Aboriginal Gillnet Fishers, Scientists and the State: Interactions over Salmon Fisheries Management on the Nass and Skeena Rivers, British Columbia, Canada, 1955-1965

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Abstract

This paper examines the interactions between Aboriginal gillnet fishers and the Canadian state over the regulations for the industrial salmon fishery on the Nass and Skeena Rivers of northern British Columbia in the 1950s and 1960s. In particular, it focuses on the discussions and conflicts between Aboriginal people, who comprised the majority of industrial fishers in the region, and state officials and scientists who were members of the Skeena Salmon Management Committee. The Canadian Department of Fisheries had created this committee in 1954 in response to declining salmon populations and a 1951 rock slide on the Skeena system which damaged the sockeye spawning runs. The Committee relied heavily on science to gain legitimacy for their increased restrictions on access to the resource, and made it a central feature of their public meetings. They also relied on it to encourage the native fishers to understand and accept the regulations. This approach did not work as expected. Native fishers continued to challenge the regulations, arguing state officials were unfairly penalizing small-boat fishers, and were overlooking greater threats to the resource such as larger and more efficient vessels and gear types. As well, the Aboriginal fishers also used information fisheries scientists had provided to point out inconsistencies in the regulations, particularly relating to the growing international offshore salmon fishery. Moreover, several Aboriginal communities also complained about some of the Committee's research projects such as counting fences and hatchery programs, arguing that they violated traditional Aboriginal treatment of salmon. While not all of these challenges led the Committee to alter its regulations and activities, some did, revealing the ways that science and management practices can be affected by interactions with groups involved in the process.

Keywords: *Aboriginal peoples, fisheries regulations, science and the state*

In the 1950s and 1960s, Aboriginal industrial fishers from the Nass and Skeena river areas of northern British Columbia regularly attended public meetings on federal regulations for the commercial salmon fishery. The native people, who comprised the majority of commercial fishers in the region, brought petitions and letters, presenting their views on the proposed regulations and the way the Skeena Salmon Management Committee was handling the resource. The Skeena Salmon Management Committee was created by the federal Department of Fisheries in 1954, partly in response to a major threat to the sockeye populations after a rock slide on the Skeena River damaged the runs. The new body, made up of Department of Fisheries officials, set regulations on

opening and closing dates and determined which gear types could be used. Although state officials retained full decision-making authority, they did allow both cannery owners and fishers to participate in the discussions, through an Advisory Board and by holding public meetings where stakeholders were invited to give their opinions on the proposed regulations. The result was a very early attempt by the state to bring science, Fisheries officials, cannery operators and fishers, including Aboriginal people into direct discussions about management of the resource. In doing so, however, state officials relied heavily on science and the scientific work of government researchers to justify and legitimize both the regulations and the expansion of state authority in the fishery. The public meetings prominently featured presentations by scientists and technical staff, and state officials regularly pointed to research findings in their interactions with both cannery owners and fishers. The Aboriginal fishers, whose cultures and communities were integrally tied to salmon fishing, responded to this approach in ways not entirely expected by the policy makers.[1] Although they generally did not directly challenge the science itself, they often criticized the application of that knowledge to specific regulations in ways that reflected their own experiences of fishing, their cultural and economic relationships to the resource and sense of justice.

Although the Skeena Salmon Management Committee could not be considered "co-management" in the way it is defined in both the literature and practice throughout the world, insights from the scholarly debates from this field can be useful for this historical case study. According to Evelyn Pinkerton, co-management exists when people have "the right to participate in making key *decisions about how, when, where, how much, and by whom fishing will occur.*"[2] In the Skeena Salmon Management Committee, state officials held the power, not the fishers or cannery owners, but stakeholder groups were, for the first time, invited to take part in discussions in a formal way. The Department of Fisheries officials did this out of a need to legitimize the more severe fishing restrictions they felt required because of the rock slide, and to gain the cooperation of both fishers and cannery owners. Pinkerton outlined the importance of gaining cooperation from resource users in her 1989 essay, noting that the state needed fishers' goodwill for both enforcement of regulations and management of the resource.[3] "The inherent vulnerability of stocks, especially the mobile ones, to over-exploitation, and the impossibility of policing large areas adequately means

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[1] For background on native people and the British Columbia fishery, see Dianne Newell, *Tangled Webs of History: Indians and the Law in Canada's Pacific Coast Fisheries* (Toronto 1993).
[2] Evelyn Pinkerton, "Toward Specificity in Complexity: Understanding co-management from a social science perspective," in Douglas Clyde Wilson, Jesper Raakjaer Nielsen and Poul Degnbol, eds., *The Fisheries Co-management Experience: Accomplishments, Challenges and Prospects* (London 2003), 63.
[3] Evelyn Pinkerton, "Introduction: Attaining Better Fisheries Management through Co-Management – Prospects, Problems and Propositions," in Evelyn Pinkerton, ed. *Co-operative Management of Local Fisheries: New Directions for Improved Management and Community Development* (Vancouver 1989).

that government cannot manage alone even at the best of times."[4] Indeed, the Skeena River, at 570 km long, and the Nass River, at 380, are vast and the region was the second-largest producer of sockeye in the province (after the Fraser). The Department's relatively small number of officers and wardens could not keep a constant presence in all areas. As migratory stocks which travel to the mid-Pacific and back, the salmon species important in the industrial fishery were particularly difficult to manage. As Pinkerton noted, tasks such as data collection required significant cooperation from fishers and cannery employees. Although the Skeena Salmon Management Committee held the power, it did need to gain the trust and confidence of the fishers.

Not surprisingly, the state officials who comprised the Skeena Salmon Management Committee, who were somewhat wary of allowing others to participate in the discussions, turned to science to try to convince the fishers and cannery owners to understand, accept, and cooperate with the regulations. Science has carried considerable ideological weight in western society since the industrial revolution.[5] The use of science to legitimize environmental regulation is well known, and as Douglas Wilson has argued, is partly a function of the modern liberal-democratic state and the need of state officials to justify intervention.[6]

> It is the rule of law that requires something beyond noble judgment; objectivity becomes an issue in a political democracy where there are bureaucracies that are vulnerable to criticism. In management institutions that hope for the cooperative involvement of many stakeholders, the question 'how do you know that'? is a critical one. Research-based science is the institution that has been built around being able to answer that question.[7]

As we shall see, the Skeena Salmon Management Committee was vulnerable to criticism, and this historical case study will follow the ways that state officials and state fisheries scientists attempted to interact with the fishers and justify their actions, and the problems they encountered trying to do so.

As well, insights from the literature on what has been variously termed "local ecological knowledge" or "indigenous knowledge" or fishers' social-ecological knowledge" is helpful in understanding the ways the Aboriginal fishers

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[4] Pinkerton, "Introduction," 23.
[5] For works exploring the way states have used science, see Michael Adas, *Machines as the Measure of Men: Science, Technology and Ideologies of Western Dominance* (Ithaca, New York 1989) and James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven, Connecticut 1998).
[6] Douglas Clyde Wilson, "Fisheries Co-Management and the Knowledge Base for Management Decisions," in Wilson, Neilsen and Degnbol, *The Fisheries Co-management Experience*.
[7] Wilson, "Fisheries Co-Management," 270.

reacted to both the regulations and the Committee's use of science.[8] Very clearly, the various stakeholders involved with the Skeena Salmon Management Committee, whether it was cannery owners or fishers, had their own ways of understanding, interpreting and "knowing" the resource and the regulations proposed, and that these perceptions were shaped by their own histories, cultural, social, and economic experiences. For the native people who organized, wrote letters and attended the Committee meetings, their experiences as industrial fishers, and their identities as both Aboriginal people and as small-boat fishers, affected the way they responded. As David E. White and Troy E. Hall argue, in their study of public perceptions and understanding of science in the Pacific Northwest United States salmon regulation, the way people respond is complex, shaped in the context of their own experiences and cultural frameworks.[9] They claim the literature has pointed to two different public perceptions of science ("traditional discourse" where public accepts institutionalized science and "realist-skeptical discourse" where people are critical of the methods and motives of science). They assert "the public may know, articulate, and accept the traditional view of science, while at the same time maintaining skepticism about how it is utilized in any given circumstance."[10] The Aboriginal industrial fishers who took part in the public discussions over the Nass and Skeena regulations fit that pattern. While they rarely directly challenged the validity of the scientific research, they questioned the way it was being used, or the completeness of the findings. They also used the very scientific findings the Committee members gave them to either point out inconsistencies in the regulations, or to accuse state officials of being unfair in their application. Occasionally, fishers accused the Committee of not providing enough research, or offering only incomplete information about the health of the resource.

At the same time, however, I would agree with Wilson and others who have pointed out that "the assumption that we are dealing with a 'scientific' viewpoint and a 'local' viewpoint about fisheries science matters is often an unhelpful oversimplification. Attention must be paid to the multiple viewpoints within both research communities and user group communities." [11]Although the industrial Aboriginal fishers who took part in the Committee meetings generally refrained from direct attacks on the science itself, evidence suggests some Aboriginal people from the upper Skeena were more skeptical. Some who were not necessarily involved in the industrial fishery, but relied on fishing for food began to complain about the actual research projects undertaken by the

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[8] For a couple of Canadian examples, see Fikret Berkes, *Sacred Ecology: Traditional Ecological Knowledge and Resource Management* (Philadelphia 1999) and Grant Murray, Barbara Neis and Jahn Petter Johnsen, "Lessons Learned from Reconstructing Interactions Between Local Ecological Knowledge, Fisheries Science, and Fisheries Management in the Commercial Fisheries of Newfoundland and Labrador, Canada," *Human Ecology*, 34, 4 (August 2006), 549-571.

[9] David D. White and Troy E. Hall, "Public Understanding of Science in Pacific Northwest Salmon Recovery Policy," *Society and Natural Resources*, 19 (2006), 305-20.

[10] White and Hall, "Public Understanding," 309.

[11] Wilson, "Fisheries Co-Management," 274.

Committee such as installing counting fences and tagging studies. During the early 1960s, the Committee encountered some opposition from people from a couple of Upper Skeena Aboriginal communities who accused the researchers of hurting the salmon. Their understanding of salmon was shaped by their own cultural experiences and knowledge about these creatures. Both the challenges from the Aboriginal industrial fishers about the uses and application of scientific knowledge, and the complaints that some native peoples made about the way science was "interfering" with salmon reveal the complex responses of these Aboriginal people to traditional, state-sponsored fisheries science and research.

This paper will examine the interactions between the primarily Aboriginal gillnet fishers of the Nass and Skeena River areas and the scientists and Fisheries officials of the Skeena Salmon Management Committee from the mid-1950s to the mid-1960s, focusing on the issue of science and the responses to it. The paper will begin with some background on the discourses of science present in the Department of Fisheries in the post-World War II years. It will then look at the creation of the Skeena Salmon Management Committee in 1954 and the role that science and its message played in this organization. Then, it will turn to the Aboriginal fishers and the way their own experiences and identities shaped their responses to the Committee and its use of science to justify fisheries regulations. Ultimately, this paper raises the issue of power at the heart of fisheries management. No doubt, the state retained considerable power and authority, and attempted to use science to gain the trust and cooperation of the fishers. Although in many ways the Aboriginal fishers were disadvantaged in their relations with state officials, having faced decades of social, economic, cultural and political marginalization, their encounters with the Committee suggest a confidence and willingness to organize and challenge the regulatory process.

DISCOURSES OF SCIENCE AND CONSERVATION IN THE DEPARTMENT OF FISHERIES

In Canada, the 1867 British North America Act (the act of confederation) gave jurisdiction for ocean fisheries to the federal government. Initially responsible for regulation and patrol of waterways, by the late 19th century, the federal government's mandate had expanded to include scientific research. This was a period when international interest in marine biology and oceanography was growing, and in 1898, the federal government created the Biological Board of Canada.[12] In the early years, state facilities and funding were limited, and most research was done in collaboration with biologists at the major Canadian universities. By 1938, when it was renamed the Fisheries Research Board of Canada (FRB), the body was staffed largely by full-time scientists and technical staff, doing research at several Biological Research Stations. Responsibility for creating regulations, however, remained with the Department of Fisheries, proper (both FRB and Department of Fisheries reported to the Minister of Fisheries).

[12] For a history of state fisheries research in Canada, see Jennifer M. Hubbard, *A Science on the Scales: The Rise of Canadian Atlantic Fisheries Biology, 1898-1939* (Toronto 2006).

After World War II, when the Department of Fisheries expanded its role and reach in Canada's fisheries and fishing industries, it began to use science more prominently to promote itself and its work to fishers and the public.[13] Indeed, the Department created a new division called the "Information and Education Service" to help with this promotion, portraying Department and FRB personnel as having the knowledge and expertise to manage, regulate and develop the fishery. They claimed to be professional, knowledgeable experts who were using the best of scientific and technical research to develop the fishery, and make it efficient and profitable. At the same time, they assured the fishing people their regulations were based on sound scientific research and application. Department officials worked from the assumption that the public, fishers and industry people accepted and respected scientific knowledge, and would respond positively to the messages that researchers and regulators were well-informed and were thinking about the future. The Department used a variety of media and approaches to spread this message, such as publishing pamphlets, including one on Pacific Salmon conservation and another highlighting the FRB entitled "Science in Fisheries."[14] The Department also published a monthly magazine called *Trade* News featuring pictures and articles about the fisheries, regulations and the work of the government. As well, it created informational displays for trade fairs, and Department officials and scientists regularly appeared on the Canadian Broadcasting Corporation's "Fishermen's Broadcasts" on the Atlantic and Pacific coasts.

The focus of many of these messages was the state's role in conservation and regulation. The Department's 1951-2 *Annual Report* emphasized the policing role of the federal government, and the need to present the Department as the legitimate creator and enforcer of regulations:

> Until recently there was a general lack of public understanding not only of the fisheries and their economic importance but of the Department's constitutional responsibilities and its numerous services. Lack of understanding on the part of the public and the industry makes the work of the Department that much more difficult, particularly as it relates to curbing illegal fishing. The regulations can only be enforced effectively with the co-operation of fishermen and the public.[15]

A series of "institutional ads" the Department created to run in *Trade News* and other publications about the fishery also emphasized the importance of regulations and the Department's ability to protect the resource. One such ad which appeared in *Trade News* a number of times in the 1950s and 1960s was

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[13] For background on the history of the federal fisheries bureaucracies, see Miriam Wright, *A Fishery for Modern Times: The State and the Industrialization of the Newfoundland Fishery, 1934-68* (Toronto 2001), 37-48.
[14] L. Manchester, *Science in Fisheries* (Ottawa 1952).
[15] Canada, Department of Fisheries, *Twenty-second Annual Report 1951-2* (Ottawa 1952), 12.

entitled "What are little boys made of," and featured a drawing of a fisherman sitting on a dock, speaking to some young boys.[16] The ad claimed the Department would help develop the fishery for the future (represented, in a particularly gendered way, by the boys). "Through constant research … conservation …the wise application of regulations… and many other essential services… the department is making sure that our youth will always have a prosperous and secure future in the fishing industry of Canada."[17] Another ad entitled "Keeping Faith" portrayed yet another fisherman on a dock and assured the public that fishermen were cooperating with conservation laws and helping to preserve fisheries resources: "The fisherman, faithful to the laws of conservation … is keeping faith with you."[18] Although clearly idealized, these messages about the Department's role in conservation and research reveal the ways in which the state was being presented as a purveyor of scientific knowledge, and its officials as applying this knowledge wisely.

SCIENCE AND THE SKEENA SALMON MANAGEMENT COMMITTEE

Science and its message were also integral to the Skeena Salmon Management Committee, inaugurated in 1954. Indeed, the Department of Fisheries created this regional management body partly because members of the British Columbia salmon canning industry accused Department officials of making regulations without sufficient scientific evidence to support them. Concerns were high about the northern salmon stocks, as landings had been declining since the 1940s, and a 1951 rock slide on the Skeena system destroyed three-quarters of the returning sockeye that year. When the Department closed the Skeena fishery in 1953 at the height of sockeye season, it angered canners in the region, prompting them to write an open letter to the members of the Fisheries Association of British Columbia (an organization of salmon canning companies).[19] The letter, signed "Northern Cannery Managers," did not directly attack the Fisheries Research Board, but lamented the lack of research taking place in the northern fishing region. The "Managers" wrote:

> The Skeena and its tributaries have failed us somewhat, but we feel that the closing down of the river at the heights of the run is not the answer. This was done this year because someone thought that there was no fish going up the river as no fish had arrived in the Babine in July, whereas they do not usually arrive until August. There should be known facts, not guesswork. Where has the Humpback run gone from the Skeena? We have had two floods since 1930, could this be the cause? Has anyone bothered to investigate?[20]

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[16] *Trade News* 9, 6 (December 1956).
[17] *Trade News* 9, 6 (December 1956).
[18] *Trade News* 8, 7 (January 1956).
[19] Library and Archives Canada (hereafter LAC) RG 23, vol. 1430, file 745-19-2 [1], Northern Cannery Managers to Fisheries Association of British Columbia, 2 November 1953.
[20] LAC RG 23, vol. 1430, file 745-19-2 [1], Northern Cannery Managers to Fisheries Association of British Columbia, 2 November 1953.

While refraining from naming Fisheries Research Board scientists directly, the authors clearly suggested the regulations were made without sufficient investigation. The letter continued, pointing out other fishing areas in the northern district that were experiencing low salmon returns and questioning the efficacy of fisheries regulations. In proposing a solution, the "Northern Cannery Managers" suggested the Fisheries Association should take the lead in investigating local streams and spawning areas, if the Department of Fisheries was unable to do so.

Although the letter was not addressed to the Department of Fisheries, top level officials and members of the Fisheries Research Board saw it, and for the most part, reacted defencively. An attack on the Department's science could undermine the authority and legitimacy of the regulations, if left unchecked. Several letters went back and forth among them, defending the timing of the sockeye season closures and acknowledging that pinks (Humpback) and other species had been in decline since the early 1930s.[21] A senior administrator with the Fisheries Research Board wrote a letter to R. Nelson, of Nelson Brothers Fisheries acknowledging their concerns.[22] It was Assistant Deputy Minister of Fisheries, George Clark, however, who suggested more direct action on the complaint. Clark, who had once worked in the British Columbia fishing business, was also known as someone who was not afraid to stand up to fishing company owners making demands on the Department.[23] He scribbled a note about the "Northern Cannery Managers'" letter circulating in the Department: "On the surface this is an innocuous letter on which no action is now needed but there are implications which we should discuss as soon as possible."[24] Within a month, Clark organized a meeting in Vancouver with the Fisheries Association and in the course of discussions, agreed to set up a special management committee for the northern area.[25]

The Skeena Salmon Management Committee, organized in the fall of 1954, brought together the regulatory and scientific branches of Fisheries administration and at the same time brought both canners and fishing people into the process.[26] The Committee itself was comprised of just two people, the Director of the Fisheries Research Board's Pacific Biological Station at Nanaimo, Vancouver Island, Alfred Needler, and the top Department of Fisheries official in

[21]LAC RG 23, vol. 1430, file 745-19-2 [1], A.J. Whitmore to Deputy Minister, 29 December 1953; G.S. Reade, District Supervisor of Fisheries to A.J. Whitmore, 6 January 1954.
[22] LAC RG 23, vol. 1430, file 745-19-2 [1], J.L. Hart to R. Nelson of Nelson Brothers Fisheries, 24 December 1953.
[23] Interview with Paul Russell, former Newfoundland fishing company owner, St. John's, Newfoundland, March 1994.
[24] LAC RG 23, vol. 1430, file 745-19-2 [1], A.J. Whitmore to Deputy Minister, 29 December 1953. Clarke's note was written on the bottom of Whitmore's letter, which was attached to a copy of the letter from the "Northern Cannery Managers."
[25] LAC RG 23, vol. 1430, file 745-19-2 [1], "Brief summary of a meeting in the office of the Chief Supervisor of Fisheries at 1110 West Georgia St. at 2:15 p.m. February 5, 1954."
[26] LAC RG 23, vol. 1430, file 745-19-2 [1], Press release, Department of Fisheries, 25 October 1954.

the Vancouver regional office, A.J. Whitmore. This in itself was a departure for the Department, giving someone from the Fisheries Research Board a direct role in policy-making.[27] The Committee would also direct more focused research on northern salmon populations. A scientific director from the Nanaimo station was appointed to oversee this research and present the findings to the Committee. The research focused primarily on predicting the size of the returns of different year classes for the various species in each system so the Committee could set the opening and closing dates to ensure an escapement rate of at least 50 percent.

Although the Committee made the decisions, Department officials decided to bring members of the industry into the discussions in a formal way though an Advisory Board. This had not been done in this region before, and Department officials were somewhat wary of the implications of allowing participation from industry members and fishers. In a letter to senior officials, George Clark admitted he was reluctant to call the new body an "Advisory" board, fearing it would lead members to believe the Committee was compelled to take its advice.[28] He favoured the term "consulting" instead. Despite these misgivings, an Advisory Board was created, comprised of cannery owners and managers as well as fishers, including a representative from the Native Brotherhood of British Columbia, the fisheries union of Aboriginal people in the province. Although cannery representatives greatly outnumbered fishers on the Board (they had six of the nine seats), fishers, including native peoples, did have a place at the table, the first time this had happened in the regulation of the industrial fishery.

In reaching out to the fishers, however, the Department officials were careful to provide a forum where they would be able to convey to the fishing people and canners alike the message that the regulations were based on sound, legitimate scientific research. To that end, the Committee held annual public meetings with its Advisory Board in Prince Rupert, at the mouth of the Skeena River and invited fishers and members of the industry. The Committee members put their scientific research at the forefront, beginning the event with presentations from Pacific Biological Station staff which usually lasted for two hours. Once the formal presentations were finished, the Committee members would review the proposals for the regulations and invite canners and fishers to talk. After the1958 Prince Rupert meeting, Whitmore reported to the Deputy Minister, "it was a matter of gratification for the Committee and its staff to note the keen interest with which the reviews and graphs of the scientific personnel were followed by the entire attendance."[29] That particular year, over 250 people had shown up, most of whom were Aboriginal. A couple of years later, Whitmore,

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[27] Kenneth Johnstone, *The Aquatic Explorers: A History of the Fisheries Research Board of Canada* (Toronto 1977). According to Johnstone, the lack of involvement in policy-making was an ongoing source of tension for members of the Fisheries Research Board.
[28] LAC RG 23, vol. 1430, file 745-19-2 [1], George Clark to A.L. Pritchard, Conservation and Development Service and J.L. Kask, Fisheries Research Board 9 July 1954.
[29] LAC RG 23, vol. 1430, file 745-19-2 [2], A.J. Whitmore to Deputy Minister, 4 February 1958.

in another letter to the Deputy Minister, spoke about the relationship they had been cultivating with the Aboriginal fishers:

> Notwithstanding the stringency of the regulations it has been necessary to apply from year to year, there has been good success achieved in bringing about understanding with the fishermen and others…It is felt that the Committee enjoys the confidence generally of the Indian groups as well as others in the work that is being accomplished and in the knowledge that their representations will receive the best possible consideration consistent with the expeditious accomplishment of the task entrusted to it.[30]

Clearly, Committee members believe the scientific presentations were important for developing a relationship and understanding with the fishers.

ABORIGINAL FISHERS AND THE SKEENA SALMON MANAGEMENT COMMITTEE

The Aboriginal people who attended these meetings were indeed paying close attention to the Committee members and the FRB scientists making presentations, but they were not quite as compliant as the Committee members had hoped. The Aboriginal groups attending and making presentations at the meetings, far from being political neophytes, were from communities with a long history of interaction with the state, as well as political activism. Although the federal government had signed land agreements with other Aboriginal nations in the 18th and 19th centuries, most of the Aboriginal groups in British Columbia were without treaties. Forced to accept reserves, but receiving no payments for their territorial lands, the various Aboriginal nations of the province had been petitioning and engaging with the state, seeking redress since the late 19th century. In the Nass and Skeena areas, the Aboriginal nations had been particularly active.[31] The Nisga'a peoples of the Nass region had formed a land committee and petitioned London in 1913. People of the Upper Skeena area, primarily the Gitxsan, had also developed a culture of protest.

The men attending the Skeena Salmon Management Committee meetings were descendents of these original activists, and included people who were not only industrial fishers of long standing, but also involved in seeking redress over land. Two of the most active native leaders involved in the discussions over the regulations were Peter Williams of Kitwancool (Gitanyow), a Tsimshian-speaking community of the Upper Skeena, and Harold Sinclair of the Gitxsan village of Kitwanga, also in the Upper Skeena. Both men had been active in their respective communities, not only on the land issue, but in securing other

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[30] LAC RG 23, vol. 1430, file 745-19-2 [4], A.J. Whitmore to Deputy Minister, 6 April 1960.

[31] Daniel Raunet, *Without Surrender, Without Constraint: A History of the Nisga'a Land Claims* (Vancouver 1996); Alex Rose, *Spirit Dance at Meziadin: Chief Joseph Gosnell and the Nisga'a Treaty* (Madeira Park, B.C. 2000); Neil Sterritt *et al.*, *Tribal Boundaries in the Nass Watershed* (Vancouver 1998); Paul Tennant, *Aboriginal People and Politics: The Indian Land Question in British Columbia* (Vancouver 1990).

resource rights such as timber.[32] Another leader engaged in the discussions was Frank Calder, a Nisga'a of the Nass River valley who in 1949 became British Columbia's first native person elected to the provincial legislature. In the 1960s and 1970s, as head of the Nisga'a Tribal Council, he took his people's case on aboriginal title to the Supreme Court of Canada.[33] Clearly, these were people with much experience in interacting with state officials.

The Aboriginal fishers of the Nass and Skeena who attended the Committee meetings also had elements of a class identity and were also experienced in labour protests and activism, having been part of the fishing industry with a long history of militancy among its workers.[34] Engaging in informal labour alliances, often in conjunction with white fishers, Aboriginal industrial fishers has been involved in strike actions earlier in the century, and by the 1940s, had formed a provincial labour union for natives called the Native Brotherhood. Most of the men making protests over the Nass and Skeena regulations did so as local chapters of the Native Brotherhood. These fishers also identified as small-boat fishers in a highly stratified industry.[35] The native fishers mostly fished from gillnetters, vessels typically less than 35 feet long, and were the smallest boats in the British Columbia fleet. This identity as small boat fishers shaped the way they perceived the regulations, as they often claimed the regulations hurt those with the smallest, less mobile vessels the most. Both the history of Aboriginal activism, and their many years of labour involvement, can be seen in their interactions with Department officials and the Skeena Salmon Management Committee. Despite the colonial legacy of the Canadian state, the native people from the Nass and Skeena who attended the Committee meetings were not easily intimidated, and were accustomed to asserting their rights and interests to state authorities.

Although Aboriginal people were not the only ones who fished in this region, they did comprise the majority of industrial fishers, and were always the most regular participants in the Skeena Salmon Management Committee meetings. As people with a strong attachment to the fishery, but who also faced

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[32] Richard Rajala, *Up-coast: Forests and Industry on British Columbia's North Coast, 1870-2005 (Victoria, B.C. 2006),* 154-5; Sterritt *et al.*, *Tribal Boundaries*, 90-1.

[33] Tennant, *Aboriginal People*, 122-4, 219-21. In this 1973 decision, the judges were split on whether or not the Nisga'a maintained aboriginal title to their land, but all agreed that the Nisga'a had once had it. This decision led the federal government to reverse its former policy of not negotiating new treaties with Aboriginal peoples. Still, many years of negotiations followed, and the Nisga'a finally signed a land treaty with the federal government in 1999. It was the first treaty with a First Nations groups in British Columbia since the 1840s. In the years since, a few other native groups in the province have signed agreements, with dozens more still being negotiated.

[34] Philip Drucker, *The Native Brotherhoods* (Washington 1958); Percy Gladstone, "Native Indians and the Fishing Industry of British Columbia," *Canadian Journal of Economics and Political Science*, 19 (February 1953), 20-34; Rolf Knight, *Indians at Work: An Informal History of Native Labour in British Columbia, 1858-1930* (Vancouver 1978).

[35] Miriam Wright, "'Building the Great Lucrative Fishing Industry': Aboriginal Gillnet Fishers and Protests over Salmon Fishery Regulations for the Nass and Skeena Rivers, 1950s-1960s," *Labour/Le Travail*, 61 (Spring 2008), forthcoming.

considerable discrimination in the wider workforce, they relied heavily on industrial fishing to earn a livelihood. Fishing also made it easier to remain in their home communities. Peter Williams and Harold Sinclair demonstrated this attachment to the resource and way of life in their letter they submitted to the Committee in 1957. They began their letter,

> We, the Skeena River Indian Fishermen, the Investors of the most valuable good will and other investive facts from the very beginning of the fishing industry, wish to express our desire to participate in the processes of Lawmaking as well as creating a good regulation for our traditional Fishing Industry; in this way we are exercising our 'active rights' by virtue of our democracy; although the Governments concerned never adequately consider the Indian Fishermen's hardships while we are building the Great Lucrative Fishing Industry.[36]

They revealed a sense of entitlement to take part in the discussions, based on their heritage as well as their historic involvement in the industrial fishery. Along with the "Skeena River Indian Fishermen," other groups regularly attended and brought letters, including the Nisga'a of the Nass Valley, and groups from the Coast Tsimshian communities near the mouth of the Skeena.[37]

Although the native fishers claimed they supported conservation of the resource and rarely directly attacked the scientific research itself, they regularly criticized the way the Committee applied that knowledge to the regulations.[38] They argued the regulations, which shortened the season and limited the number of days they could fish each week, were applied unfairly, hurting the small-boat fishers the most. The restrictions applied to everyone, but the fishers with the smallest boats had a harder time making up the fishing time than larger boats equipped with the latest harvesting technologies. Besides, smaller vessels lacked the mobility to venture to more distant fishing grounds. At the 1958 Committee meeting, Peter Williams argued more restrictions should be given to the larger vessels such as seiners (typically between 50 and 90 feet long) and vessels with the newer, more efficient gear.[39] During the same meeting, Walter Harris, a Gitxsan hereditary chief from Kispiox who was representing several Upper Skeena communities, suggested the Committee should limit the size of the nets,

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[36] LAC RG 23, vol. 1430, file 745-19-2[2], Skeena River Indian Fishermen and their Families to Skeena Salmon Management Committee and the Department of Fisheries, 19 January 1957.
[37] LAC RG 23, vol. 1430, file 745-19-2[2], "List of Persons Presenting Briefs or Submissions to the Skeena Salmon Management Committee at Prince Rupert January 30, 1958." This list gives an idea of the representation from the different Aboriginal communities at these events. The list includes representatives from the Nisga'a communities of the Nass, the Gitxsan communities of Kitwancool, Kitwanga, a combined Gitxsan-Wet'suwet'en delegation from Hazelton, Kispiox, Moricetown and Telkwa, and the Coast Tsimshian communities of Kitkatla and Hartley Bay.
[38] For a more detailed study of the protest letters, see Wright, "'While we are building.'"
[39] LAC RG 23, vol. 1430, file 745-19-2[2], "Skeena Management Meeting at Rupert," by Jack McPherson, CBC Fishermen's Broadcast, 6 February 1958.

and ban the very lightest net twine being used. While the fishers all agreed that conservation was important, they argued the Committee was being short-sighted in the way it was trying to achieve it.

In making their specific arguments, many of the native fishers actually used the information the Committee members and scientific staff were giving them at the meetings. One of the topics the scientific staff discussed in great detail was the migration path of the different salmon species through the Nass and Skeena management areas. The Department of Fisheries had created divisions for management and statistical purposes, with the Nass River and the area outside its mouth being Area 3 and the Skeena and outside areas being Area 4. Each of these areas was also divided into sub-areas, for further management and analysis. The waters outside the Nass River, labeled 3X, 3Y and 3Z were of particular interest to the scientists as the sockeye and pinks generally swam through this region on their way to the Skeena. To get an indication of how much fish was being caught and its origins, the scientists doing work for the Committee conducted various tagging studies. Tagging studies, however, required the cooperation of fishers and cannery workers, as they were often the ones reporting where the tagged fish was caught. At the 1958 Prince Rupert meeting, a Department of Fisheries staffer, B. Campbell and the Director of the Committee's scientific investigations, F.C. Withler, announced they were starting a tagging program to determine the origins of fish caught in 3X, 3Y and 3Z.[40] They said a preliminary study had indicated significant numbers of Skeena fish were being caught before they reached the river. They asked for cooperation from both the fishers and canners in filling out the sales slips correctly and returning tags from salmon they caught.

In the years that followed, Committee members arranged for regular reports on the tagging studies to be presented at the annual meetings. While it ensured fishers were aware of the various studies and could watch out for tagged fish, revealing the results led to some criticisms. In their letter to the Committee in 1960, Peter Williams and Harold Sinclair repeated information they had received on the tagging studies in sub-areas 3X, 3Y and 3Z, noting that Skeena-bound fish was being caught there.[41] In particular, they wanted to ensure those sub-areas not be opened earlier than the Skeena river itself, where most of the Aboriginal people fished.[42] They asked:

> To protect the Skeena bound sockeye and pinks, the sub-areas 3X, 3Y and where ever the Skeena fish might pass through towards the

[40] LAC RG 23, vol. 1430, file 745-19-2[2], Skeena Salmon Management Committee, "Summary of a meeting of the Committee with its Advisory Board in the Civic Centre, Prince Rupert, on January 19, 1957."

[41] LAC RG 23, vol. 1430, file 745-19-2[4], Kitwancool and Skeena Indian Fishermen of the Native Brotherhood Branch to Department of Fisheries and the Skeena Salmon Management Committee, 26 January 1960.

[42] The sub-areas 3X and 3Y were in the rougher waters along the coast, outside the river mouth, in areas largely inaccessible to the smaller gillnetters that most of the native fishers used.

> Skeena River like Beaver Passage and Ogden Channel must be governed by the same Skeena River weekly closed times.[43]

In this case, the appeal worked, as the Committee backed down on an original proposal to open 3X and 3Y before the Skeena River opened, and Committee-member Whitmore acknowledged this in a letter to the Deputy Minister.[44] Williams and Sinclair repeated that request again the following year.[45] This degree of detail in the requests was absent in their 1957 letter, and suggests they were absorbing what the Committee members were presenting to them, and using it to make critiques.

Another topic the Committee members frequently discussed, but which left them open to criticism from the fishers was international offshore and high seas fishing. In the post-World War II years, vessels from Japan began fishing salmon in the mid-Pacific.[46] Although Japan signed a convention with Canada and the United States in the early 1950s to limit its high seas fishing west of 170 degrees longitude, later studies indicated this nation was catching some fish of North American origin. As well, other studies revealed that Alaskans fishing off the panhandle were catching significant amounts of Skeena fish. The Committee members reported on these various studies and answered questions, but it left the fishers frustrated because at that point, there were few international agreements on high seas fishing. Canada, like most counties, had only a 3-mile fishing limit, and did not have any agreements with the United States over Alaskan fishing. The Skeena Salmon Management Committee members could report on the migration and tagging studies done on the high seas, but could not do anything about it.

At the 1958 Committee meeting in Prince Rupert, most of the fishers making representations commented on the Japanese high seas fishery.[47] Jeffrey Benson of the Nass Native Brotherhood Branch suggested a mid-Pacific sanctuary for salmon, and a new agreement with Japan might alleviate the problem. Williams and Sinclair regularly complained about the lack of protection for salmon while they were in the ocean stage of their life cycle. In their 1961 letter, they claimed,

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[43] LAC RG 23, vol. 1430, file 745-19-2[4], Kitwancool and Skeena Indian Fishermen of the Native Brotherhood Branch to Department of Fisheries and the Skeena Salmon Management Committee, 26 January 1960.

[44] LAC RG 23, vol. 1430, file 745-19-2[4], A.J. Whitmore to Deputy Minister, 6 April 1960.

[45] LAC RG 23, vol. 1430, file 745-19-2[5], Skeena River Indian Fishermen and Native Brotherhood Branch to Department of Fisheries and Skeena Salmon Management Committee, no date but included with 1961 letters.

[46] For background on international fishing, see Patricia Marchak, "'Because Fish Swim:' And Other Causes of International Conflict," in Patricia Marchak *et al.*, eds. *Uncommon Property: The Fishing and Fish-Processing Industries in British Columbia* (Toronto 1987), 153-70 and Wright, *A Fishery*, 126-39.

[47] LAC RG 23, vol. 1430, file 745-19-2[2], "Skeena Management Meeting at Rupert," by Jack McPherson, CBC Fishermen's Broadcast, 6 February 1958; A.J. Whitmore to Deputy Minister, 4 February 1958.

> Therefore, it is imperative to protect the fish populations at the Pacific waters where they attain their age of maturity before they enter the Skeena River commercial areas. This is more important than their spawning grounds. And without the Pacific Waters protection, we cannot expect any fish to arrive at their spawning grounds along the coast and up the rivers.[48]

The Committee members, although sympathetic, did try to counter some of this criticism by noting that studies were suggesting that although the Japanese were catching North American fish, the fish was mostly of Alaskan, not British Columbian origin. At the 1958 meetings, for example, Committee member Alfred Needler told this to the assembled group. Later, in a letter about the meeting, the Deputy Minister remarked he was glad that Needler had been able to offer this information, saying he thought the Japanese fishing issue was "a fire" that "generated more heat than light."[49]

The Committee members, however, had less to say in response to complaints about the Alaskan fishery, mainly because tagging studies done in 1957 and 1958 were indicating the Americans fishing off Noyes Island were catching significant numbers of Skeena-bound salmon.[50] At a special meeting in August, 1959, members of the Advisory Board questioned the Committee members about the Alaskan findings, and claimed they "wished to record their serious interest and concern" over the impact of Alaskan fishing on the Skeena stocks.[51] Earlier that year, Hubert Doolan, Nass District Vice President of the Native Brotherhood brought a letter (written by Frank Calder) referring specifically to the Alaskan fishery.[52] This group was particularly upset about the fact the Alaskan fishery had fewer restrictions than the British Columbian, and was often open when adjacent Canadian fishing grounds were closed. At a meeting Committee members had in the Gitxsan community of Kitwanga in 1961, when asked what the government proposed to do about the Alaskan situation, Alfred Needler and fellow Committee-member W.C. Hourston (who replaced Whitmore in 1960), could only say the situation was being studied.[53] Perhaps looking for an opportunity to present something positive on the subject, both Hourston and Needler reminded the crowd the Japanese were taking few British Columbia fish. Nevertheless, the offshore fishing issue continued to be an

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[48] LAC RG 23, vol. 1430, file 745-19-2[5], Skeena River Indian Fishermen and Native Brotherhood Branch to Department of Fisheries and Skeena Salmon Management Committee, no date but included with 1961 letters.
[49] LAC RG 23, vol. 1430, file 745-19-2[2], Deputy Minister of Fisheries George Clark to A.J. Whitmore, 21 February 1958.
[50] Fisheries Research Board of Canada, *Skeena Salmon Management Committee Annual Report 1959* (Nanaimo, B.C. 1960), 5.
[51] Fisheries Research Board of Canada, *Skeena Salmon Management Committee Annual Report 1959* (Nanaimo, B.C. 1960), 5.
[52] "Nass Fishermen Want More Time for Salmon," *Native Voice*, 13, 3 (March 1959).
[53] LAC RG 23, vol. 1430, file 745-19-2[5], "Meeting of the Skeena Salmon Management Committee with Kitwanga and Kitwancool Indians at Kitwanga, B.C. May 30, 1961."

ongoing source of tension, and was one area where the Committee had little to offer the fishers in the way of assurances. By presenting themselves as protectors of the resource and purveyors of scientific research, they left themselves open when they could not offer an immediate solution. Much worse, the native fishers felt they were being penalized with the closure while international fishing continued. In a 1965 letter to the Department of Fisheries, Peter Williams complained:

> We have sacrificed all our right to work as fishermen under the salmon conservation LAWS that completely took away our right to work while the fruition of our sacrifices is harvested by foreign fishermen both at the High seas and along the Pacific west coast.[54]

The Canadian government did not extend the fishing limit until the late 1960s, and did not reach agreement with the United States about Alaskan fishing until the 1970s and 1980s.[55]

Although the Aboriginal gillnetters attending the Committee meetings rarely attacked the science directly, criticism did arise occasionally, both at the regular meetings and in other forums. Walter Harris, Northern Interior District Native Brotherhood Vice President questioned a statement the Committee made about the causes of historic low landings in 1960. Harris quoted a circular sent by the Committee, which had said "Presumably these findings reflect mainly on the effects of poor growth and survival in the ocean."[56] Harris was unhappy the regulations appeared to be based on tentative findings. He wrote, "Under the circumstances it is our candid opinion that the fishermen are suffering undue loss because of the hypothetical case as you have indicated. It however affects the livelihood of our fishermen very seriously."[57] Harris recommended the Committee increase the fishing times, and failing that, he suggested they strengthen the scientific investigations: "As an alternative we strongly advocate that the Government spend more money to substantiate the research, and that more concentrated research be carried out to ensure better growth and survival in the ocean."[58] For Harris, the lack of research and conclusive results undermined the legitimacy of the regulations. Another gillnetter at that same 1961 meeting,

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[54] LAC RG 23, Acc. 83-84/120, vol. 132, file 729-4-3[9], "Resolution presented to the Native Brotherhood of British Columbia convention held in Prince Rupert, B.C., November 26-27, 1965," by Kitwancool Native Brotherhood Branch, Peter Williams, President. Williams sent a copy of this resolution to the Minister of Fisheries.

[55] Wright, *A Fishery*, 126-39. The Canadian government was trying to secure greater protection for fisheries, but encountered strong opposition from European countries with large distant-water fleets fishing off the coast of Newfoundland, and from the American government which opposed extended territorial seas for military and defence reasons.

[56] LAC RG 23, vol. 1430, file 745-19-2[5], Petition from the Northern Interior Branch of the Native Brotherhood of BC – Walter Harris Northern Interior District VP, 25 January 1961.

[57] LAC RG 23, vol. 1430, file 745-19-2[5], Petition from the Northern Interior Branch of the Native Brotherhood of BC – Walter Harris Northern Interior District VP, 25 January 1961.

[58] LAC RG 23, vol. 1430, file 745-19-2[5], Petition from the Northern Interior Branch of the Native Brotherhood of BC – Walter Harris Northern Interior District VP, 25 January 1961.

Tomekichi Mio, a fisher of Japanese descent, also questioned the ability of the Committee's ability to predict the runs accurately:

> In my opinion, study and investigations into fishery and predictions on this matter is impossible. After the fish go upstream and spawns and returns to the ocean, no one knows what happens. There are so many enemies to devour them.[59]

The Committee members did spend some time trying to defend their research, but it is not clear if Mio or Harris were convinced.[60]

The poor salmon returns of the early 1960s prompted a letter to the editor of the *Native Voice*, the Native Brotherhood's newspaper, from a fisher from Kitwanga who blamed the FRB research activities for damaging the salmon.[61] James Fowler, a gillnetter and trapper from this Gitxsan community, claimed the methods the Board officials used to count and monitor fish were invasive, and were contrary to the customs of Aboriginal peoples and their relationship to the resource. Although native peoples of the Pacific region had developed very effective technologies of their own to harvest fish long before Europeans arrived, Fowler referred to the historic concerns that Aboriginal people had had about respecting the creatures they caught. He noted that salmon had their own regulations: "Long before our white friends entered our Lord's lands, all nature had its own regulations."[62] Most of his comments were about acts he considered were disturbing and harming the salmon. He objected to the tagging programs, which he thought were affecting the health of the fish, saying by the time they reached the spawning grounds they were mostly "skinny and dead." He thought the FRB scientists' practice of catching smolts in screened traps to count and mark them was causing increased mortality of young fish. Fowler also disliked the habitat enhancement programs run by the FRB, specifically removing waterfalls and building artificial fishways for salmon to travel upstream. He remarked on the folly of presuming what was best for the health of the animals: "We can't give a fish bacon and eggs or look after them in the hospital, or … put

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[59] LAC RG 23, vol. 1430, file 745-19-2[5], Brief to the Skeena Salmon Management Committee by T. Mio, Port Edward. Letter also signed by M. Hayashi, Y.J. Tanaka, H. Omori, I. Yamamoto, T. Nakanishi. Fishers from Japan had been working in the British Columbia fishery since the 1890s. In the Skeena region before World War II, approximately one-third of all gillnetters were of Japanese descent. During World War II, the Canadian government removed all people of Japanese descent from the coast and confiscated their homes and property, including fishing vessels. In 1949, when they were allowed to return to the Pacific coast, many began fishing again. Relatively few of the returned Japanese fishers took part in the Skeena Salmon Management Committee meetings, but Mio was the exception. He lived in the region, unlike most of the other fishers of Japanese descent who mainly lived in Vancouver and travelled north for the fishing season.

[60] LAC RG 23, vol. 1430, file 745-19-2[5], Skeena Salmon Management Committee, "Summary of a public meeting of the Skeena Salmon Management Committee with its Advisory Board, Prince Rupert, January 25, 1961."

[61] "Salmon Catches Down, Reader Offers Ideas," *Native Voice*, 14, 9 (October 1960).

[62] "Salmon Catches Down, Reader Offers Ideas," *Native Voice*, 14, 9 (October 1960).

a notice in the waters that all salmon enter this way."[63] Fowler's views were different from those expressed by the Aboriginal fishers who regularly attended the Skeena Salmon Management Committee. While those attending the meetings and submitting the petitions questioned the thoroughness of the research and its application, they generally did not directly attack the research methods. Fowler's comments suggest that some differences in the way Aboriginal fishers understood or related to fisheries science did exist.

These criticisms of the methods of the FRB researchers appeared again at a special meeting the Skeena Salmon Management Committee had with the communities of Kitwancool and Kitwanga in the spring of 1961. This was the first time the Committee held a meeting outside Vancouver, Prince Rupert and Nanaimo; Kitwanga was several hundred kilometres up the Skeena River. It was also the first time the Committee had a meeting in an Aboriginal community. What prompted this measure were not the usual complaints about the regulations, but criticism of the Committee's research projects on the Kitwanga River. Research of this kind meant having to go into Aboriginal communities and set up equipment in the rivers and resentment from native communities could derail the projects. When the Committee received a letter from the chief councillor[64] of Kitwancool, Peter Martin, complaining about research activities on the Kitwanga River, Department officials decided to visit the area.[65] These criticisms were clearly of concern to the Committee and Department officials, and at this meeting they spent some time discussing the approach they would take in dealing with the native groups (unfortunately, the summary of the meeting did not provide details).

At the meeting in Kitwanga, attended by "about 40 Indians and 4 local whites," along with Committee members Hourston and Needler and several other Department and FRB staff, two different types of complaints emerged.[66] A number of gillnetters who regularly attended the Committee meetings in Vancouver attended, including Harold Sinclair and Joe Daniels (who was also the Native Brotherhood representative on the Advisory Board), repeated the criticisms they had voiced in the past – problems with the unfair application of the regulations, offshore and international fishing. They did not, however, complain specifically about the research projects on the Kitwanga. Others at the meeting who were not necessarily industrial fishers, but who took part in the "food fishery"

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[63] "Salmon Catches Down, Reader Offers Ideas," *Native Voice*, 14, 9 (October 1960).
[64] A chief councillor was head of a band council, which was an elected body sanctioned under the federal Indian Act. Pacific coast Aboriginal groups also had hereditary chiefs. Sometimes chief councillors, who were elected, were also hereditary chiefs, but not always.
[65] LAC RG 23, vol. 1430, file 745-19-2[5], Skeena Salmon Management Committee, "Summary of a meeting of the Committee in the office of the Area Director, Department of Fisheries, Vancouver BC, May 29, 1961." At this meeting, W.C. Hourston read the letter from Martin, which had been received earlier (Martin's letter is not in the file).
[66] LAC RG 23, vol. 1430, file 745-19-2[5], "Meeting of the Skeena Salmon Management Committee with Kitwanga and Kitwancool Indians at Kitwanga, B.C. May 30, 1961."

for domestic consumption, did express concerns about the projects.[67] In particular, they objected to a counting fence installed on the Kitwanga River the previous year, as well as an egg take, where researchers took pink salmon eggs from the river for an experimental hatchery. In doing so, they presented a slightly different "social-ecological knowledge" of the resource than the Aboriginal industrial fishers. Fred Good (who spoke through an interpreter), who was representing Kitwancool at the meeting, said they depended on salmon for food, and resented the counting fence and removal of eggs as they felt it was damaging the fish. Rufus Good of Kitwancool noted that since these experiments began, his catches of sockeye had fallen by half, and he was only able to salt less than one barrel of fish, as opposed to his usual 300 pounds. Mrs. Fred Good spoke about the traditional Aboriginal treatment of salmon, saying they did not interfere with them on the river except to catch enough to eat.[68] According to the Fishery official recording notes from the meeting, she complained the salmon were so scarce the year before that there was "nothing but rocks in the river." She blamed the canneries and the research for the decline.[69] These people measured the changes in the fishery differently from the industrial fishers, through their particular experiences catching fish for food in the upriver region (industrial fishing was done closer to the mouth of the river).

The Committee members were defensive in response, and tried to assure the people the research projects were not killing the salmon. They found, however, that they were not able to fully control the meeting as they had planned. At the "planning" meeting in Vancouver, they had agreed that Hourston would chair the meeting.[70] When they arrived in Kitwanga, they learned the Aboriginal people from the region had appointed a chair of their own, an Edward Beuron.[71] Hourston and Needler still had ample time to speak and respond to questions, but they did not control the pace and structure of the meeting. After members of the communities had given their views, Hourston tried to tell them the counting fence was not a dam and would not hurt the salmon. He also emphasized that research was important, and that salmon returns were low everywhere, and were

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[67] In the late 19th century, the Department of Marine and Fisheries created the "Indian Food Fishery," whereby Aboriginal peoples of British Columbia fishing for their own consumption would be subject to regulation. Restrictions were placed on types of technology used, and where and when fishing could take place. People were banned from selling or trading fish caught in the "Food Fishery."

[68] For background on the historic salmon management practices of Aboriginal people of the Skeena, see Mike Morrell, "The Struggle to Integrate Traditional Indian Systems and State Management in the Salmon Fisheries of the Skeena River of British Columbia," in Pinkerton, *Co-operative Management of Local Fisheries*.

[69] LAC RG 23, vol. 1430, file 745-19-2[5], "Meeting of the Skeena Salmon Management Committee with Kitwanga and Kitwancool Indians at Kitwanga, B.C. May 30, 1961."

[70] LAC RG 23, vol. 1430, file 745-19-2[5], Skeena Salmon Management Committee, "Summary of a meeting of the Committee in the office of the Area Director, Department of Fisheries, Vancouver BC, May 29, 1961."

[71] LAC RG 23, vol. 1430, file 745-19-2[5], "Meeting of the Skeena Salmon Management Committee with Kitwanga and Kitwancool Indians at Kitwanga, B.C. May 30, 1961." I do not know the identity of Beuron, whether he was Aboriginal or not, but presumably he lived in the local area.

not caused by the work of scientists on the rivers. He also responded to other concerns about the regulations for the industrial fishery and the latest information on offshore fishing. Needler followed with comments of his own, also emphasizing that ocean conditions affected the size of the salmon runs. By the end of the meeting, Fred Good claimed he was satisfied with the explanations about the counting fence, but was still unhappy with the egg take, saying it was interfering with the salmon. Although little was resolved, Needler did tell the group they had no plans for a counting fence in the coming year, but would consider it in the future. The fact they took this trip to defend the research and build goodwill with these Aboriginal communities reveals not only the way that state officials saw their role as trying to educate and inform fishing people and the public, but also some of the difficulties they encountered in trying to achieve this aim.

While more work needs to be done on the history of interactions between Fisheries officials, scientists and Aboriginal fishing people in British Columbia, this case study of the Skeena Salmon Management Committee reveals the complexity of this process. The Committee itself is an early example of the state's attempts to mitigate tensions and conflicts over management at a time when state regulation and intervention was increasing. Cooperation for fishing regulations was required from both canners and fishing people, as the Department's enforcement capabilities were scant considering the thousands of miles of rivers and coastlines in the Canadian fisheries. In bringing these groups together, state officials tried to present themselves as purveyors of scientific knowledge and that the regulations they were imposing were based on sound research. As White and Hall argue, however, the public's responses to science are shaped by their own experiences, cultural frameworks and perceptions. Although the Aboriginal gillnet fishers generally did not challenge the science itself or the aims of conservation, their responses to the way the knowledge was used to make the regulations was affected by their identities as native people, and their long history of political and labour activism. They maintained a sense of what they saw as just, and claimed the regulations unfairly hurt specific groups in the fishery. Moreover, in making these arguments, the native gillnet fishers often used the scientific studies the Committee members gave them strategically, using them to point out weaknesses in the regulations, or ways they were being applied. More direct attacks on the science itself and its methodologies, however, came from some people from Upper Skeena Aboriginal communities, as tensions grew over some of the Committee's research projects taking place on the rivers. Recalling customary Aboriginal practices relating to salmon, some community members resented what they saw as scientific "interference" with these creatures. These different responses to science and regulations even from within these Aboriginal communities suggests a fuller understanding of the different ways that science, the state, and Aboriginal peoples interacted in different contexts is still needed. Nevertheless, this study suggests that even in an early time, these Aboriginal peoples who had experienced social, economic and cultural

marginalization at the hands of a colonial state, were able to challenge state authority and press for more equitable sharing of the resource.

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