force.

The coastal fur trade period and the colonial period provide distinct referential frameworks for understanding how social, economic, and political interactions occurred. This is not to say indigenous people fur traders and indigenous people discussed mutually beneficial economics during the fur trade. Nor did settlers discuss how the wage economy affected indigenous people. Largely, these features were just there, lying beneath the surface, but exerting a strong force on the respective relationships with indigenous people.

Beyond contrasting the distinctive features of the relationship between fur traders and indigenous people with the distinctive features of the relationship between colonists and indigenous people, I also demonstrated how different the coastal fur trade and colonial periods of British Columbia were. What is most apparent in these two periods is that the colonial period was not a natural progression of the fur trade period; the colonial period was entirely different and had a different impact on indigenous people. Among historians who have examined British Columbia's history, other than those who see the arrival of Europeans as an unmitigated disaster,¹²⁶ this is not a very controversial conclusion.

Through the methodology of Quentin Skinner, I identified why it is important to identify the disjuncture between the fur trade and colonial periods, how to draw out the distinctive features of the relationship with indigenous people during these periods, and the role of the colonists views of indigenous autonomy and self determination in the years

¹²⁶ *Supra. cit.* 54

since British Columbia became a province. While Skinner's methodology is aimed at analyzing the history of ideas, the steps Skinner takes when analyzing ideological shifts can give policymakers a number of tools for using history to question whether their own intellectual heritage is bewitching the way they think about the present. The value being that when you challenge your beliefs and framework, you can begin to challenge the conventional wisdom in policy and political debates.

However, despite the 'New Relationship' noting that the historical 'Aboriginal – Crown relationship in British Columbia has given rise to the present', there is little discussion of British Columbia's history in debates around the 'New Relationship'.¹²⁷ While it is true that the 'Aboriginal – Crown relationship' gave rise to the deep inequalities between indigenous and non-indigenous British Columbians, the 'Aboriginal – Crown relationship' is only one part of British Columbia's history, and as I have shown, not the starting point of British Columbia's history. The relationship between indigenous people and fur traders was significantly different from the relationship that existed during the colonial period. Despite the reality that much of the negative effects of settlement in British Columbia on indigenous people are tied to British Columbia's colonial period, ignoring the fur trading period effectively prevents us from learning from the past and identifying solutions which could enable a truly 'New Relationship'. By learning from Skinner's and applying his methodology, we can expose the bewitching effect that British Columbia's colonial history has on developing the 'New Relationship'. A final consideration of Skinner's approach is that by applying it to British Columbia's history, we are encouraged to uncover other ways of interacting with indigenous people. Proposing

¹²⁷ See: http://www.gov.bc.ca/arr/newrelationship/down/new_relationship.pdf p. 1

counter narratives to dominant ways of thinking about the past is a powerful tool in any historically informed debate.

I have argued that if we limit the scope of our examination to the ‘Aboriginal – Crown relationship’, we risk undermining our ability to propose transformative change in the present. I believe that we must uncover the counter narrative that is provided by the fur trade period. By looking beyond British Columbia’s colonial history we can at least challenge ourselves to consider ideas that will lead to a ‘New Relationship’ that does overcome the inequalities that emerged from the colonial period.

In this essay I have shown that the colonial period subordinated indigenous people into the colonial economy and undermined indigenous autonomy. To prevent the continuation of the policies borne of the colonial period, I would like to spend the remainder of this essay discussing how the conclusions of this essay can be utilized by policymakers in developing the ‘New Relationship’.

Suggestions for Policy Makers

The application of Skinner’s approach to the history of British Columbia helps further our understanding of the specific ideas or events that influenced our present. Despite criticisms that Skinner’s approach provides little beyond anachronistic insights and interesting footnotes, I have demonstrated that Skinner’s historical method of inquiry provides an approach for explaining and understanding change in political ideas. For example, although the concept of ‘neo-roman’ political thought was never fully articulated during England’s early modern period, Skinner constructed the concept by identifying what

an author was both saying, given the existing conventions and social context, as well as what the author was intending to do. Through identifying the locutionary and illocutionary meaning of the text, the characterization of a specific form of thought as ‘neo-Roman’ is possible and ultimately intelligible. The importance of this change, which I emphasize at the end of the second chapter, is that when we fail to examine the disjuncture in our past, we risk, in Skinner’s words, falling under the spell of our ‘intellectual heritage’ and accepting our present as representative of a natural progression.

Policymakers need to be acutely aware of the glaring examples of where policies and decisions are based on the illegitimate decisions and actions of the colonial government. For example, the settlement of British Columbia without treaties, the projection of foreign legal structures, and limits on the development of indigenous people’s lands are based in our colonial history. By not revisiting these hangovers of the colonial period we are perpetuating the damaging Aboriginal – crown relations that necessitated the ‘New Relationship’ in the first place.

Policymakers should not consider a return to the fur trade period and the additional autonomy and economic self-reliance of that period as a panacea for the ills of ‘aboriginal – crown relationship’. Returning to a relationship similar to the one that existed during the coastal fur trade period is not a practicable solution. The idea is to instead challenge our horizons and identify the strengths of the fur trade period, specifically that indigenous people had a greater deal of self-determination. Policymakers can then identify the ways that indigenous people exercised greater self-determination during this period.

In the third chapter, I described the three features of the relationship between indigenous people and fur traders that enabled indigenous people to exercise greater self-

determination during the coastal fur trade. Unfortunately, as I discussed in subsequent chapters, policy makers are wed to the intellectual heritage created by the ‘aboriginal – crown relationship’ when discussing the ‘New Relationship’. As I showed in the fourth chapter, the colonial period undermined the self-determination of the coastal fur trade period and subordinated aboriginal self-determination to the demands of the colonial economy.

The important lesson for policymakers here is that if we just look at the colonial period, then the risk is developing a ‘New Relationship’ that absorbs first nations even further into the legacy of the colonial period, and as I alluded to in the introduction, the very period which necessitated the ‘New Relationship’ in the first place. The coastal fur trade period demonstrates that there are other ideas for structuring the relationship between indigenous people and the Government of British Columbia. If policymakers are encouraged to through off the bewitching effect of the colonial period, then they will free themselves to consider proposals that will encourage the economic self determination, access to resources, and the development of the capacity amongst indigenous people to engage with non-indigenous people and the Government of British Columbia in a way that empowers indigenous people to determine their own economic and social interests. This is the key to a ‘New Relationship’ between the indigenous people of British Columbia and those who have settled here.

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