

Crossing Paths: Knowing and Navigating Routes of Access to Stó:lō Fishing Sites

Katya MacDonald
MA candidate (History)
University of Saskatchewan

Abstract

This paper examines interactions at and about Stó:lō fishing sites on the Fraser River. The river is a central feature of Stó:lō history, identity, and daily life, and as such it forms an important place of access. European intervention here has added and complicated paths of access to twentieth-century Stó:lō fishing practices and as a result access to sites sometimes takes a similarly complex route. Indeed, when considering Stó:lō fisheries, access refers not only to physical access to fishing sites it also encompasses intellectual and social access to protocols and traditions; access to political knowledge to circumvent, discuss, or adapt to government restrictions; and, ultimately, access to collective and individual histories and identities.

Introduction

“Access” implies a deliberate movement towards a particular place or concept. As a noun, access is a physical or conceptual place, but as a verb it traverses space, time, and circumstances to shape the eventual characteristics of the place being accessed. In Stó:lō territory, the Fraser River is a central feature of Stó:lō history, identity, and daily life, and as such it forms an important place of access. Of particular significance is the fishery with which the river is so closely associated. European intervention here has added and complicated paths of access to twentieth-century Stó:lō fishing practices, meaning that fishers have found it necessary to consider why and how they access the river when they seek to fish there. Some aspects of the fishery have been maintained over time, while others have been adapted in response to changing circumstances, thereby also affecting interpersonal and intertribal relationships.

Indeed, when considering Stó:lō fisheries, access refers not only to physical access to fishing sites: it also encompasses intellectual and social access to protocols and traditions; access to political knowledge to circumvent, discuss, or adapt to government restrictions; and, above all, access to collective and individual histories and the identities that accompany them. While each of these routes of access exists with its own history and consequences, all are interconnected and affect each other. It has been well established, not least by Stó:lō fishers themselves, that fishing forms a key component of their cultural identity, and access to the fishery is, naturally, vital. Access implies interactions, and interactions are important features of both individual and collective identities. Navigating the various paths that lead to the Stó:lō fishery involves meeting various people, groups and situations along the way. Thus, the Stó:lō fishery represents Stó:lō identity not only because of its extended history as an important “food, social and

ceremonial” activity as defined by the Fisheries Act, but also because it is situated at the axis of access routes formed by a history of long-standing and ongoing relationships.

These histories of interactions are complex, involving a unique set of historical actors at any given moment, but they fall into a handful of broad categories or circumstances — that is, they travel certain paths of access most frequently. I explore here four “interlocutors” in discussions about fishing, in the form of familial, governmental, financial, and, ultimately, cultural access to fishing sites. Families have always been, and continue to be the most immediate mode of access to hereditary fishing sites, and they also shape a fisher’s understandings of fishing technologies and protocols. With the advent of governments’ regulation of Aboriginal fishing practices, fishers began to find that the sharing and interpretation of family histories was, at least at times, rerouted through governmental interpretations. This, in turn, required an understanding of non-Native laws and political climates and, perhaps more significantly, made it more difficult to find effective ways of evaluating the legitimacy of families’ and individuals’ access to sites.

Government intervention also created an Aboriginal fishery that separated fishing for economic reasons from fishing for sustenance, and this dichotomy has created an aspect of the fishery where financial viability and gain form a central route of access, while often referring and responding to governmental bans or regulations. Accessing fishing sites was and is not ever restricted to any single path, and the navigation of a series of paths, both simultaneously and in sequence, can suggest the motivations for a particular fisher to access the river. These intertwining histories of access point to a desire for access to a collective Stó:lō history of fishing and thus to Stó:lō cultural features, as exemplified here by customs of sharing and wind-drying salmon. Invoking these histories and practices means, most simply, a desire to fish which naturally draws a fisher onto and along any or all other paths of access.

“The fishery defines who we are” Situating Fishing Sites in History and Historiography

A fishing site, then, is both a site of and a metaphor for historical interactions that occur at and in reference to it. Anthropologist Crisca Bierwert has noted that when she writes about places, she also necessarily describes interwoven layers of relationships in the landscape. This includes interactions with physical surroundings, but also social practices, histories, and conflicts that inhabit those spaces.¹ Thus, studies of the dynamics surrounding fishing sites must attempt to trace historical, cultural, and relational circumstances that connect to that site in some way. The particular significance of a site was and is determined by the reasons people consider it important; changes to a place often result in changes in the ways people relate to that place, as well as to each other. This, in turn, can again alter the way a place is used. As anthropologists Akhil Gupta and James Ferguson comment, aspects of a culture are changed and reworked in response to

¹ *Brushed by Cedar, Living by the River*, 59.

political and historical processes, and as a result, culture itself, “a space of order and agreed-on meanings,” also changes. It exists as more than common features; it also encompasses the differences among people.² Examining these differences over space and time can foster dialogue among participants in a history of fishing sites and can offer social depth to what may appear to be largely political issues. This is a history that includes discrepancies among individuals, families, communities, and governments, and while these various perspectives sometimes give voice to tension, they can also serve to highlight the many ways of accessing the fishery, thereby speaking to the complexity of Stó:lō fishing.

Attempting to seek out some of these perspectives in preparation for writing this paper, I interviewed several Stó:lō fishers, ranging in age from approximately their mid-forties to mid-eighties.³ Our conversations were loosely structured around my questions regarding ownership and handing down of their families’ fishing sites, interactions with other fishing families, what they would do with the fish once they had been caught, and other similar topics that arose. These fishers all noted, either implicitly or explicitly, the importance of fishing to Stó:lō identity, and this conviction was often expressed during discussions of their access to the fishery. They highlight ways of reacting to or circumventing restrictions on fishing, whether these were enforced by governments, other families, physical ability, or a lack of knowledge of historical and social protocols of access. Speaking about fishing in these terms highlights the many interactions involved with the apparently simple act of catching fish. Recognizing that their statements represent individual understandings of their own experience rather than any generalized Stó:lō history, I include some of my interviewees’ observations here in order to reinforce the strong connections between Stó:lō interactions with people and people’s (or peoples’) interactions with fishing sites, and to demonstrate the multifaceted nature of access even within a single Aboriginal group. Their analyses have shaped my understanding of fishing as a central point of access through various conduits.

The issue of access remains salient not only because, as Stó:lō fisher Ken Malloway has noted, fishing “defines who [the Stó:lō] are,”⁴ but also because of the ways in which the Aboriginal fishery has been challenged and changed by European intervention. In his exploration of the history of relationships between humans and nature along the Columbia River, historian Richard White comments that “claims to salmon are so passionately made and defended because they are so much more than economic.”⁵ Access to fishing sites involves more than physically being there, and more than the implication of physical, tangible gain; it requires and engages both the natural and social aspects of the river. Further, access represents an important feature of cultural and individual identity as well as, particularly in the past, a source of livelihood, and so the

² “Culture, Power, Place,” 5.

³ In addition to those fishers I cite here specifically, I am also indebted to the other Stó:lō people I interviewed during the course of my research for this paper (Grand Chief Archie Charles, Jack Lawrence, Ivan McIntyre, and Mabel Nichols) for their valuable contributions to my understandings of Stó:lō fishing, histories, and communities.

⁴ Ken Malloway interview.

⁵ *The Organic Machine*, 91.

changes brought about European regulation served to highlight fishing as a subject of particular urgency and often controversy, especially for the Aboriginal people affected. One result was an environment of interactions where Native and non-Native interests were often perceived as a dichotomy of “traditional” and “progressive” peoples.

As is usually the case, though, reality was not so simple, and within any interest group were a multitude of interpretations of how best to access the fishery. As historian Keith Carlson has commented, sometimes “colonialism creates a context within which indigenous interests clash with one another, and within which both sides invoke history to justify innovative means to traditional ends.”⁶ When considering fishing, the colonial context to which Carlson refers had its beginnings in two key pieces of legislation during the 1880s. The 1868 Salmon Fishery Regulations were a provincial government initiative meant to foster non-Native commerce in British Columbia by prohibiting the sale of salmon caught in non-tidal waters (where the Stó:lō fishery takes place) and banning certain Native fishing technologies such as fish weirs and dip nets. In effect, this served to equate the Aboriginal fishery with fishing for “food, social and ceremonial” — not economic — purposes, creating an artificial distinction. Secondly, a federal law passed in 1884 made property-transfer gatherings illegal, which removed the forum through which the Stó:lō had previously claimed and passed down ownership of fishing sites.⁷ These circumstances set the stage for ongoing histories of accessing the fishery, with all of the complexities involved with and implied by them.

In its most basic, elemental form, the Stó:lō fishery is an individual or familial affair, but one that necessarily refers and responds to outside influences, making it an area of broader, collective concern among the Stó:lō and other Aboriginal groups. Indeed, access to fishing sites often manifests itself in the various ways that people have responded to these influences, which have most often taken the form of law or government policy. Legal historian Douglas C. Harris has suggested that law has been an ongoing structure in British Columbia fisheries; regulations have always been in place, but colonialism has changed whom is affected by them and how.⁸ The potlatch, in particular, was an Aboriginal legal space that enabled people to govern their resources.⁹ British colonial law transformed these spaces, acting as an instrument of control and a way of defining the colonies as “a source of raw materials and labour.”¹⁰ Whether indigenous or colonial or some combination of the two, the law has always acted as a collective voice and structure to which individuals can relate. Accessing fishing sites, then, engages legal spaces as well as their consequences for smaller-scale interactions. The routes that access takes can be a means of evaluating the effects of colonialism by serving as a constant reference point to which fishers can relate their experiences.

⁶ “Innovation, Tradition, Colonialism, and Aboriginal Fishing Conflicts in the Lower Fraser Canyon,” 145.

⁷ *Ibid.*, 150.

⁸ *Fish, Law, and Colonialism*, 3.

⁹ *Ibid.*, 6.

¹⁰ *Ibid.*, 188.

Many of these experiences have been common to BC Aboriginal fishers, who have all been subject to the same histories of regulation. In her book *Tangled Webs of History: Indians and the Law in Canada's Pacific Coast Fisheries*, historian Dianne Newell traces Native fishers' encounters with government intervention from BC's early political history through to the 1990s, discussing how the Native fishery was "invented" through the separation of subsistence fishing from managing fishing activity or fishing for purposes other than purely for food.¹¹ This policy, she suggests, created an image of Indians as "simple subsistence people who were quite unlike the commerce-minded Euro-Canadians."¹² Histories of regulations and their consequences were ways of defining and attempting to control how access to fishing sites occurred, and so Native responses to government management reflected what forms of access were important, and to whom. Newell's book is an account of the broader history of regulation and responses, depicting historical events and processes that have shaped access to fishing and fishers' desire for it. Their experiences ultimately involve fishing at a particular site, but those sites imply an extensive network of historical interactions that have brought and anchored fishers and their activities there.

"He's got a family now, so he'd probably try and get out fishing" Inheriting Histories of Access

Family histories have always been a key link in the chain between individuals and fishing spots on the Fraser River. Anthropologist Wilson Duff observed in 1950 that the Fraser Canyon and its great potential for fishing formed the basis of Stó:lō society and identity: "offering, as [the canyon] did unparalleled conditions for the catching and drying of salmon, its importance in Stalo economy and pre-history would be difficult to over-emphasize."¹³ Duff's statement speaks to the deep roots that these activities have in Stó:lō territory, an immense backdrop to non-Stó:lō intervention in fishing. This history is not only significant because of its depth, but also because of its direct role in providing access to the fishery.

Anthropologist Wayne Suttles has noted that historically the lower class of Stó:lō society lived physically away from the upper class and were regarded as "people who had lost their history." That is, they had no ancestral claim to resource areas, no inherited privileges, and "no private knowledge [or] moral training."¹⁴ Carlson suggests that these history-less, or *s'téxem* people historically had their own leaders, family names, and healers, yet although *s'téxem* individuals existed since the dawn of time, their collective social class was a result of specific, relatively recent (following the smallpox epidemics that began in 1782) group migrations. Thus, while *s'téxem* individuals may not have histories that are deemed legitimate by others, collective *s'téxem* communities can.¹⁵ In

¹¹ p. 62.

¹² Ibid.

¹³ Cited in Keith Thor Carlson and Sarah Eustace, "Fraser Canyon Fishing Rights," 4.

¹⁴ "Affinal Ties, Subsistence, and Prestige among the Coast Salish," 17.

¹⁵ "The Power of Place, the Problem of Time."

practical terms, then, access to fishing spots depends on having and claiming worthy families. To be able to trace a clear historical link to a desirable fishing site was to have a legitimate path of access to that place, which in turn would provide one with property, fish, and a physical symbol of status. Indeed, the same remains true today.

Even when one person's access to fishing is interrupted, family connections continue to link relatives to that site. Tony Malloway (brother to Ken Malloway, mentioned above) is part of a family with a strong fishing presence in the Fraser Canyon, though in recent years he has become involved with monitoring the fisheries, and because fishing while carrying out this work would be a conflict of interest, he has not been fishing since. Nevertheless, his family's access route remains relatively open, despite these gaps in his individual access to fishing. Discussing the transfer of fishing sites from one generation from the next, he commented: "I was planning to pass [the site] on to my son, Ivan, but he's kind of in the same boat as me right now — he's into fisheries, he's having hard time getting up there to fish, because he's working. But he's got a family now, so he'd probably try and get out there too."¹⁶ Families, then, are an important reason to maintain a connection to fishing sites, particularly because they are a conduit through which one can access these spots, and because having access to this place acts as a record of the particular history that links people to each other and to their fishing activities. To be separated from this history would mean physical separation from access to the fishery as well.

One specific way of recording and passing on rights is through hereditary names. Historically, the more genealogical details that accompany the explanation of a name during a public naming ceremony, the greater legitimacy of the rights associated with that name.¹⁷ The name, then, does not only refer to a person, but also to historical precedent that delineates rights and territory.¹⁸ Because naming ceremonies were prohibited by the 1884 potlatch ban, the ownership of these rights sometimes became more nebulous, but Stó:lō people today continue to recognize the salience of names and their functions in families and communities. Ken Malloway is one of the hereditary chiefs of the Chilliwack tribe, and he discussed the significance of his inherited name not only for himself but for his people:

One of the things that I was told when I got my name [Wileleq] was, they told me I was one of a long line of hereditary chiefs, so I took that quite seriously, and they said if you don't do it [live up to the obligations of the name], we'll give that name to somebody who's more worthy, we'll take it from you. You don't own a name outright — if they think that you're not living up to your obligations, we'll take that name and give it to someone more worthy to carry that name. . . That's one of the things we're told when we get our Indian name, especially a hereditary chief's name, if you don't look after the name properly and you don't carry it properly, and you don't look after your people and your

¹⁶ Tony Malloway interview.

¹⁷ Carlson and Eustace, 9.

¹⁸ Suttles, 21.

territory, we'll take that name from you. . . They always tell us you're not allowed to drag your name in the mud.¹⁹

Names thus act as public, ongoing reminders that access is not only physical — it must also be accepted by a community and supported by a family in order for the benefits of that access, such as the status afforded by the knowledge of history to emerge. While names are unique to a particular family, they also involve other fishers implicitly, who may acknowledge others' rights to fishing spots or exist as a threat to access to a site.

Relationships can be informal among people who encounter each other in the various environments where discussion of fishing occurs, or they can be “institutionalized” in families and marriages. Given that fishing access results from various sources involved simultaneously, it follows that interactions among people, not only among individuals themselves, help to describe how that access came to be granted. Suttles explains that in Coast Salish society, weddings have been an event at which wealth, in the form of physical objects as well as access to inherited privileges, is exchanged between the two newly-united families.²⁰ However, particularly in a more recent historical period, what is not necessarily shared is an agreed-upon meaning of ownership. Each family has come to this point of access through a separate set of circumstances that inevitably inform their respective understandings of how that site will be passed along and used in the future. Chief Sid Douglas of Cheam recounts the movement of a fishing site from his family into the Malloway family:

One of the fishing grounds that belongs to our family came to my father when he got married. His grandfather, whose name was Louis Squawtits, handed it down to him when he got married. So after that, my oldest brother [Sam] used to fish there. . . before he got into the commercial fishery, he got Ed Victor up with him. . . But when they [Sam and his father] got into that, Sam also became a commercial fisherman, so when we left the grounds there, Ed Victor continued fishing; his family continued. . . and our uncle Felix got with Sweetie Malloway. That's when the Malloway family started to fish those fishing grounds. They still fish them to this day.²¹

He goes on to note, however, that the Malloway family understands the site differently: “we haven't really sat down to talk to them [the Malloway family], but they know [it belongs to the Douglas family].”²² Ken Malloway describes a nearby family fishing spot in these terms:

There's a place in the Fraser Canyon that's near Steamboat Island, the area is called I:yem, it means “strong wind,” but some of the elders call that place Yakweakwioose — Frank Malloway lives on Yakweakwioose, that's just up by Chilliwack. . . but his family has been there so long that they call the place

¹⁹ Ken Malloway interview.

²⁰ Suttles, 17.

²¹ Douglas interview.

²² Ibid.

Yakweakwioose. So my great-grandmother and her husband fished there, and their grandparents before them fished there.²³

When the paths of the Douglas and Malloway families crossed, so too did their means of access to a specific fishing site. Both recognised the potential economic and social value of these spots, but through their understandings of the families' histories required to legitimate access, they trace different paths to people who can and should use these sites today. Bierwert's idea of layers of meaning in a single place is at work here: what is at stake is not only the ability or inability to acquire fish, but also whose family history is more accurate or influential.

“I guess if I was on welfare I'd do that” Navigating Through, Around, and Alongside Government Restrictions

Certainly, knowledge of family and broader cultural history is important in acquiring the right to access a fishing spot, but intervening circumstances may impede that knowledge or change how it is interpreted among fishers. In the Stó:lō fishery, such rerouting of knowledge occurred frequently in the twentieth century and has often been a result of government regulation of Aboriginal people and fishing practices. Because physical access to fishing sites has always depended on the transfer of rights across generations, it follows that if physical access is limited in some way, then those interpersonal and interfamilial interactions will also change.

The creation of reserves along the Fraser River was an early instigator of such changes. As private, non-Native property ownership increased along the river, access to resources decreased,²⁴ so that, as historical geographer Cole Harris notes, for the Aboriginal population, “life became a matter of working out spatial strategies that would allow them to survive in such circumstances.”²⁵ As Ken Malloway explains, changes in physical space had long-lasting consequences to the way people conceptualized their place within the Stó:lō and within the broader society:

I use the term “bands” kind of loosely, because I'm just used to calling them bands. Some of them call themselves First Nations, and some of them call themselves villages, but I don't really believe that they're First Nations. Stó:lō Nation is the nation, and Indian bands are just Indian bands that were created in my area — that's Skowkale and Yakweakwioose and Tzeachten. It used to be one village, just one community at the time. We were part of the Chilliwack tribe, but Indian Affairs came in and drew circles around our villages. . . There's seven villages that are part of the Chilliwack tribe, but we ended up being separated into different bands. A lot of people get offended if you say Indian

²³ Ken Malloway interview.

²⁴ *Making Native Space*, 288.

²⁵ *Ibid.*, 274.

bands, but it doesn't bother me, it's just a creation of the Indian Act. And some of them want to be called First Nations, but they're not actually a nation unto themselves, just part of the Stó:lō Nation.²⁶

This redefinition of people's sense of belonging and place that Malloway describes has had a direct impact on ideas of access to fishing. In 1972, Marilyn Bennett conducted a survey of Native fishers on the Fraser River, in which 89 per cent of respondents said that the band of which they were members had fishing places that had been used for many years.²⁷ The study included Aboriginal groups besides the Stó:lō, some of whom may have a history of managing fishing sites communally rather than within a family, meaning that the statistics are not necessarily accurate when considering only Stó:lō practices. Nevertheless, the statements hint at a disconnect between family-based access to fishing sites and access that may be politically or governmentally legitimate but, as Ken Malloway argues, socially artificial. In such an environment, it may be difficult to determine which methods of securing access, and the specific aspects of knowledge required to do so, are most legitimate.

Throughout the history of government interventions in the fishery, the desire to fish has remained strong. What has resulted is a merging of outside and intra-Stó:lō knowledge and practices, sometimes done intentionally by fishers and sometimes resulting from circumstances beyond their control. One such incidence of the latter was the closure of the Fraser River to Indian fishery between 1919 and 1921 in order to protect commercial fishing interests. Native communities were promised compensation for this loss of livelihood, but were not permitted to harvest any fish from the river.²⁸ While this proviso took into account the importance of fish as sustenance, fishing was, and is, the foundation of many social interactions as well; eliminating the need to fish for food did not eliminate the need to fish to maintain the relationships, knowledge, and sharing of history that allowed fishers access to catch food. Both the government and Stó:lō responses to the effects of the ban reflected an understanding that the fishery's significance reached beyond salmon. Government officials did not enforce the ban uniformly, as they had realized that it was nearly impossible to prevent resistance, such as dip-netting at night to avoid detection, that was widespread on the river.²⁹ However, while it remained possible for the Stó:lō to access the fishery, the form this access took referred at least as much to government parameters as it did to Stó:lō ways of monitoring and managing access.

Indeed, having to respond to government intervention meant that these outside structures sometimes inserted themselves into already-existing means of regulation, usually within families and communities. Ernie Crey, a Stó:lō man who has been heavily involved in recent fishing-related discussions and agreements with governments, has suggested that ongoing intervention in the fishery has changed conceptions of who can legitimately offer access. He notes that increasingly *Siya:m* (respected family leaders) no longer decided fishing times, sites, and techniques. Instead, this role fell to fisheries officers, making

²⁶ Ken Malloway interview.

²⁷ Cited in Kimberley Linkous Brown, "To Fish for Themselves," 89.

²⁸ Reuben M. Ware, *Five Issues, Five Battlefields*, 32.

²⁹ *Ibid.*, 33.

them, in a sense, *Siya:m* themselves.³⁰ Reorganizing familial and community interactions in this way could create a vacuum among families where confusion and, potentially, conflict fill the void. A 1988 proposal for fishery co-management between the Stó:lō and governments noted the importance of having a process in place to resolve internal disputes. The proposal identified differences in harvesting patterns among bands, family or individual rights to sites, and fish populations as potential areas of conflict.³¹ These represent various levels or forms of access to the fishery. By noting possible discord within families and their historical rights of access as well as in areas with broader significance, the proposal sought to inscribe Stó:lō history, culture, and tradition in the wider fishery. It merged rules governing physical access with access to the knowledge of the past that governs how fishers interpret their access rights. Government regulation of the fishery did not create a parallel form of access to fishing sites; instead, it complicated and re-routed existing ways of having access.

Government involvement in Stó:lō fisheries has sparked changes in the ways fishers have considered their access to their sites, and the goal and meaning of access has, at times, also changed in response. Marilyn Bennett's study of Fraser River fishing found that 86 percent of those surveyed believed that more people fished when their grandparents were young — around 1900. The most popular reasons given for greater fishing involvement in the past were: lack of employment or social services, a greater abundance of fish, and a lack of regulations or restrictions.³² These results point to a focus on fishing for economic support, though it is perhaps not entirely clear whether respondents' assessments of their grandparents' values reflects their understanding of history, a projection of their own concerns onto the past, or some combination of the two. It is, however, clear that fishing provided access to economic benefits, and for some, perhaps even financial sustenance. In discussing the banning of the potlatch, historian Tina Loo has stated that even when the law appears to work to a group's disadvantage, it is nevertheless "a space for argument that, when creatively employed. . . gives them a means to transform their own relationships," and individuals may also be able to use the law for material gain and its associated status.³³ Ray Silver, Stó:lō elder and owner of a brick manufacturing plant on the Sumas reserve, recalls acquaintances who have done just this, even while it remained illegal for fish to be bought from or sold by Native people:³⁴

There's lots of Native fishermen that caught lots — they had other people working for them. . . it was big business, running fish into Vancouver or wherever — I heard they were even taking them down south to the States. I never did that because I was always working here. I guess if I was on welfare I'd do that, I would have did that.³⁵

³⁰ Cited in Linkous Brown, 85.

³¹ Stó:lō Tribal Council, "Fisheries Co-Management Proposal for the Lower Fraser River Watershed," 48.

³² "Indian Fishing and its Cultural Importance in the Fraser River System," 14.

³³ Cited in Douglas Harris, *Fish, Law and Colonialism*, 198.

³⁴ Bierwert, 240.

³⁵ Silver interview.

Fishing with the intention to sell the catch provided a way for fishers to achieve independent financial support for themselves, but it also reinforced connections among Stó:lō people. Though catching fish remained restricted to food purposes, by circumventing this law, sellers of fish were able to emphasize the importance of fishing to their families and communities. Just as fishing sites were places to access food, the illegal sale of fish was a conceptual place where food provided access to the broader economy while continuing to acknowledge the importance of fishing in Stó:lō culture.

Ray Silver's equation of welfare with the need to sell fish mirrors Linkous Brown's statement that "the business of fishing need not be separated from the Stó:lō tradition of fishing, whether conducted illegally in the shadows of night or legally in the light of day."³⁶ No matter what route was required to access the fishery, the activity remained a link to the history that shaped the multifaceted significance of fishing. Indeed, the law that created the Aboriginal food fishery also defined a traditional economy, but it was "a traditional fishery that had no precedent in Native society" — it had never been categorized or limited in that way.³⁷ As Bierwert notes, "the presence of outlaw fishing expresses the market power of a knowledge that law did not completely curtail."³⁸ Fishing remained central to Stó:lō life because the connection to it was based on family histories as well as on physical access to sites; the law could regulate the latter but not the former.

Responses to fishing or sales bans tended to employ multiple routes of access at once. Sometimes, the physical, family-governed, and economic aspects of the illegal fish market intersected at the very spot where the fish were caught. Tony Malloway remembers:

When we first started fishing in Yale we used to take the train from Chilliwack to Yale, and once we got into Yale we had to catch one of them little speeders to our fishing camp, and the speeders are them little things that work on the railroad tracks. Then it was against the law to sell fish, so we'd have some trains even stop there buying fish, and speeders would be buying fish. Sometimes by the time you got home you wouldn't have much fish left, because you'd sell them all.³⁹

Such instances serve as very tangible illustrations of the various forms of access that fishing both requires and offers. Because physical, economic, and assorted other benefits of the fishery are so closely intertwined, they may be accessed in several ways from a single space. Often, occupying the same region meant that sales of fish were often conducted between people who already knew each other, or who had come to know each other through previous transactions.⁴⁰ This would reinforce the ties among these people, thereby strengthening a social fabric that was created, surrounded, and supported by the

³⁶ Linkous Brown, 187.

³⁷ D. Harris, 203.

³⁸ Bierwert, 248.

³⁹ Tony Malloway interview.

⁴⁰ Bierwert, 245.

fishery. Ray Silver sold fish on a small scale, and he describes this involvement with an evident sense of connection to his “customers:”

Mostly what I used to do, with people like myself, ordinary guys, they’re working hard, and they bought fish off of me. . . When I first started selling them, I think I got about ten cents each for a sockeye, ten or fifteen cents, and then it went to two bits, twenty-five cents, fifty cents, a dollar. It was a dollar for many, many years, a dollar a fish, and that was a lot of money to me, and a lot of food for my friends.⁴¹

In the midst of illegal fish sales, the fishing site remained the point from which all related activity stemmed. While names and family connections allowed access to that site, the fish procured at that spot acted as a means of access to further social and cultural relationships. These relationships sometimes doubled as a market for the fish, providing fishers with some financial benefit and once again drawing them back to the fishing site.

“They didn’t understand the concept of family grounds and protocols” Intersections of Money and Histories

During the years when selling fish was illegal, fishers retained a widespread desire for the legal right to do so, pointing to another path of access to the fishery: financial access. This desire was, at least partially, realized in 1992 with a “Pilot Sales Agreement” that granted permission to certain British Columbia Aboriginal groups, including the Stó:lō Tribal Council and the Stó:lō Nation, to sell fish, subject to allocations and management agreements, in order to test such a program and identify potential problems.⁴² With this sanctioning of catching fish for sale came an increased interest in fishing. For those who had fished the river even without the option of making a legal profit, this influx brought with it a certain degree of tension. As well as stolen gear and overcrowding, there were concerns over the potential loss of fish for those who intended to fish largely for personal consumption.⁴³ Sid Douglas described the drastic change on the river:

Before the pilot sales came in, there was only between 200 and 300 registered fishermen from Langley to Yale, and then when the pilot sales came in, and that meant there was money involved, there was a lot of other people that wanted to cash in on the money. Our fisherman list went up to about 1,500, and we weren’t prepared for that. A lot of the new fishermen, they didn’t understand the concept of family grounds and protocols.⁴⁴

While the pilot sales were an acknowledgement of an activity that many argue have always been an Aboriginal right and practice, they also illustrated ways in which different

⁴¹ Silver interview.

⁴² Linkous Brown, 102.

⁴³ Ibid., 108.

⁴⁴ Douglas interview.

ideas of access can cause conflicts around fishing sites. For the new fishers on the river, access to the sites was, in effect, granted by the government; without that impetus, it is possible that many would not have investigated their families' hereditary rights to fishing spots. Further, established fishers such as Sid Douglas interpreted the newcomers' motives as being largely monetary. Even so, accessing the sites involved many of the same social structures and connections that it always had. Once the fish had been caught, however, the aspects of society to which they connected was often quite different for those who fished for profit and those whose priorities for fishing lay in a desire for access to traditions, family, or subsistence.

This is not to say, however, that "traditional" and other, perhaps more recent, reasons for access are mutually exclusive categories. Carlson has argued that tradition is not a static concept; invoking it does not preclude the use of innovative fishing methods, nor does innovation automatically imply assimilation.⁴⁵ Indeed, with the fishing site as the place to which all fishing activity refers, fishing for economic reasons and fishing to maintain certain cultural values are, in many ways, inseparable. Whether legal or not, the sale of fish has provided economic benefits for both sellers and buyers, thereby providing an incentive to continue the inherently Stó:lō activity of fishing.

Yet the location of some fishing sites necessitates that the owners have the economic means required to transport themselves to these spots. Previously, the CNR and CPR had each run their trains on separate sides of the river, but in the 1970s, the weight freight ceased on the CNR side.⁴⁶ Many Stó:lō fishers had used these trains as inexpensive transportation to fishing sites in the canyon with no road access, sometimes paying six sockeye as their fare.⁴⁷ Without this means of access, fishers usually needed to acquire a powerful motorboat,⁴⁸ an investment that, today, Ken Malloway estimates could cost a fisher as much as twenty thousand dollars.⁴⁹

Interestingly, between 1930 and 1932, when salmon canneries, and thus also the demand for fish, were in the depths of the Depression, fishing boat licenses increased, with the number of gasoline-powered boats growing the most.⁵⁰ It is unclear how many of these boats belonged to Native fishers, but the trend suggests reasons for fishing that went beyond the purely monetary. Despite potentially high start-up costs, fishing was clearly an activity to be maintained even during times of economic hardship. Thus fishing for profit and fishing for cultural reasons were, in many ways, inseparable; financial gain from fish enabled transportation to the fishing site, which in turn allowed for further gain.

Economic gain can be achieved through access to fishing, but affluence can also reinforce Stó:lō social organisation and interactions. Ken Malloway points out that "everyone has

⁴⁵ Carlson, "Innovation," 147.

⁴⁶ Caroline Butler, "Historicizing Indigenous Knowledge," 113.

⁴⁷ Linkous Brown, 185.

⁴⁸ Tony Malloway interview.

⁴⁹ Linkous Brown, 186.

⁵⁰ Dianne Newell, *Tangled Webs of History*, 103.

equal opportunity, but some fish harder than others and some have better fishing spots.”⁵¹ The ‘equal opportunity’ described here refers perhaps to the fact that every Stó:lō person has the Aboriginal right to fish, but each fisher has a unique path of access through family, political or financial conduits, some of which result in more satisfactory fishing results than others. Similarly, Suttles has argued that the effectiveness with which individuals subsisted in their environment affected their ability to distribute wealth at a potlatch, and thus to achieve or maintain a degree of prestige in society.⁵² Sharing food was and remains, to an extent, a direct means of access to high status,⁵³ and so those who are financially and physically able to use their fishing sites are also more likely to be granted esteem by other fishers and community members.

The connection between food, status and wealth became true in a more formal sense with the introduction of the Pilot Sales Agreement. Those who fished on behalf of others often turned the highest profit, as experienced fishers would set nets for their younger relatives in exchange for a percentage of the proceeds.⁵⁴ Within this monetary structure, however, fishing and sharing continued to promote family ties and maintain historical connections to fishing, including the granting of status to those who had access to enough food to share.

“I’ll have to write a letter for my kids to keep that place” Crossing Cultural Paths

Those who provided food also provided access for others to their communities and culture; this, certainly, would be a reason for the esteem in which providers were, and are, held. Rita Pete, a self-described “fisher-lady” and Stó:lō elder, notes that “there’s some on the reserve who can’t go fishing, so we give some [fish] to them. . .the old people that can’t go out.”⁵⁵ Testifying in the landmark court case *R. v. Van der Peet*, in which the Stó:lō defendant was charged with selling fish illegally, elder Tillie Gutierrez recalled from her youth that this practice is not new: “[Fish] was never hoarded, this is mine, I’m not sharing any of it. No, this would never happen. It was always given.”⁵⁶ It is unsurprising, then, that she would continue to find the practice of sharing so valuable: “The elders’ camp dried fish and they gave it to us so we appreciate that very much and we have a few friends that give us salmon.”⁵⁷ The fish themselves are a way of accessing and maintaining one’s place in a group. For those who are unable to access fishing spots, sharing the produce of others’ sites connects them to the history that first established them as legitimate fishers and respected members of a fishing community.

⁵¹ Quoted in Linkous Brown, 196.

⁵² Suttles, 16.

⁵³ *Ibid.*, 20.

⁵⁴ Bierwert, 252.

⁵⁵ Pete interview.

⁵⁶ Tillie Gutierrez, witness for the defence, 14.

⁵⁷ *Ibid.*, 27.

It follows, then, that a desire to stake out a place in a community would be linked to claims to fishing sites, particularly given the problems, both potential and real, that have arisen when fishers and regulations interact. Families' differences in interpretation of rights, economic or governmental restrictions, and one's own physical limitations all require a fisher to find ways beyond physically harvesting salmon from the river to eke out a place along the canyon, and thus also a place within a particular fishing-based culture.

Prior to the 1992 pilot sales, one way of marking a spot was simply to leave one's fishing equipment at the site. This would ensure that other fishers realized the place had a definite owner, but with the influx of fishers, crime increased as well, perhaps proportionally. As Ray Silver observed, "it's getting hard for us now to launch our boats. See, you can't leave anything in the river anymore. In the old days we used to leave our canoes there, our nets, everything, right there in the river, and nobody would touch them. You could go back there the next week and they're still there."⁵⁸

Today, other ways of noting ownership carry more weight. Although, as Tony Malloway notes, "there's sort of a thing on the river that's unwritten. . .it's just like everybody knows whose spot is whose,"⁵⁹ some fishers regard written confirmation of ownership as being more secure. Rita Pete plans to keep the site in her family by ensconcing it in print: "I'll have to write a letter. I'll have to write a tape and a letter for my kids to keep that place — years from now." She has also considered "homesteading" her fishing grounds.⁶⁰

This is not entirely a new strategy. In 1903, a Stó:lō fisher named Billy Swallsea sought to purchase fee simple title to an acre of land along the river, which included a disputed fishing spot that Swallsea was claiming as his own. This act was met with support from the Department of Indian Affairs, who eventually decided to grant Swallsea the title, but with considerable resistance from some other Stó:lō fishers, led by Paul Skitt, who also claimed hereditary rights to that site.⁶¹ Carlson notes that the dispute illustrated "innovative means to traditional ends," but that outside agencies' mediation was not necessarily deemed legitimate by Stó:lō people involved in the conflict.⁶² Today, however, while rights to a fishing site are not frequently maintained through written means involving non-Native granters of access, the influx of new fishers and, perhaps, the presence of government in other issues involving Aboriginal land, such as treaty negotiations, have led some fishers to seek out ways of securing their access to sites in an environment where Canadian laws and governments can provide "back-up" proof of ownership if a family's history is called into question by other fishers. Physical access to a fishing site remains central to all other relationships and activities that surround the fishery. It follows, then, that marking the site physically and tangibly as one's own would

⁵⁸ Silver interview.

⁵⁹ Tony Malloway interview.

⁶⁰ Pete interview.

⁶¹ This was a dispute that involved considerable correspondence among Swallsea, a series of Indian agents, the Dominion Land office, Skitt, and several notable Stó:lō leaders over the course of two years. See Carlson, "Innovation."

⁶² Carlson, "Innovation," 167.

be seen as central to providing access to the history and links to a cultural identity implied by fishing grounds.

Dry-racks, situated at fishing spots for wind-drying salmon, represent the intersection of historical and physical claims to a site. They provide evidence that the owners of the spot are using and maintaining it; not to do so could be interpreted as a forfeiture of ownership.⁶³ Perhaps because the dry-racks act as physical reminders of more intangible concepts of history and culture, “the wind-dry fishery has come to be considered a hallmark of traditional Stó:lō life and the dry-rack families the keepers of that tradition.”⁶⁴ For Rita Pete, it was the custom of wind-drying that provided her direct access to her current fishing site: “It was my dad there; he said, ‘Well,’ he said, ‘You’d better take over that spot,’ he says, ‘You’re drying salmon all the time,’ and I says, ‘Yeah, okay.’ So I just went up there and started drying salmon.”⁶⁵ Her practical knowledge of fishing and drying warranted ownership of her own place, where, through her family’s historical ties to the spot, her knowledge would be imbued with the cultural significance attached to wind-drying. The dry-racks indicated to others that, as the site owner, Rita Pete took seriously the responsibilities of her role, and because wind-drying is the product of shared historical knowledge of techniques, practicing those techniques is a way to access the cultural and personal histories that connect fishers to particular sites.

Conclusion

Fishing sites are not only places where fish are caught. Spheres of individuals, families, governments, cultures, histories, and, of course, salmon orbit around these rocks and eddies, so that in order to access any one of these agents in Stó:lō society, one must refer to the fishing grounds. Thus when conflicts and changes regarding fishing sites emerge, they necessarily involve all of the parties and factors associated with these places. Access to sites is sometimes a complex path, requiring one to navigate through histories of rights, protocols, and regulations, as well as through various interpretations of such knowledge.

Over the course of these histories, fishers have sought to assert their place along the river, and, by extension, in Stó:lō society and interactions. In so doing, they have drawn connections to their collective and individual histories in numerous ways: by interacting with other fishing families, by circumventing or adapting to government restrictions, or by carrying out activities that reinforce links to a site. All of these aspects of history carry with them various voices of interpretations and changes that create dialogue around central sites of Stó:lō activity and identity. Access, then, is not a single path, or even a series of parallel paths. Like fishing itself, it is both a process and an ability that develops out of a history of shared interactions.

⁶³ Carlson and Eustace, 10.

⁶⁴ Linkous Brown, 155.

⁶⁵ Pete interview.

Bibliography

Interviews

- Douglas, Sid. Interview with Keith Carlson, Katya MacDonald, and Sarah Nickel. Chilliwack, BC, June 22, 2007. Recording available at the Stó:lō Nation Archives.
- Malloway, Ken. Interview with Katya MacDonald and Sarah Nickel. Chilliwack, BC, June 22, 2007. Recording available at the Stó:lō Nation Archives.
- Malloway, Tony. Interview with Katya MacDonald. Chilliwack, BC, June 28, 2007. Recording available at the Stó:lō Nation Archives.
- Pete, Rita. Interview with Mandy Fehr and Katya MacDonald. Skam Reserve, BC, June 29, 2007. Recording available at the Stó:lō Nation Archives.
- Silver, Ray. Interview with Emmy Campbell, Katya MacDonald, and Lesley Wiebe. Sumas, BC, June 27, 2007. Recording available at the Stó:lō Nation Archives.

Published sources

- Bennett, Marilyn G. "Indian Fishing and its Cultural Importance in the Fraser River System." Prepared for Fisheries Service, Pacific Region, Department of the Environment and Union of British Columbia Indian Chiefs, 1973.
- Bierwert, Crisca. *Brushed by Cedar, Living by the River: Coast Salish Figures of Power*. Tucson, AZ: University of Arizona Press, 1999.
- Butler, Caroline. "Historicizing Indigenous Knowledge: Practical and Political Issues." In *Traditional Ecological Knowledge and Natural Resource Management*, edited by Charles R. Menzies, 107-26. Lincoln: University of Nebraska Press, 2006.
- Carlson, Keith Thor. "Innovation, Tradition, Colonialism, and Aboriginal Fishing Conflicts in the Lower Fraser Canyon." In *New Histories for Old: Changing Perspectives on Canada's Native Pasts*, edited by Ted Binnema and Susan Neylan, 145-74. Vancouver: UBC Press, 2007.
- Gupta, Akhil, and James Ferguson. "Culture, Power, Place: Ethnography at the End of an Era." In *Culture, Power, Place: Explorations in Critical Anthropology*, edited by Akhil Gupta and James Ferguson. 1-29. Durham: Duke University Press, 1997.
- Gutierrez, Tillie. Witness for the Defence, *Regina v. Dorothy Van der Peet*. Proceedings at trial, Provincial Court of British Columbia. May 31, 1989.
- Harris, Cole. *Making Native Space: Colonialism, Resistance, and Reserves in British Columbia*. Vancouver: UBC Press, 2002.
- Harris, Douglas C. *Fish, Law, and Colonialism: The Legal Capture of Salmon in British Columbia*. Toronto: University of Toronto Press, 2001.
- Newell, Dianne. *Tangled Webs of History: Indians and the Law in Canada's Pacific Coast Fisheries*. Toronto: University of Toronto Press, 1993.
- Stó:lō Tribal Council. "Fisheries Co-Management Proposal for the Lower Fraser River Watershed." 1988.
- Suttles, Wayne. "Affinal Ties, Subsistence and Prestige among the Coast Salish." In *Coast Salish Essays*, 15-25. Seattle: University of Washington Press, 1987.
- Ware, Reuben M. *Five Issues, Five Battlegrounds: An Introduction to the History of Indian Fishery in British Columbia, 1850-1930*. Sardis, BC: Coqualeetza Education Training Centre for the Stó:lō Nation, 1983.
- White, Richard. *The Organic Machine*. New York: Hill and Wang, 1995.

Unpublished sources

- Carlson, Keith Thor. "The Power of Place, the Problem of Time: A Study of History and Aboriginal Collective Identity." PhD diss., University of British Columbia, 2003.
- Carlson, Keith Thor, and Sarah Eustace. "Fraser Canyon Fishing Rights: Canadian Law and the Origin and Evolution of an Intertribal Dispute." Draft paper prepared for Stó:lō Nation, Chilliwack, BC, 1999.
- Linkous Brown, Kimberly. "To Fish for Themselves: A Study of Accommodation and Resistance in the Stó:lō Fishery." PhD diss., University of British Columbia, 2005.

Katya MacDonald participated in the 2007 ethnohistory field school and is currently pursuing an MA in History at the University of Saskatchewan, under the supervision of Keith Thor Carlson. Her SSHRC funded MA research is a comparative study of the links between histories and place name etymologies in the Stó:lō community of Seabird Island and the predominantly Métis community of Île-à-la-Crosse, Saskatchewan, where she has also spent time as a researcher.