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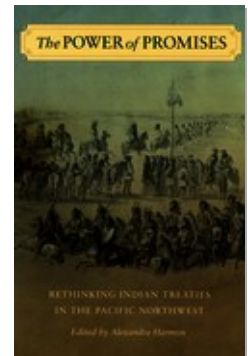
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2 Unmaking Native Space

A GENEALOGY OF INDIAN POLICY, SETTLER PRACTICE,
AND THE MICROTECHNIQUES OF DISPOSSESSION

Paige Raibmon

PRE-SCRIPT

In 1791 the fur trader and U.S. ship captain Robert Gray sailed into Tla-o-qui-aht territory on the west coast of Vancouver Island. His visit would prove memorable for generations to come because before he left, he kidnapped the son of Chief Wickaninnish and ordered the torching of two hundred houses at the village of Opitsaht. More than two centuries later, on a sunny July afternoon in 2005, three canoes carrying Gray's descendants pulled ashore at this same village. They came to apologize. The family spokesperson, William Twombly, announced to the assembled crowd: "We are sorry for the abduction and insult to your chief and his great family and for the burning of Opitsaht."¹ It was a remarkable step for Gray's descendants to take. Gray's actions at Opitsaht do not seem like the sort of family story typically resurrected at family reunions. Yet these people knew the story and had traveled thousands of miles from Oregon, Texas, New Hampshire, Massachusetts, and London, England, to acknowledge their ancestor's behavior. They had come, they announced, "in peace to offer ourselves in good spirit to suggest that we'd like forgiveness and we'd like to honour our ancestral connection and honour your people."² The Tla-o-qui-aht appreciated the gesture and accepted it with grace and hospitality. They returned the respect shown by Gray's descendants, treating them as honored potlatch guests.

What were these hosts and guests doing when they mutually honored their ancestral connection, a connection born of violence, dispossession, and the colonial imbalance of power? Surely Twombly and his family did not consider themselves, nor did the Tla-o-qui-aht consider them, literally to blame for the acts of their long-dead ancestor. Yet all seemed to agree that Twombly and his fellow canoe-mates were in some fashion responsible. In what other context could an “apology” make sense? What follows in this essay is an extended meditation on these questions. Those present on the beach at Opitsaht in 2005 understood something about colonial genealogies and thus have something important to teach us. They came together that day as the result of a literal family connection, but we can usefully read their example as analogous to a much broader family tree—a figurative genealogy of colonialism. Current residents of settler societies like British Columbia do not need to be direct bloodline descendants of men like Captain Gray to have inadvertently reaped the results of the colonial work they helped to initiate. I urge readers to consider what it might mean if *all* the inheritors of colonial legacies (whether literal descendants or not) understood their relationship to the past and their responsibilities in the present in a manner akin to the Twombly family.

FAMILY TIES

If these metaphorical family ties of colonialism seem counterintuitive or difficult to trace, it is partly due to historiographical convention. Under settler colonialism the displacement of original inhabitants and the arrival of new ones are mutually reinforcing projects. Yet historians have long treated colonization and immigration—the twin histories of indigenous lands and settler lands—as separate topics.³ Rectifying this requires not only initiating dialogue between existing fields but also bringing the history of settler practice into greater focus. Although settler policies have been amply studied, settler practices have not.⁴

Ultimately, my interest lies in the place where practices of settlement and the experiences of Aboriginal people intersect. From the vantage of this intersection we can illuminate the context for the production of what I call “settlement lands.” I use the term in a dual sense to refer both to lands required for the settlement of Aboriginal claims and lands claimed by settler society and its descendants. It is practically a truism in British

Columbia today that the available supply of such lands is exhausted. Many people assert that the land required to settle Aboriginal claims in the province was (some admit, regrettably) appropriated by colonial society far too long ago to make repatriation of indigenous land feasible.⁵ They ascribe natural and irrevocable status to the designation “private property” and thus conclude that the problem of “settlement lands” is deadlocked.

Colonial representatives have consistently treated private property and its approximations (that is, preemption) as sacrosanct designations. Given this, closer attention is warranted to the precise mechanisms for transforming land into these hallowed categories, for transforming Aboriginal territory into settlement lands. The historical geographer Cole Harris has fruitfully used the term “making Native space” to refer to the creation of small, scattered Indian reserves.⁶ But “making Native space” was about more than creating Indian enclaves; it was about making private property too. Reserves were not Native spaces made anew; they were radically diminished refashionings of precolonial Native spaces. Indian policy mandated reserves. But it was the deployment of colonial land policy by colonizers that transformed traditional Aboriginal territories into colonial jurisdictions. Settler and developer practices of land appropriation shrank Native space from its hereditary territorial boundaries to the confines of Indian reserves. Native space had to be unmade as much as it had to be made. That is, the indigeneness of hereditary territories had to be undone before the colonial reserve geography could gain purchase. This unmaking was accomplished by the mundane processes that comprised settler life even when Aboriginal people themselves were out of settlers’ sight and, by extension, out of settlers’ minds. Over time, settler practices and Indian policy combined in a mutually sustaining dialectic to do the work of colonialism.

The meticulous attention required to track this dialectic demands a form of history that we can usefully regard as genealogical. This is not the same thing as literally tracing family trees, but the metaphor is useful, because we need to map “family connections” not only between people but among an array of past practices, policies, and even accidents. Genealogy in this sense, notes the French writer Michel Foucault, “is gray, meticulous, and patiently documentary.”⁷ It seeks to represent the discrete and disparate processes of the past in all their rawness before they are cooked in “the long baking process of history.”⁸ History, con-

tinues Foucault, is “fabricated in a piecemeal fashion from alien forms,” an insight that is obscured when we focus on the final product (the boundaries of modern reserves, for example) at the expense of the constitutive ingredients (multifarious settler practices, for example).⁹ Apparent absences, disconnects, and non sequiturs are crucial to such an endeavor. To extend Foucault’s baking metaphor, the yeast in a baked loaf of bread may be tasteless, but it is still responsible for the bread’s rising. Genealogy requires that we suspend our tendency toward teleology while we examine the myriad makings of dispossession in all their confusion and complexity.

Genealogy overlaps with microhistory insofar as it tracks local practices as they occurred on the ground over time. But it differs from microhistory insofar as its ultimate interest lies less with specific locales or events than with connections between disparate people and practices. Only once the initial shortening of our vision has brought the relevant actors and elements within purview can we cast our eyes out over the entire array and feel, as critic Walter Benjamin put it, “the full force of the panorama opening out” before us.¹⁰ It is then that the connections between widely disparate events and practices become powerfully apparent.

Attending to the relationship between Indian land policy and settler practice can be seen as genealogical in at least a threefold sense. First, charting the close ties between these policies and practices would produce a fuller and more dynamic picture of colonial geography than we are used to seeing. It would lend geographically and historically specific context to the belief that settlement lands are perennially in short supply. Reserves themselves were not static; rather, they grew and, more often, shrank over time. Preemptions, too, had a checkered existence; some were conveyed into fee-simple land while many others lapsed only to be preempted again or revert to the Crown. The precise timing of these changes in relation to the movements and practices of colonizers was often crucial in shaping the future of Aboriginal communities.

Second, investigating the intersection of Indian policy and settler practice can help refine our conceptualization of colonial processes themselves. By illuminating the genealogical roots that colonial practices put down across the land, we clarify the mechanisms of dispossession. We are able to identify the individuals who laid down those roots, and we can then map the familial relationships of these individuals. Sometimes

the relationships were literal. Legal scholars Hamar Foster and Alan Grove have made this point effectively when they take note of the extensive social ties and intermarriage among families of high-ranking judicial and government officials throughout the region sometimes dubbed Cascadia.¹¹ These literal kinships were not always framed by clear racial markers. The frequency of relationships between immigrant men and Indigenous or mixed-heritage women means that the colonial family tree cannot be easily categorized using binary racial labels.

Just as important, the genealogical method I advocate unearths figurative kinships between diverse and distant practices that even those attentive to literal genealogies can overlook. As the historian Victoria Freeman has noted: “The colonization of North America has been the result of millions of actions, or non-actions, great and small, by thousands, even millions, of people over hundreds of years.”¹² Such acts are connected, and it is genealogy’s task to show us how.

There is inevitably some overlap between figurative and literal genealogies. As Foster and Grove show in their case, for example, literal family ties are diagnostic of broader intellectual kinship among practices of law and treaty making in what became Alaska, British Columbia, Washington, and Oregon.¹³ The resultant “family tree” is a representation of colonialism that is extremely precise and simultaneously disengaged from questions of intention. Identification of relationships and the assignment of responsibility replace the overly simplistic search for blame. Such a conceptualization of dispossession reminds us of the great uncertainty and historical contingency that Aboriginal people faced under colonialism. Only then can we comprehend the logic by which colonizers persuaded themselves and their descendants (that is, us) that they had succeeded in diminishing Native space from vast indigenous territories to minute colonial reserves. Only then can we make sense of the process through which reserves became Native spaces, not only in colonial eyes but in Aboriginal ones as well.

Finally, reflecting on the work that settler practice did, and more specifically on many scholars’ own lack of attention to that work, tells us something about the genealogical ties that bind us as scholars to the colonial past we narrate. Our individual choices as scholars do not align by accident. We would do well to investigate the sources and implications of our own narrative commonalities.

This genealogical approach has intellectual promise for studying a

diversity of colonial contexts. Whether or not they agreed to treaties with colonial governments, Aboriginal people lost land and resources as a result of multiple, diverse, and cumulative acts of dispossession by a variety of newcomers, many of whom were not policy makers, government administrators, or Indian haters. In treaty jurisdictions such as Washington State a genealogical history would encompass diverse practices over time beyond the formal sphere of treaty negotiations and thus help explain why treaties provided inadequate protection of Aboriginal rights to land and resources. In jurisdictions such as British Columbia, where most Aboriginal homelands remain unceded, a genealogical analysis can show how, in the absence of treaties, land was alienated from Aboriginal title-holders in practice.

Regardless of the jurisdiction under consideration, this analysis provides a framework through which non-Aboriginal citizens today can understand their relationship to colonial settlers and authorities of the past. In a place like British Columbia this entails accepting kinship with those who enacted alienation of land and resources on the ground even as they refused to formalize the process through treaty. In a place like Washington it means understanding both that historical treaty obligations ought to be honored today and that so doing requires the maintenance or restoration of ancillary conditions to ensure the spirit and not just the letter of the treaty is meaningfully honored. To build this sort of genealogy, we must invert the usual family tree. Instead of starting with ourselves at the “crown of a branching family tree and trac[ing] our ancestors back to a single trunk of sturdy and supposedly pure stock,” we must be willing, as the historian Claudio Saunt has suggested, “to place us at the base of the tree and follow the branches of our ancestors back in time as they divide and subdivide.”¹⁴

GENEALOGIES OF LAND ALIENATION

There is a paradox at the center of the conviction we have inherited about the short supply of settlement lands. Much like the nostalgic figure of the nineteenth-century “vanishing Indian,” settlement lands are positioned as always vanishing, yet they never disappear. The supply of settlement lands has ostensibly been short, practically endangered, since the first generation of settler society arrived in British Columbia. Much as their inheritors do today, the first generation of newcomers shielded

themselves from Aboriginal land claims by proclaiming that it was always already too late to restore the land to Indigenous claimants.

As early as 1878, efforts of the Indian Reserve Commissioner Gilbert Malcolm Sproat to satisfy Aboriginal land claims were stymied by the prior accretion of immigrant land titles.¹⁵ Throughout the 1880s and 1890s the Indian Reserve Commissioner Peter O'Reilly lacked the mandate to interfere with the property rights of settlers.¹⁶ And by 1913 members of the McKenna-McBride Royal Commission were telling an old story when they advised Aboriginal people that land for them was unavailable because of its prior alienation from the Crown.¹⁷ The colonial state afforded Aboriginal people in British Columbia one more formal opportunity to express their need for a land base during the Ditchburn-Clark inquiry in the early 1920s. But J. W. Clark and W. E. Ditchburn were no more willing to entertain requests for land claimed by colonists than their predecessors had been.¹⁸ And not until the latter half of the twentieth century would Aboriginal claimants in British Columbia regain the government's ear even to this limited extent. The colonial division of land between Natives and newcomers was thus largely set by the 1920s.¹⁹

Expressed as an abstract principle, this practice of noninterference with settler title sounds straightforward and authoritative. It might even sound fair. But upon reflection the authority we grant these stories about settler title, preemption, and private property begins to seem counterintuitive. Except, arguably, in the limited areas covered by the treaties that James Douglas had negotiated and under Treaty 8, the land in question had never been legally alienated from its Aboriginal owners—a fact that was not lost on the Aboriginal complainants, even if it went unnoticed by successive commissioners. Notions of property, as the geographer Nicholas Blomley has recently reminded us, are simply stories that we tell ourselves. Within colonial contexts stories about land and property were (and still are) freighted with particular power. But powerful as such stories were and are, it is worth remembering that they are just that: stories.²⁰ Narratives stressing the inviolate nature of non-Native title fit easily with teleological notions of progress and civilization. Such narratives conflated the imposition of a common law property regime with the civilization of both land and people.²¹ And they suggested that this imposition took place according to the principles of law and order. But it did no such thing.

In the crucial decades when authorities worked to impose their notion

of a civilized landscape, dispossessing Aboriginal people in the process, they repeatedly betrayed the logic of their own self-proclaimed law and order. Examples of this abound as soon as we shift our focus from the names and dates of government commissions and zoom in on the micro-techniques of dispossession across settlement lands. Such breaches of British logic and law took a range of forms, including simple illegalities, conflicts of interest, and more subtle practices that worked at cross-purposes with the quite separate Indian policy being deployed over the bureaucratic fence in other government departments.

In British Columbia the Crown officially made land available to settlers through the Land Ordinance of 1861. Settlers could preempt any Crown-claimed land that was not an Indian reserve and did not contain "Indian improvements," as long as they improved the land and resided on the land permanently without being absent for more than two months. Significantly, the majority of land was unsurveyed at the time of preemption. In such instances the would-be settler simply wrote a description and sketched a map of the selected land and submitted both to the surveyor general in Victoria for registration. Other than a small administrative fee, no payment was required until the land was surveyed, at which point four shillings and two pence per acres was due. For preemptors these conditions amounted, at least at the outset, to free land.²² Since this all operated on an honor system, it is not surprising to find that settlers frequently breached the preemption laws and that registrations were often inaccurate.

There are many instances in which settlers preempted land that did contain Indian improvements. Aboriginal families would return from seasonal labor and find settlers occupying their houses. In the early twentieth century, for example, more than one Ahousaht family came home to find a White man occupying their home.²³ On the Sunshine Coast a settler named Alfred Jeffries took proactive steps to create the conditions that would make the land he desired eligible for preemption: he simply destroyed the "Indian improvements," burning down the house and fruit trees of a Sechelt man, Charlie Roberts. When questioned about whether his preemption had in fact contained Indian improvements, Jeffries offered the lame excuse that he had been temporarily hard of hearing at the time the affidavit stating that the land contained no improvements was read to him.²⁴ A preemption that took in Indian houses, clearing, and a well was likewise granted in Pender Harbour.²⁵ Up the coast in

Malaspina Inlet settler Barnard Nelson accomplished the same feat at the expense of Domonic Tom, a Sliammon man.²⁶ And farther north William Thompson, who came to the Homalco community at Churchhouse as the schoolteacher, went on to preempt land that encompassed eight residences, the schoolhouse, the church, and cemeteries.²⁷

Settlers had good reason to covet preemptions that came complete with house and clearing. Logging the dense rainforest of the West Coast was no simple task. Even with dynamite the removal of stumps could take a man and horse four hundred hours of labor per acre.²⁸ As William Thompson said in his own defense: "The land around here, as you will see, is mountainous and covered with heavy and thick timber, and a man my age, well it is simply impossible for me to do any hard work such as that would entail."²⁹ Similar practices characterized the settlement even where land clearance did not pose the same obstacle. In the interior ranchers preempted land cultivated by Aboriginal people, and Chinese miners worked land that encompassed Indian settlements.³⁰

In other instances settlers violently displaced Aboriginal people from their homes without even the formality of filing a preemption. White squatters in places as far-flung as the Cowichan and Nass valleys attempted to drive Cowichan and Nisga'a inhabitants from their land at gunpoint.³¹ Indigenous people along the west coast of Vancouver Island had similar experiences. An Ahousaht man, Joe Didian Sr., faced threats first from a White settler and later from the Indian agent, who told him that settlers were coming to burn down his house.³² Kelsomaht chief Charlie Johnnie's community fled a village of thirteen houses when the Indian agent came and told them their houses would be set alight.³³ Settlers destroyed Muchalaht houses along the Gold River, and settlers in Haida Gwaii used Haida houses for firewood.³⁴ Indian agents pled impotence in such situations, leaving the dispossessed to fend for themselves.³⁵ Preemptions may well have followed in the wake of these violent displacements, since "Indian improvements" could be legally preempted if they had been "abandoned." The law said nothing about the conditions that precipitated such "abandonment." Whether individuals perpetrated violence with the calculated intent to preempt the newly "abandoned" land themselves, as Alfred Jeffries had done, or whether they simply cleared the way for subsequent preemptors to do so matters less than the powerful momentum generated by the ongoing dialectic of practice and policy.

Settlers also breached preemption requirements related to residency and improvements. This is clear from historian Ruth Sandwell's study of Salt Spring Island between 1859 and 1891. Most settlers on Salt Spring neither fulfilled nor shared the agrarian ideal that was supposed to justify colonial usurpation of indigenous lands. Financially unable to subsist on their land year-round, many settlers relied on intervals of off-island wage-earning. In so doing, they violated the preemption policy's residency requirements. Moreover, most preemptors on Salt Spring never purchased their claim outright. Instead, they manipulated colonial regulations, and the lack of enforcement thereof, to turn the preemption system into one that gave them perpetual access to free land and the franchise. Some even found ingenious ways to pass their never-purchased preemptions on to their heirs.³⁶

Sandwell convincingly interprets such behavior as evidence of the flexibility of settler practice and of the distance between that practice and the goals of the colonial elite. But this is only half the story. These creative settler practices were irrevocably bound to microtechniques of dispossession across the colonies and later the province. The accumulation of individual settler acts had acute outcomes for Aboriginal people, who were told by royal commissioners and Indian agents that the notion of property embodied by the settler and his preemption was inviolate. Colonial officials simply deemed lands covered by Crown grants or timber licenses "unavailable" to Indigenous applicants.³⁷ Many settlers would over time allow their preemptions to revert back to the Crown. But even then it was unlikely that such land would be restored to Indigenous applicants if the reversion occurred after reserves had been allotted and surveyed.

The precise geography and timing of such incidents could be crucial. In 1881, for example, several properties near Pemberton Meadows lay abandoned with back taxes owing. Even though faced with a directly competing Aboriginal need for arable land, the province still did not enforce the land laws and instead bent over backward to allow the preemptors additional time in which to perfect their claims. In this fashion the last agriculturally viable land in the area was alienated from the Crown and lost to the Pemberton band.³⁸ As it played out on the ground, even the rights of settlers who flouted land laws took precedence over Aboriginal claims.

Conflicts of interest characterized other preemption claims, and in

these cases, too, timing was everything. In 1859, for example, the assistant land commissioner, after being instructed to reserve lands for Aboriginal people at Lytton, instead purchased the land and recorded the water rights for himself. The legality of this purchase was questioned, after which point the land was still not gazetted as a reserve but passed into the hands of other settlers. By 1878, when Indian Reserve Commissioner Sproat arrived to allot lands, his intent to remedy past injustices mattered little: a boulder field was all that remained for him to reserve.³⁹

These examples of colonial law bent or broken reinforce a number of important points. First, they remind us that the powerful stories about the rational, coherent, and just nature of British law were riddled with contradictions at the time of their telling. In and of itself this is no indictment. The stories we live by are inevitably marbled with contradictions. But we might begin to think more deeply about the consequences of particular contradictions at particular places and times. Which contradictions have been tolerated to the point of invisibility, while others have been called up as evidence of an impoverished or inaccurate story?⁴⁰

Second, the examples of settler practice here at hand further remind us that stories about yeoman farmers, private property, and the concomitant civilization of land and people were not so much “British stories” or “settler stories” in general but stories told by a particular group of newcomers—elite, literate, urban, and those least likely to get their hands dirty trying to uproot ancient trees in the name of an agricultural dream. The stories were not widely shared colonial truths; rather, they were selective rhetorical gestures belied by the practices of others at the same time. Settlers themselves were driven less by a blind desire for privately owned patches of their own Arcadia than by the practical exigencies of clearing land, growing crops, and feeding families.⁴¹ In the end it was practice and rhetoric combined that effected dispossession.

Aside from settler activities that directly flouted colonial law, there is another and arguably larger category of settler practice that deserves close scrutiny. Numerous regulations and practices, quite legal in nature and on their face affecting only settlers, often had critically important impacts on Aboriginal communities. The Indian reserves, limited in size, were hemmed in through various colonial techniques that further undermined the already marginal quality of reserve land. In the interior of British Columbia, for example, one of the most obvious and widespread

examples of this was the taking of water records. Settlers acquired water rights without regard to the needs of the reserves so that by the 1870s farms and ranches on reserves found themselves without necessary water.⁴² Similarly, reserves that commissioners had allocated as fishing stations came, through various means, to be deprived of fish.⁴³

Nearly a century later, similar practices persisted: at the mouth of the Gold River on the western coast of Vancouver Island, for example, lessees filled a water lot, the province built a highway, and the Crown sold a piece of land. Individually, none of these activities even involved Aboriginal people; combined, however, they eliminated the riparian access of the Mowachaht / Muchalaht village that had stood on saltwater for thousands of years. The name of the place, Ahaminaquus, still indicated that that it was beach (*quus*), but now it was beach in name only. The fill became provincial Crown land, which the Crown conveyed to the multinational corporation that had filled the water lot in the first place. Ahaminaquus has still not regained its beach.⁴⁴ The Sliammon reserve of Toh Kwon_non, an important fishing site, was also amputated from its most important purpose when timber companies acquired Crown land on the steep hills above the reserve. In the 1960s the companies logged and constructed roads without regard to the consequences of erosion on the downhill site. In the 1990s a landslide that predictably originated on the logged-out Crown land swept down to devastate the reserve and destroy the salmon habitat and spawning grounds. The reserve lost its purpose, and the people lost the enormous chum salmon found only at Toh Kwon_non.⁴⁵

As the historical geographer Cole Harris has stressed, the cross-purposes of provincial and dominion agendas greatly contributed to such outcomes in the nineteenth and early twentieth centuries.⁴⁶ No doubt a similar lack of reconciliation between levels of government played a role later on too. In a larger sense, however, it is the cross-purposes of settler society and indigenous claims—the basic conundrum of settlement lands—that is responsible. Breaches of the spirit and letter of colonial laws were not so much colonial anomalies as they were constituent elements of colonialism. Only after taking close note of the multiplicity of discrete practices on the ground can we step back and see their interlocking and contradictory relationships to one another. We can thus map the precise workings of land transfer and transformation, appropriation and alienation. We are afforded a clearer view of how Native space was

simultaneously made and unmade. Then perhaps we can begin to make sense of how it can be that 94 percent of the land base in British Columbia remains provincial Crown land at the same time as the perceived shortage of settlement lands endures.

GENEALOGIES OF COLONIALISM I

Revealing the dialectic between policy and practice can elucidate the nature of colonialism and dispossession more broadly. The presumed separation of Indian policy, settler policy, and settler practice is historically entrenched, and we live with (and through) it still. “Indian land” is neatly segregated from “non-Indian land.” The separation is palpably present in the stranding of reserve lands across British Columbia: farms without irrigation, “beaches” without water access, fishing stations without fish. Settler policies and practices worked in concert with Indian policy to produce this landscape of the absurd. Policy makers and settlers may not have cooperated knowingly, but their lives were part of a common colonial lineage. Like members of an extended family, they were related even as they operated largely independently of one another. Not all family members were on speaking terms, but this did not erase their common family ties.

Historian Duane Thomson’s work on the Okanagan can be used to illustrate this point. In 1861 the Okanagan reserved lands for themselves that encompassed most of the good bottomland in the Penticton region. But in 1865 a justice of the peace ordered these reserves be reduced to an eighth of their original size because the tracts were, in his estimation, too large for “semi-nomadic” people. In fact, “Penticton,” which means “people always there,” was quite probably occupied year-round historically. In 1877, Okanagan protests helped persuade the Indian Reserve Commission to restore some land to the reserves based on the number of head of livestock held. At first glance this seems an instance where colonizers righted their own wrongs. But in the years between 1865 and 1877 settler stockholders had preempted the fertile bottomland that was previously part of the reserve, and that land would not be restored to the reserve. Over the same period many Okanagan families, suffering from the lack of adequate rangeland and water, must also have lost heads of livestock, which reduced the acreage to which they were entitled in 1877. Throughout the 1890s settler practices eroded the Okanagan land base

further. The reserve's river frontage was fraudulently appropriated, compromising riparian access of reserve residents. The Crown sold off land adjacent to the reserves, eliminating Okanagan right-of-way to Crown lands that lay beyond. Then, in the early twentieth century, international property developers began to turn land in the region toward fruit production, siphoning off ever greater proportions of the scarce water resources.⁴⁷ Settlers and developers and investors came and went. Whether they thought about Aboriginal people in the process made little difference to the outcome: the Okanagan people ended up with marginal land and without the water rights necessary to improve that land. Okanagan families watched as orchards sprang up around their parched communities. Their reserves became desert isles surrounded by fresh water seas of irrigation. Generations of settlers, developers, administrators, and reformers were partnered, whether they knew it or not, in a common choreography of dispossession.

Chinese immigrants, themselves victims of discrimination under colonial policies, were likewise members of this colonial troupe. In 1884 the legislature passed an act denying Chinese the right to preempt land or divert water.⁴⁸ Legally their status became more similar to Indians than ever before. But in practice this legislation did little to forge alliances between Chinese and Aboriginal people. Instead, it increased the likelihood of Chinese trespasses on the small portion of lands that were being remade as "Native space." Legally shut out from land and water rights, Chinese settlers looked to lands reserved for people similarly reviled by colonial authorities. Chinese prospectors or farmers might have anticipated that White authorities would be slow to correct transgressions committed against Aboriginal people. Some Chinese had found this to be the case even before the 1884 restriction.⁴⁹ By placing Chinese and Indians on similar legal footing, White authorities diverted Chinese ambitions away from the land desired by Whites and toward reserve land. At the same time Chinese preemptions that predated 1884 became obvious targets for Indians whose meager reserve allocations were too small to support them. Under such circumstances conflicts over land and water between Indians and Chinese were almost inevitable.

By indirectly engineering such conflicts, elites also generated increased measures of Indian acquiescence to colonial hegemony. Faced with Chinese encroachments, Aboriginal people were more likely to turn for help to federal Indian agents (who had no jurisdiction over provincial matters

of preemption) or to White neighbors (who could afford to act benevolently with their racial privilege safely swaddled). When Whites intervened (as they sometimes did) to rectify illegal action taken by Chinese against Aboriginal people, they simultaneously solidified their authority and power over Aboriginal people. Mapping these complex interconnections on the ground would tell us new things about the racialized production of hegemonic consent that facilitated dispossession in places like the interior of British Columbia, where treaties were never signed.⁵⁰

Elsewhere, where treaties *were* signed, the contours of colonialism's figurative genealogies appear remarkably similar. Here, too, the micro-techniques of dispossession that transformed indigenous territory into settlement lands were crucial in determining the historical meaning and efficacy of treaty provisions over time. The treaties in Washington Territory (1854–56) and the Douglas treaties in British Columbia (1850–54) all contained articles guaranteeing the signatories the right to hunt and/or fish in the customary manner on unoccupied ceded land. Article 5 of the Treaty of Point Elliott (1855), for example, which encompassed Island County, Washington, promised both the “right of taking fish at usual and accustomed grounds and stations” and “the privilege of hunting and gathering roots and berries on open and unclaimed lands.”⁵¹

The interrelated land practices that would nullify this clause in practice, if not on paper, take us back before 1855. “Gathering roots” referred to the cultivated bracken and camas that were staples of the Coast Salish diet. Yet bracken and camas grew on the same prairie land coveted and seized by the first generation of White settlers to Island County. A macro view of Island County history tells us that White population growth was minimal—only 294 by 1860—and might mislead us to believe that Article 5 protected indigenous subsistence and usufruct rights. But the micro view offers a more telling story: The wave of settlers who arrived between 1852 and 1853 settled “almost entirely on prairie land,” with the result that by the spring of 1853 “open and unclaimed” prairie was practically nonexistent.⁵² Thus, two years before the Treaty of Point Elliott, it was already impossible to protect the prairie land ecology of the Kikiallus of Island County. The promise to do so in 1855 was hollow; by that time the Kikiallus were already dispossessed from this key element of their economy.

Having acquired the most fertile land in the county, early prairie settlers and their heirs stayed and prospered. They created successful farms

on land that increased a hundredfold in value over twenty years; the farmers who followed would not come close to matching the prosperity of this first generation.⁵³ The Kikiallus, displaced from the agricultural elements of their traditional economy, became farm laborers. Laboring in order to feed their families, they further subsidized the prosperity of early settlers. (The first subsidy, of course, had been the land itself.) In the mid-1870s mechanization began to push the Kikiallus out of farm labor.⁵⁴ After the loss of the prairie, this was the second economic displacement that they experienced in less than a generation.

Kikiallus access to hunting grounds likewise eroded. Through the 1860s White men cut timber for their personal use and for sale to mills even though, in the words of the historian Richard White, they “did not have a shadow of title to it.”⁵⁵ Fraud and theft were ordinary practices in the woods. Mill companies bought their own land but delayed logging it as long as logs from rogue operators were available. The Kikiallus were doubly denied: they had access to unsundered but logged-over land, and they lacked access to forested but alienated land. At the same time speculators were able to purchase and hang on to large tracts of the county despite nonpayment of taxes.⁵⁶ The Kikiallus hunting territory in Island County shrank piecemeal.

Eventually, in the 1890s these economic displacements were followed by full physical displacement when the Kikiallus began at last to acquiesce to the prospect of moving to the reservations that had been set out in the 1855 treaty. Reservation residents might have hoped to make use of Article 5 when they returned to Island County to fish seasonally, but in this, too, they would be stymied. In the first decades of the twentieth century non-Indian-owned fish traps encircled Whidbey Island, effectively barring Kikiallus access to fish there.⁵⁷ Had they been compensated for that valuable prairie land decades earlier, the Kikiallus might have had the capital to invest in fish traps of their own. Newcomers’ guarantee of usufruct rights on paper and their breach of that guarantee in practice worked in concert to dispossess the Kikiallus.⁵⁸

The succession of newcomers to places like Island County, Salt Spring Island, and the Okanagan Valley included farmers, speculators, loggers, and fishers. These groups were riven by class differences; they worked largely independently of each other. Some of them were probably hostile toward Aboriginal people; others were no doubt sympathetic toward those they viewed as “vanishing Indians”; and others still surely formed

meaningful and nuanced relationships across the divides of culture and power. Assessing the intentions of different members of the colonial family does not bring us closer to understanding the mechanisms of dispossession on the ground. For that we need to examine the relationships between the practices of colonizers of different stripes. We need to zoom in to map the microtechniques of dispossession on the ground, and we then need to stand back to view the constellation of these techniques as the product of colonialism.

GENEALOGIES OF COLONIALISM II

Members of the colonial family tree were diverse by class, ideology, and personal idiosyncrasy. We would be seriously remiss, however, to overlook the additional diversity of ancestries that we conceptualize as “race.” Marriage among early pioneers was not only, or even primarily, among White immigrants. In late nineteenth-century British Columbia and Washington, for example, more than a thousand pioneer families originated in households where an Aboriginal woman partnered with a non-Aboriginal man.⁵⁹ In the case of rural British Columbia this means, as the historian Jean Barman has pointed out, that “somewhere between one in every ten to twenty non-Aboriginal men lived with an Aboriginal woman, and another larger proportion with a woman of mixed race.”⁶⁰ These women of Aboriginal and mixed ancestry were pioneers too, although they have not generally been recognized as such.⁶¹ The mix of non-Aboriginal and Aboriginal heritage in these pioneer households must surely complicate the figurative genealogies of colonial practice discussed earlier. What does it mean that the elite men who made land policy and the working-class men who labored on the land were often married to Aboriginal women?

Instead of assigning blame for Aboriginal dispossession to one member of a mixed-heritage family, it is more useful to consider the general questions of relationship and responsibility that these genealogies raise. Colonialism’s network of laws, attitudes, and practices placed these families and their offspring at the center of the transformation and transfer of lands. In British Columbia, children of combined Aboriginal and non-Aboriginal descent often found themselves doubly denied. In Canada, the federal Indian Act of 1876 imposed a patrilineal definition of “Indian,” denying Indian status to Aboriginal women who had children

with non-Aboriginal men. The children were likewise denied Indian status. Mothers and children alike were forbidden from residing on reserves. Denying these children access to their mothers' extended families propelled them into the social and economic milieu of immigrant society. The consequences of this in turn were gender specific. Lacking social and material capital, the boys usually grew up to be laborers in the colonial economy, subsidizing the primitive accumulation of early immigrant pioneers. This was an experience they shared with the Kikiallus of Island County and with their Aboriginal kin in general. The young men were denied both the white privilege of their fathers and the Aboriginal rights of their mothers. Daughters of dual heritage had more opportunities to integrate into the social milieu of their fathers but usually at the cost of their Aboriginal identity. Many of these women in turn bequeathed a genealogical amnesia to their children, choosing not to tell them about their Aboriginal lineage.⁶²

In practice, then, thousands of descendants of Aboriginal mothers were effectively cut off from their indigenous roots. Families were cleaved in two, often never to be reconnected. The outcome of this deracination was certainly social, but it was also political and economic. When assimilationist practices bled off members of Aboriginal families, the number of people with demonstrable links to indigenous political structures shrank drastically. At the same time assimilationist practices and pressures reduced the pool of people who could challenge the ongoing transfer of British Columbia's capital (that is, land and resources) from indigenous hands to nonindigenous control. If what Marx ironically termed the "secret of so-called primitive accumulation" was to remain a secret, colonizers were well advised to limit the number of people who were in on it.⁶³

Since the first days of European arrival in North America, intermarriage with Indigenous peoples had been a survival strategy for newcomers. This practice is usually seen as ending with the fur trade era. In places like rural British Columbia, however, intermarriage between immigrants and Aboriginal women continued well past the fur trade period. Immigrant settlers to Salt Spring Island in the second half of the nineteenth century, for example, gained access to and knowledge about local resources from their Aboriginal friends and relatives. Historian Ruth Sandwell has stressed that the economies and lifestyles of non-Aboriginal settlers had a great deal in common with those of Aboriginal

people on reserve, some of whom were their in-laws.⁶⁴ These commonalities in practice are crucial, in part because they enrich our understanding of social history. More broadly, they matter because they masked the simultaneous transformations at the political and economic levels as massive amounts of wealth were siphoned off from Aboriginal communities.

Aboriginal people who built log houses on Salt Spring Island knew that their right to land had a different derivation than that of settlers who built similar structures. They pointed to this difference when they explained that they had “always” used the island’s land and resources, a historically entrenched claim that they supported with the physical evidence of ancestral graves.⁶⁵ Working-class immigrants to Salt Spring Island had likely never owned the means of production, but their Aboriginal friends, neighbors, and relatives had until quite recently. The extent to which rural settler and reserve economies resembled one another by the end of the nineteenth century is a measure of the extent to which Aboriginal people had already been dispossessed in practice, although not in law, of their capital.

Sandwell reads the similarities between Aboriginal and non-Aboriginal rural life as a challenge to “the very notion of a coherent white-settler society that could be understood as the colonizing ‘other’ of nineteenth-century British Columbia.”⁶⁶ The point is not simply that there existed no single unified monolith of “colonial society,” although this is true enough. What deserves our attention is that a “coherent white-settler society” was not *required* in order to colonize and dispossess Indigenous peoples of their land and resources. The fractures and fissures in that fiction of “white-settler society” cannot be said to have curbed the process of colonization in any straightforward manner. And in fact, they may have facilitated colonization’s success. After all, one is unlikely to mount resistance against in-laws and neighbors who lead lives much like one’s own. Regardless of personal intentions, feelings, or affiliations, the practices of pioneer families on the ground were what fashioned British Columbia out of indigenous territory. If Indian policy was an iron fist, intermarried pioneer men were sometimes the velvet glove.

The White men who raised families with women of Aboriginal descent may have done colonialism’s work, but they received neither reward nor recognition for their acts. Instead, the White men who partnered with Aboriginal women lived against the grain of colonial dis-

course that reviled their choices. Charged with undermining racial supremacy, compromising civilization, and threatening the stability of empire, these men had little reason to see themselves on the same side as the elite urban missionaries, politicians, and rhetoricians who judged them.⁶⁷ Yet the de facto result of their marriages was the deracination of their wives from their Aboriginal families and patrimony.

And what of the Aboriginal and mixed-heritage wives? How are we to understand their precarious position in colonialism's sprawling genealogy? We know little about their motivation for marrying immigrant men, although we might well assume that they did what they believed best for themselves and their families.⁶⁸ At the level of individual instances this may have turned out to be the case in the short and even long terms. Evidence of relationships that endured over time, that were marked by affection, or that provided secure homes for women and their families is important and should not be dismissed. At the same time such evidence should not, as historian Adele Perry has noted, "obscure . . . the coercive details and larger brutality of colonialism."⁶⁹ The disparate practices of colonialism shaped the broader impact of these women's individual spousal choices. The combined effect was to earn these women places on the colonial family tree.

Such genealogical connections do not ascribe blame; they do point to the opacity of the colonial context when viewed from the ground. They remind us that in the long run the broader ramifications of our daily actions are utterly unpredictable. They remind us that direct causal connections are not necessary to achieve consequential outcomes. The result can be equally forceful, as Perry notes, when phenomena are "inextricably and largely accidentally bound by chronology."⁷⁰ Such is the central insight of genealogy.

GENEALOGIES OF SCHOLARSHIP

There is precious little work that takes up the perspective I have advocated throughout this essay. Sources are part of the problem. Tracing the history of land practices is not nearly as simple as tracing the history of land policies. Sources are much scarcer for such an endeavor, if they exist at all. Getting at most land practices requires sources of rural rather than urban origin. Given the low literacy rates among many rural residents in the nineteenth-century North American West, such sources are

rare. It is sometimes possible to cross-reference land records to trace the history of specific pieces of land, as Ruth Sandwell has done, but this is time-consuming, demanding, and must be meticulously done. Such is to be expected of a genealogical approach, which, as Foucault noted, “requires patience and a knowledge of details, and . . . depends on a vast accumulation of source material.”⁷¹ The most obvious reason there has been so little of this sort of research is simple: it is hard work.

Yet if academics have devoted little genealogical attention to settler practice, the same cannot be said of the teams of researchers who work for First Nations. First Nations attention to settler practice is not simply of scholarly interest; rather, it is central to their efforts to gain restitution, whether at the treaty table or in the courtroom. Lawyers, judges, bureaucrats, and officials of today demand a close and precise accounting of settlers’ actual practices on the land over time. The historical genealogy of land practice across British Columbia is not impossible to retrieve. In fact, it is accumulating day by day in the databases and filing cabinets of band and treaty offices. The barriers between academic and applied research are such that many academic scholars may be entirely unaware of these growing collections of historical knowledge. Those who are aware cannot even hope to gain access to the research until after the cases have been tried. And even then, First Nations may decide not to release the research for academic purposes. Yet as the legal stakes increase, so do the caches of research. Genealogical method not only produces a conceptually more satisfying framework for understanding colonialism, it also provides a more usable framework for dealing with its legacy.

Why, then, have academic scholars been slow to focus research on settler practice? Conceptual blinders, inherited from our scholarly forebears, have certainly played a role, and these deserve our scrutiny. The scholarly tendency to privilege policy over practice suggests one of the ways in which colonial tropes continue to shadow our narrative and interpretive choices. Our scholarship no longer celebrates the colonial past, yet our choice of historical protagonists, heroes, and villains remains diagnostic. We have become comfortable laying responsibility for our modern-day “Indian problem” at the feet of politicians and Indian affairs bureaucrats of days gone by. We have had studies of Indian affairs bureaucrats at the federal and agency levels.⁷² The scholarship on British Columbia, in particular, has long been characterized by

debates over the personalities, policies, and intentions of men in official positions such as James Douglas and Joseph Trutch, with Gilbert Malcolm Sproat recently being added to the cast.⁷³ These policy makers of the past are easily othered—that is, they are not us. This tendency is only accentuated by today’s general cynicism toward politicians and bureaucrats.

We are less comfortable, it seems, dealing with the mundane practices of colonialism and dispossession as they were deployed by so-called regular folk. Sandwell’s microhistory of Salt Spring Island, for example, offers an impressively intimate view of settler practices on the ground over time. Having taken great care to distinguish between urban-based rhetoric and rural-based practice, Sandwell’s instinct is to stress settler and Aboriginal agency in its resistance to dominant rhetoric rather than to locate that agency within its genealogical context. This leaves broader questions of power unaddressed and implicitly suggests that similarities between Aboriginal and non-Aboriginal lifestyles somehow distanced nineteenth-century working class immigrants from the colonial project.⁷⁴ My point is not to single out Sandwell but rather to urge reflection on the contours of our collective scholarly choices. To a greater extent than we often admit, our scholarly “choices” continue to be shaped by those who came before us. In a practical sense we can see this in the sources we have inherited. Documents about “Indians” reside in different record groups than documents about immigrants. Bureaucratic distinctions have become archival distinctions and these in turn historiographical ones. In a broader discursive sense we have likewise inherited ideological baggage packed within colonial categories. As scholars today we disown the historiographical traditions that uncritically celebrated pioneer heroes and mourned vanishing Indian victims. But we have not brought our correctives to these two traditions into conversation with one another. And it is here that our scholarly choices may betray us. Scholarship’s segregation of immigrant pioneers from the work of dispossession suggests that at some level we continue to lionize hard-working pioneers. In Canada in particular the exceptionalist myth that frontier settlement followed in the wake of British law and order has furthered tendencies to see settlers as hapless bystanders rather than full participants in colonialism. Likewise, scholarly work that removes indigenous actions from their colonial context continues to deny full agency to Aboriginal people. Indigenous people participated in

colonialism but, to paraphrase Marx, not under circumstances of their own making. They were victims but they were not *only* victims.⁷⁵ The colonial family tree is gargantuan, and it is hung heavy with contradictions and inequalities among its members.

YOU DON'T PICK YOUR FAMILY

Whether or not individuals carried heavy consciences for acts perpetrated by their colonial relations, they enjoyed the subsidy of free land and bequeathed it to their heirs. This is something for which they cannot personally be blamed but for which they are nonetheless surely responsible. The specter of mass reparations haunts any discussion such as this, of course. But we have plenty of precedent for this sense of responsibility in our society. In both legal and moral terms we accept that people are often responsible for outcomes they did not intend. Intention plays a role in the distinction between manslaughter and murder, for example, but it does not absolve the perpetrator or bring back the victim. We are similarly accustomed to holding institutions responsible for actions committed in the past under the auspices of the corporation, church, government, or military as the case may be. The same can be said more broadly of society. The ancestors of our society, even if not our biological ancestors, made treaties that we are responsible for honoring, and they committed depredations—including the refusal to negotiate treaties—that we are responsible for rectifying.⁷⁶

“Responsibility” also has another, more positive connotation that is helpful here. We should remember that being considered a “responsible person” is a positive trait in our society and that we appreciate those who live up to their responsibilities. Following the work of historian Victoria Freeman, we might attempt “the acknowledgement of the destruction we have wrought—not for the purposes of assigning blame and guilt, but as a necessary foundation for trust.”⁷⁷ With this in mind we might feel less threatened by, and thus more open to, the reconfiguration of colonial genealogy that encompasses us all.

Every non-Aboriginal person in British Columbia today is a living beneficiary of the original sin of dispossession. This hidden subsidy keeps our quality of life afloat. And it is the unspoken secret of this subsidy that causes a collective shudder when the reallocation of settlement lands is proposed. We did not pick our colonial family, but we have inherited

its assets and are responsible for its debts. Ninety-four percent of land in British Columbia remains Crown land, much of which can still be leased or purchased in fee simple, yet paying our long-overdue debt to the original landowners seems to many an impossible feat. Our past is heavy with the accumulated multigenerational weight of these microtechniques of dispossession, these intimate interactions between policies and practices over time. Our past may be heavy with them, but they only comprise our history if we choose to shoulder our family responsibility and narrate them as our history.

POSTSCRIPT

This takes us, finally, back to the beach at Opitsaht. The Twombly family took a brave step when they returned to accept their inheritance of Captain Robert Gray's legacy. The "ancestral connection" they honored that day was neither easy nor pleasant. But it was an acknowledgment of a shared past, and in this acknowledgment the seeds of trust could be sown. Not all of us can trace our literal roots to early colonization, but we are nonetheless all rooted to this past. We all have a spot on this colonial genealogy. This is a difficult fact with which to reckon, particularly for residents of British Columbia today. It was perhaps no accident that the supplicants on that summer's day came from afar. For British Columbians to engage in a comparable act would be fraught not only with personal tensions and pain but with material stakes as well. The Twomblys, after all, did not occupy British Columbia, and whatever land they occupy today is not the land that the Tla-o-qui-aht want back. Joe Martin of the Tla-o-qui-aht First Nation seemed to understand this well when he spoke to a reporter about why the apology was so significant to his community: "Because . . . this has never been done anywhere else in Canada as far as I know. . . . These people are from the U.S of A. and we've never had the government come here . . . the government of *Canada* come here to apologize, to apologize to our people for taking out all these resources from under our feet and so on that belong to us, they rightly, rightfully belong to our people. People are very . . . happy about it and then of course a lot of them are being educated by it."⁷⁸

We can all be educated by the exchange that took place on the beach that day. The Twomblys did not pick their family, but they accepted their inheritance all the same. It would have been more difficult for them

to take such steps at home in Texas, Massachusetts, New Hampshire, or Oregon, just as it will be more difficult for British Columbians to do so in British Columbia. It is a harrowing task to dig down where we live and expose the roots that tie us to the colonial past, but it is also imperative.

NOTES

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1. Kevin Drews, “Descendants of U.S. Fur Trader Apologizes to Natives Near Tofino, B.C.,” *Canadian Press*, 19 July 2005, available online at <http://www.aptn.ca/forums/index.php?showtopic=521> (accessed 23 September 2005).

2. “Historic Apology to First Nation,” 18 July 2005, available online at http://vancouver.cbc.ca/regional/servlet/View?filename=bc_tofino-apology20050718 (accessed 25 July 2005).

3. Adele Perry, *On the Edge of Empire: Gender, Race, and the Making of British Columbia, 1849–1871* (Toronto: University of Toronto Press, 2001), 19, 196.

4. Ruth Sandwell, *Contesting Rural Space: Land Policy and the Practices of Resettlement on Saltspring Island, 1859–1891* (Montreal: McGill-Queen’s University Press, 2005), 5.

5. I hear this sentiment expressed by students in my classrooms, by liberal-minded middle-class families around the dinner table, and by pundits in their editorials. This notion persists, although 94 percent of land in British Columbia is still Crown land. Available online at <http://www.lwbc.bc.ca/02land/index.html> (accessed 21 October 2005).

6. Cole Harris, *Making Native Space: Colonialism, Resistance, and Reserves in British Columbia* (Vancouver: UBC Press, 2002).

7. Michel Foucault, “Nietzsche, Genealogy, History,” in *The Foucault Reader*, edited by Paul Rabinow (New York: Pantheon Books, 1984), 76–77.

8. *Ibid.*, 79.

9. *Ibid.*, 78.

10. Choosing a different metaphor, Walter Benjamin likens this method to climbing a ladder “rung by rung, according as chance would offer a narrow foothold,” never allowing oneself “a moment to look around” until the final

moment. Benjamin, *The Arcades Project*, translated by Howard Eiland and Kevin McLaughlin (Cambridge, Mass.: Belknap Press of Harvard University Press, 1999), 460nn2 and 4.

11. Hamar Foster and Alan Grove, “‘Trespassers on the Soil’: *United States v. Tom* and a New Perspective on the Short History of Treaty Making in Nineteenth-Century British Columbia,” chapter 3, this volume.

12. Victoria Freeman, *Distant Relations: How My Ancestors Colonized North America* (Toronto: McLelland and Stewart, 2000), 452.

13. Foster and Grove, “‘Trespassers on the Soil,’” chapter 3, this volume.

14. Claudio Saunt, *Black, White, and Indian: Race and the Unmaking of an American Family* (New York: Oxford University Press, 2005), 29.

15. Harris, *Making Native Space*, 138, 140–41.

16. *Ibid.*, 177–78.

17. See, for example, *Evidence Submitted to the Royal Commission on Indian Affairs for the Province of British Columbia: New Westminster Agency Transcripts, Part I* (Victoria, B.C.: The Commission, 1913–16), 254–55, 278; *Evidence Submitted to the Royal Commission on Indian Affairs for the Province of British Columbia: New Westminster Agency Transcripts, Part II* (Victoria: The Commission, 1913–16), 330; and Harris, *Making Native Space*, 248.

18. Harris, *Making Native Space*, 253.

19. *Ibid.*, chapter 8.

20. Of course, we might argue from this that story or not, these were the truths through which historical actors created meaning, and we treat those actors unfairly, not to mention ahistorically, if we assess them by today’s stories instead of their own. Such a relativistic stance, however, obscures at least one crucial fact: these historical stories of property were never that straightforward.

21. The history of this conflation dates at least to the seventeenth century. The absence of private property was one of the traits of the Hobbesian “war of all against all.” John Locke’s subsequent work on property stressed the notion of “improvement” of land and did much to influence the progressive narrative about property that continues to hold so much sway. See Nicholas Blomley, *Unsettling the City* (New York: Routledge, 2004), 85–86 and 115–16, for commentary on Locke. See also Harris, *Making Native Space*, 46–56.

22. Robert Cail, *Land, Man, and the Law: The Disposal of Crown Land in British Columbia, 1871–1913* (Vancouver: UBC Press, 1974), 15; and Sandwell, *Contesting Rural Space*, 69–70. If the preemption had already been surveyed, the preemptor had three years’ grace in which to make payment. The 1861 Ordinance provided that a single man could claim 150 acres, and a married man could claim 200 acres with an additional 10 acres per child under eighteen. Cail, *Land, Man, and the Law*, 15. See Harris, *Making Native Space*, 76–78, for examples of the “slips of paper” that substantiated preemptions. Settlers similarly preceded surveyors in Washington. See Richard White, *Land Use, Environment, and Social Change* (Seattle: University of Washington Press, 1980), 38.

23. *Evidence Submitted to the Royal Commission on Indian Affairs for the Province of British Columbia: West Coast Agency Transcripts* (Victoria: The Commission, 1913–16), 107–8, 116–17.

24. *Evidence Submitted to the Royal Commission on Indian Affairs for the Province of British Columbia: New Westminster Agency Transcripts, Part I*, 280–82; *Evidence Submitted to the Royal Commission on Indian Affairs for the Province of British Columbia: New Westminster Agency Transcripts, Part II*, 439–40, 446, 666–67; and J. Laverock, Land Surveyor, to G. H. Dawson, Surveyor General, 27 November 1915, file 520b, volume 11020, RG10, Department of Indian Affairs.

25. *Evidence Submitted to the Royal Commission on Indian Affairs for the Province of British Columbia: New Westminster Agency Transcripts, Part I*, 272–73.

26. *Ibid.*, 298; [?] to Royal Commission, 11 August 1915, file 520b, volume 11020, RG10, Department of Indian Affairs.

27. *Evidence Submitted to the Royal Commission on Indian Affairs for the Province of British Columbia: New Westminster Agency Transcripts, Part I*, 312–13, 323–26.

28. Richard White, *Land Use, Environment, and Social Change*, 56. On the difficulty of clearing land, see also Sandwell, “Negotiating Rural,” in *Beyond the City Limits*, edited by Ruth Sandwell (Vancouver: UBC Press, 1999), 96; and Richard Mackie, “Cougars, Colonists, and the Rural Settlement of Vancouver Island,” in *Beyond the City Limits*, 133.

29. *Evidence Submitted to the Royal Commission on Indian Affairs for the Province of British Columbia: New Westminster Agency Transcripts, Part I*, 324.

30. Harris, *Making Native Space*, 140, 144.

31. *Evidence Submitted to the Royal Commission on Indian Affairs for the Province of British Columbia: Nass Agency Transcripts* (Victoria: The Commission, 1913–16), 176–77; *Evidence Submitted to the Royal Commission on Indian Affairs for the Province of British Columbia: Cowichan Agency Transcripts, Part I*, 46.

32. *Evidence Submitted to the Royal Commission on Indian Affairs for the Province of British Columbia: West Coast Agency Transcripts*, 112.

33. *Ibid.*, 97–98.

34. *Ibid.*, 159–60, 161, 162; *Evidence Submitted to the Royal Commission on Indian Affairs for the Province of British Columbia: Queen Charlotte Agency Transcripts* (Victoria: The Commission, 1913–16), 43.

35. *Evidence Submitted to the Royal Commission on Indian Affairs for the Province of British Columbia: West Coast Agency Transcripts*, 97–98, 112.

36. Sandwell, *Contesting Rural Space*, 73–75, 85–121, 128, 226–28; and Sandwell, “Negotiating Rural,” 91–95, 98–100.

37. See, for example, “New Westminster Agency—Applications for Land—Land Improvements,” file 520b, volume 11010, RG10, Department of Indian Affairs; and *Evidence Submitted to the Royal Commission on Indian Affairs for the Province of British Columbia: New Westminster Agency Transcripts, Part II*, 451–679.

38. Harris, *Making Native Space*, 182.

39. *Ibid.*, 141.

40. See J. Edward Chamberlain, *If This Is Your Land, Where Are Your Stories?: Finding Common Ground* (Toronto: Vintage Canada, 2004).

41. Sandwell, *Contesting Rural Space*, 225–31; Sandwell, “Negotiating Rural”; and White, *Land Use, Environment, and Social Change*, 56–59, 67.

42. Harris, *Making Native Space*, 140–44.

43. On fishing and reserves in British Columbia, see Douglas C. Harris, *Landing Native Fisheries: Indian Reserves and Fishing Rights in British Columbia, 1849–1925* (Vancouver: UBC Press, 2008).

44. R. J. Sparke to Regional Land Use Officer, 2 June 1971, J. Woodard File 1664.5.12.1969–1973; R. J. Sparke to Land Registry Office, 20 February 1973, J. Woodard File 1664.5.12.1969–1973; “Leases and Legal Problems Facing the Nootka Band,” 3 January 1974, J. Woodward File 1664.7.10; R. J. Sparke to Chief & Council, Mowachaht Band, 23 May 1975, J. Woodward file 1664.7.03; R. J. Sparke to Lewis Wong, 24 June 1975, J. Woodard File 1664.5.12.1974–76; and Meeting Minutes, “Book E,” 15 February 1980, J. Woodard File 1664.5.18.00 (Ledgers). All files property of the Mowachaht/Muchalaht First Nation.

45. Davis McKenzie, “Righting Past Wrongs: Restoring Toh Kwon_non,” *Neh Motl*, 1 September 2005, 1–2; personal communication with Elsie Paul, Sliammon, B.C., 29 March 2005. In the fall of 2005, the Sliammon were working to restore the reserve and salmon habitat at Toh Kwon_non.

46. Harris, *Making Native Space*, especially part 2.

47. Duane Thomson, “The Reponses of Okanagan Indians,” *BC Studies* 101 (spring 1994): 102–4, 108, 109.

48. Cail, *Land, Man, and the Law*, 36.

49. See, for example, Harris, *Making Native Space*, 144.

50. I am indebted for these insights to conversations with Tao-Yee Lau, an honors student in the history department at the University of British Columbia. She explores examples of Chinese-Aboriginal interaction in her research paper for History 429, “Indigenous Inhabitants and Alien Migrants: Chinese Intrusion onto Native Land in 1870s–1890s British Columbia,” December 2004.

51. “Treaty of Point Elliott, 1855,” *HistoryLink.org: The Online Encyclopedia of Washington State History*, available online at http://www.historylink.org/essays/output.cfm?file_id=2629 (accessed 23 September 2005).

52. White, *Land Use, Environment, and Social Change*, 21, 37.

53. *Ibid.*, 55, 59. Early arrival gave White, but not Black, settlers on Salt Spring Island a similar “edge” over later arrivals. Sandwell, *Contesting Rural Space*, 187, 227.

54. White, *Land Use, Environment, and Social Change*, 72.

55. *Ibid.*, 80.

56. *Ibid.*, 58–59, 77, 83.

57. *Ibid.*, 72.

58. This dual phenomenon had deep historical roots that extended back to seventeenth-century New England, where it had similarly helped accomplish indigenous dispossession. See Freeman, *Distant Relations*, 440–41.

59. Jean Barman, "What a Difference a Border Makes," *Journal of the West*, 28, no. 3 (July 1999): 16.

60. Jean Barman, "Invisible Women: Aboriginal Mothers and Mixed-Race Daughters in Rural Pioneer British Columbia," in *Beyond the City Limits*, 160.

61. *Ibid.*, 159–60.

62. *Ibid.*, 173–77.

63. On the effect of thus reducing the number of individuals who could claim "Indian" status, see Bonita Lawrence, "*Real*" *Indians and Others: Mixed-Blood Urban Native People and Indigenous Nationhood* (Vancouver: UBC Press, 2004). The concept of the "secret of primitive accumulation" comes from Karl Marx, *Capital, Volume One* (1867) (Toronto: Vintage Books, 1977), chapter 26. Quite different implications remain to be explored south of the border in Washington, where mixed-heritage families were far more likely to be identified as "Indians." Barman, "What a Difference a Border Makes," 14–20.

64. Sandwell, *Contesting Rural Space*, 5, 134–37. See also Barman, "Invisible Women," 160; Perry, *On the Edge of Empire*, 58–61; and Jay Nelson, "'A Strange Revolution in the Manners of the Country': Aboriginal-Settler Intermarriage in Nineteenth-Century British Columbia," in *Regulating Lives: Historical Essays on the State, Society, the Individual and the Law*, edited by John McLaren, Robert Menzies, and Dorothy E. Chunn (Vancouver: UBC Press, 2002), 50.

65. G. H. Richards, Rear Admiral and Commander in Chief, to James Douglas, Governor, 10 April 1860, File 1213, GR1372, British Columbia Archives.

66. Sandwell, *Contesting Rural Space*, 5.

67. Perry, *On the Edge of Empire*, 69–74.

68. As Barman notes, the relative lack of historical understanding of Aboriginal women results from the gendering of both historical sources and of historiography. Barman, "Invisible Women," 163.

69. Perry, *On the Edge of Empire*, 62.

70. *Ibid.*, 75.

71. Foucault, "Nietzsche, Genealogy, History," 76–77.

72. E. Brian Titley, *Narrow Vision: Duncan Campbell Scott and the Administration of Indian Affairs in Canada* (Vancouver: UBC Press, 1986); E. Brian Titley, *The Frontier World of Edgar Dewdney* (Vancouver: UBC Press, 1999); and Robin Jarvis Brownlie, *A Fatherly Eye: Indian Agents, Government Power, and Aboriginal Resistance in Ontario, 1918–1939* (Don Mills, Ontario: Oxford University Press, 2003).

73. Robin Fisher, *Contact and Conflict: Indian-European Relations in British Columbia, 1774–1890*, 2d edition (Vancouver: UBC Press, 1992); Paul Tennant, *Aboriginal Peoples and Politics: The Indian Land Question in British Columbia, 1849–1989* (Vancouver: UBC Press, 1990); and Harris, *Making Native Space*.

74. Although Cole Harris offers a certain corrective to this tendency, he errs in another direction. Harris does not shy away from implicating settlers, and instead affords settler attitudes significant explanatory power in the processes of dispossession. Yet he accomplishes this by transposing metropolitan rhetoric about settler

ideology onto “settler society” at large. This is the same conflation of rhetoric and practice that Sandwell so convincingly demonstrates requires deconstruction; this is the conflation that the logic of genealogy challenges. See, for example, Harris, *Making Native Space*, 46–56.

75. Freeman, *Distant Relations*, 462.

76. *Ibid.*, 445, 452, 455.

77. *Ibid.*, 458.

78. Emphasis in original. “B.C. Almanac’s Mark Forsythe Speaks with CBC TV Reporter Duncan McCue,” 18 July 2005, audio clip: bc_tofino050718.ram, available online at http://vancouver.cbc.ca/regional/servlet/View?filename=bc_tofinoapology_20050718 (accessed 25 July 2005).

