

W̱SÁNEĆ villages surely must have seen themselves as one. “As Suttles has noted, the occupants of the new houses at [Tsawout] may have been related, but they came from different communities” (Bouchard & Kennedy 1996:57).

According to the late W̱SÁNEĆ Elders Earl Claxton Sr. and Ray Sam (2010):

Before the Douglas Treaty and the creation of reserves, the W̱SÁNEĆ First Nations were all one people who spoke SENĆOŦEN and lived by an ancient, time-proven, strict system of ownership/stewardship for sharing the land, beaches, and sea of the W̱SÁNEĆ home place. Different families lived in different places throughout the islands, depending on seasonal needs and family alliances. (28)

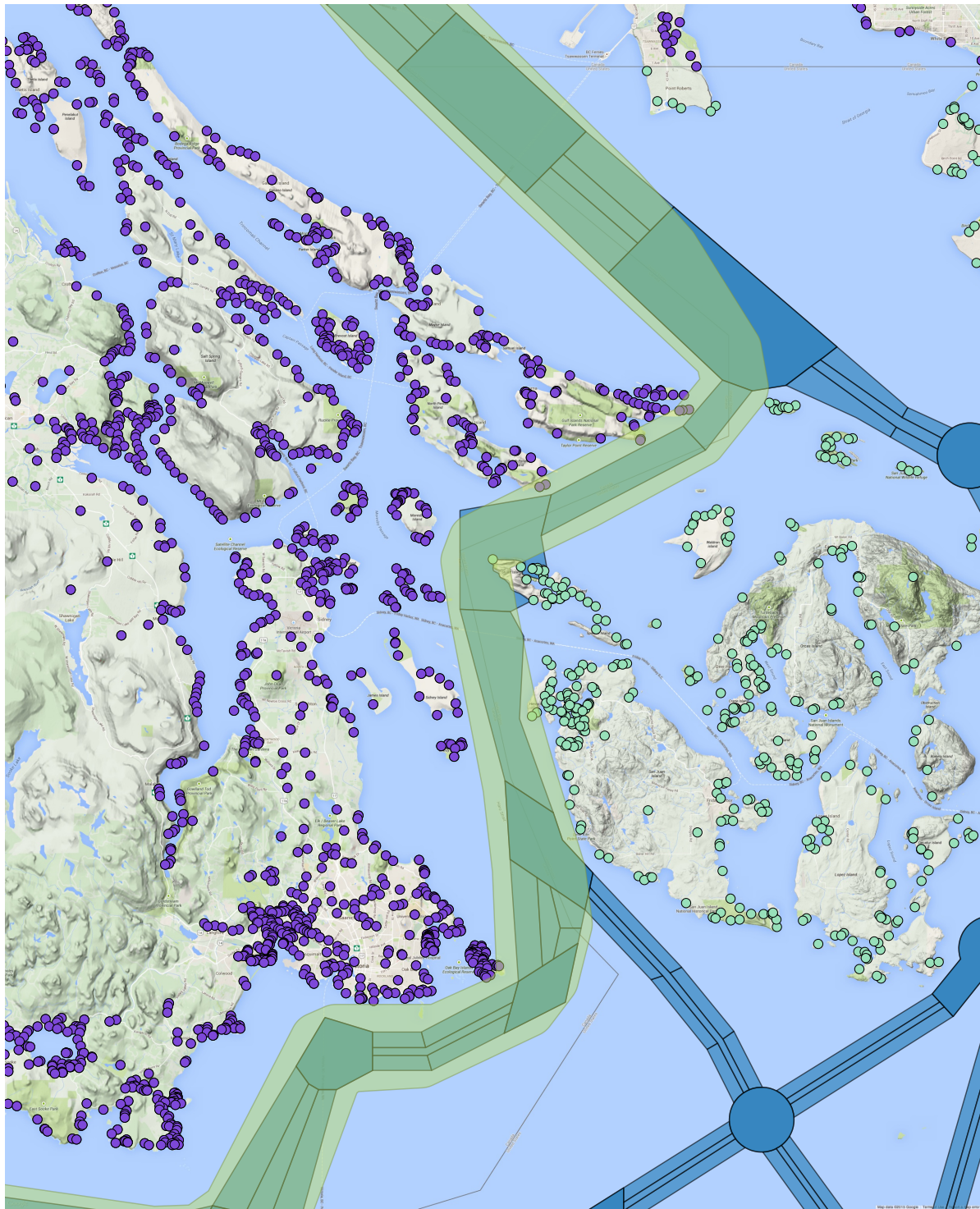
Suttles (1963:513) suggests that conventional European notions of community may be insufficient for understanding the ties between W̱SÁNEĆ families and villages. Describing the entire traditional territory as a social continuum “within which the village was only one of several equally important social groupings,” he distinguishes at least six different and coexistent forms of community that organized W̱SÁNEĆ social relations (Suttles 1963:513). Within this whole, he writes, “the village was certainly not a self-contained social unit. Individual and family ties were as strong between villages as within the village” (Suttles 1963:513). Indeed, Suttles (1963) observed that it was a “nondiscrete, nonlocalized, property-holding kin group... or its head, rather than any of the residential groups, that owned the most important ceremonial rights and the most productive natural resources” (213). Tsawout Hereditary Chief, Eric Pelkey, illustrated this point as follows:

Really, the only areas that were really owned and protected by the families were the reef net areas. The reef net areas were a hereditary right that were passed down from generation to generation, and you had a right to those areas. I think that on the whole everything else was commonly held by everybody. You weren't allowed to own anything, you weren't allowed to say that this is mine, this is my area. But people had their own knowledge about harvesting areas, and their own knowledge that was passed down from generation to generation about the special places to fish, to harvest certain plants, and they would pass that on from generation to generation... We'd say that as long as you're from Saanich you're allowed to be out there anywhere in the territory to hunt and to fish... Our resources in the community were resources that was supposed to be shared with everybody. (MUS 2014)

Perhaps the sense of unity amongst W̱SÁNEĆ villages and families was described most succinctly by W̱SÁNEĆ Elder Dave Elliot Sr. (1983) in his account of W̱SÁNEĆ history and culture: “We have always been one People. We are W̱SÁNEĆ. Our separate community sites did not separate us as a People.” (17)

3.1 Archaeology

The Strait of Georgia has been subject to much archaeological study including regional surveys .The archaeological evidence shows that people began occupying the region of the Georgia Strait immediately subsequent to deglaciation, with several sites having components which data back to more than 9000 years (Alan D. McMillan 1999). Known types of sites in the region include Burial Cairns, canoe runs, clam gardens, cultural depressions, culturally modified tress, defensive sites, fish traps, lithic scatters, middens, pictographs and petroglyphs and wet sites (fish weirs, basketry, cordage).



Registered Archaeological Sites as of 2002, Shipping Lanes, and the Transmountain Local Study Area

Data Source: Sencot'en Alliance Traditional Use and Occupancy Study citing B.C. Archaeology Branch and Washington State Office of Archaeology & Historic Preservation. Mapped by Trailmark Systems, QGIS 2015

Legend

- Arch Sites (BC Arch Branch)
- Arch Sites (Washington OAHHP)
- Local Study Area
- Shipping Lane

1:500,000

Map 1: Archaeological sites, data as of 2002.

3.2 W̱SÁNEĆ Linguistic and Social Affiliations

The W̱SÁNEĆ are part of a larger cultural group known as the Coast Salish who, according to W̱SÁNEĆ oral history, ethnographic and historical research, and archaeological findings, have occupied the Gulf of Georgia continuously for thousands of years (Claxton 2003:6; Elliot & Poth 1983:5; Suttles 1987:266). Wayne Suttles (1990:456) and Wilson Duff (1997:40-41), and contemporary linguist Timothy Montler (1986), all classify the W̱SÁNEĆ as belonging to a group of Coast Salish first nations who collectively used and occupied the straits of Juan de Fuca, Haro, Rosario Straits, and Georgia, and who spoke slightly different dialects of a common language, referred to as Northern Straits Salish (Welsh 2002:17). In addition to the Saanich, these Northern Straits-speaking nations included the Sooke, Songhees, Semiahmoo, Lummi, and Samish (Montler 1986; Suttles 1990:456). Elliot (1983) offers the following description of the relationship, linguistic and otherwise, between these nations and their neighbours:

Many people lived in the lands close by. Some, like the Lummis, the Songhees, and Klallams spoke a different language from ours. But their language is related to ours and their ways were very similar. We considered them brothers. We did not know strict boundaries between our brothers and our friends. (15)

According to Suttles (1990:456), Northern Straits was spoken from Saanich Inlet on Vancouver Island to Point Roberts and Boundary Bay on the mainland coast, and throughout the San Juan and southern Gulf Islands in between. The dialectal differences Suttles (1974) observed between the Northern Straits-speaking nations were sufficiently minor that he considered them a unified group for the following reasons: “They shared a common language; and they shared a common pattern in their relation to their habitat, a greater adaptation to life on salt-water channels than that of their Salish neighbours, with an emphasis upon reef-netting for sockeye salmon in the channels” (61).

Indeed, a reliance on salmon is central to all Coast Salish nations, their seasonal rounds and cultures, so much so that they are sometimes called the “salmon people” (Boxberger 2007:57). But the Northern Straits-speakers were unique in the locations and techniques they used to harvest this sacred fish (Vandenberg & Associates 1997:3). Elliot (1983) explains that unlike the rest of their Coast Salish neighbours, the Northern Straits tribes did not have any rivers within their traditional territory, “and so we went to the sea to get our salmon. That is why we are the salt water people” (16).

The sockeye, which Elliot (1983:26) suggests is a non-native attempt at the Northern Straits name “TEKI,” is by far the most prized of all five salmon species to the Coast Salish people, including the W̱SÁNEĆ. Referring to maps of the sockeye’s migration route, Suttles (1987) observed:

The reef-net locations of the Straits tribes, which I have mapped, fall very neatly along these routes. The reef-net was used by the Straits tribes only; it was their most important fishing device; and it seems to have been used wherever it was possible to take sockeye with it. The close correspondence of language, fishing method, and fish strongly suggests that we have here an ecological niche nicely filled by human beings culturally distinguishable from all

others... [Thus] the Straits tribes are the people of the channels leading to the Fraser. (35-36)

3.3 W̱SÁNEĆ Identity and Beliefs

The sea was our home as much as the land. Our homelands and home waters are one and the same thing.

-- Earl Claxton Sr. & Ray Sam (2010:5)

The name W̱SÁNEĆ, or XWSANETS, and also anglicized as Saanich, relates to a visual description of the Saanich Peninsula where the W̱SÁNEĆ have long maintained what Elliot (1983:5,15) calls the Nation's headquarters or home base. Bouchard and Kennedy (1991) connect the word XWSANETS to SHSANETS, which they assert "is used to describe the mirage above the Saanich Peninsula that is visible when viewed from the water on a summer day... (and) refers generally to the entire Saanich Peninsula" (9). However, as they also note, Elliot has translated XWSANETS to mean both "raised up," and later to mean "emerging people," again, both in reference to the image of the Saanich Peninsula as viewed from the water (Bouchard & Kennedy 1991:9; Elliot & Poth 1983:64; Foster 1989:630). Tsawout as well means "houses on the hill," a name it derives from the way it appeared to paddlers entering Saanichton Bay (Pelkey 2014).

This practice of naming places and locations as they would appear to people approaching by canoe is a perfect illustration of how fundamental the traditional marine territory was to the W̱SÁNEĆ worldview and traditional way of life (Claxton & Sam 2010:5; Pelkey 2014). Indeed, the word ṮEĹNÁ,LEŅ describes the simple act of being out on the water, observing the state of the marine environment and its resources – a traditional and important form of management.

3.3.1 Worldview

Suttles (1974:104) described the culture of Northern Straits-speaking tribes as a set of possessions to be used in their struggle to subsist and thrive within their territory. He suggests these possessions include first and foremost a view of the world that sees nature as a source of supernatural powers and considers food a gift to be acquired from these supernatural forces.

Elliot (1983) describes the W̱SÁNEĆ worldview as follows:

Our people lived as part of everything. We were so much a part of nature, we were just like the birds, the animals, the fish. We were like the mountains. Our people lived that way. We knew there was an intelligence, a strength, a power, far beyond ourselves. We knew that everything here didn't just happen by accident. We believed there was a reason for it being here. There was a force, a strength, a power somewhere that was responsible for it. That is the way our people lived. (9)

Welsh (2002) neatly summarizes the indivisibility of Straits Salish people's beliefs about their habitat, and the practical and material aspects of their harvesting practices and use of their territory:

The people are not separate from the territory, but part of it. This territory has physical resources distributed throughout in a variety of places and abundance; some places are rich in one thing for a period of time, and then another place, rich in another. This leads to the annual round of movement through the territory, with one of the primary purposes being to return to the winter village with the largest amount of the widest selection of resources.

The same land has spiritual power distributed throughout in a variety of ways. This power could be quested for and obtained. The acquisition of this power often resulted in the accumulation of more food, which was therefore sacred. The acquisition of food had a spiritual side to it, which could not be easily separated from its practical side...

In this way the territory is a storehouse of raw material, a training ground, a sacred place or church and a history book. From earliest childhood till death the territory provided a broad stage, traveled over in the quest for food and material during the annual round. (16-17)

Like all Salish, the Straits-speaking people not only see themselves simply as one qualitatively equal actor within their natural environment, they also perceive all other things within that environment to be actors as well, alive or animated by a life-force in the same sense that they are (Schaepe 2007:242,253; Welsh 2002:16). Moreover, they believe many of these beings to be ancestral, as in the case of the salmon, who were thought to be people that transformed themselves into fish in order to provide food, and who were referred to and even addressed as “Elder brother” (Suttles 1974:171,228; Vanden Berg & Associates 1997:4). W̱SÁNEĆ traditional beliefs hold that all living things were once people who were transformed and then given to the Saanich as gifts (Claxton 2003:23).

This unity that the W̱SÁNEĆ assumed between themselves and the resources within their natural environment suggests an essential humility. It gave rise to a respect for those resources that fostered an implicit conservation ethic, one which is infused within W̱SÁNEĆ practices developed to honour the “gifts” they received, and which had the effect of helping to sustain the resources within their world (Claxton 2003:24-26; Claxton & Sam 2010:45; Elliot 1983:10-11). The ceremony to celebrate the first sockeye catch, which Claxton (2003) describes as “the Saanich way to greet and welcome the king of all salmon,” is a good example (27).

As Suttles (1974) explains, “because people believed that the salmon were like people and that they had come to feed the people with their own flesh, they showed their respect for the salmon with the first salmon rite” (228). According to Suttles, a similar rite was practised by many or all of the Northern Straits-speaking tribes, and involved a cessation of all fishing activities for one to four days while the people prepared, ate and celebrated the salmon in ritual ways (1974:228-235). Claxton (2003) reports that the W̱SÁNEĆ celebration lasted for up to ten days, during which time “all fishing stopped, not just the fishermen who caught the fish, but the whole nation of fishermen joined in on the celebration” (27). At this time of the celebration, it was likely that the peak of the salmon run was traveling through the W̱SÁNEĆ territory. Taking time to celebrate allowed for much of the salmon stocks to return to their rivers to spawn, and to sustain those lineages or stocks (Claxton 2003:27-28).

In the following passage taken from *Everything With A Prayer*, Claxton and Sam (2010) bring several of the themes discussed above together:

We know fish as our relatives. These waters were once teeming with fish and we were taught they too were once people. This belief provides another teaching we hold, helpfulness and good work.

We managed our fishery carefully, letting some of the strong ones we caught swim free, so their kind would survive and thrive in coming years. We let the salmon runs go by for many days before we took what we needed to eat, as well as to preserve for the winter. Whatever we fished or hunted, it was our EK, SAN SAU, or laws, that you give out your first catch, as a reminder of the SYA, the powers taken from the animal. You give it all away to the Elders and the children. You don't keep it for yourself. You put the bones and other parts that couldn't be eaten or used back in the sea. (45)

3.3.2 *Knowledge, Spirit Power and Roles*

The second of the possessions Suttles (1974) describes to illustrate Northern Straits culture is “a body of knowledge concerning means of exploiting nature for both natural products and supernatural power” (105). The quality and extent of this knowledge differs between individuals according to such things as their position in society and their roles within their family and community. Suttles (1974:107-111) breaks this knowledge into three categories of non-material possessions, those acquired through supernatural questing, those learned from other people, and those inherited as a birthright. The first of these is more concerned with the acquisition of special powers or a calling that might shape an individual's destiny, while the latter two had more to do with practical information and instruction that might include such things as harvesting rights, locations and practices, or even how best to quest for acquired knowledge (Suttles 1974:108-111; 1987:8).

According to Suttles (1974:383), questing for power from spirits began in childhood and intensified as people reached puberty. Young people left their villages in search of a vision or some form of possession by a spirit that would bestow a special power or ability upon them. These ranged from longevity and good health, to particular prowess in hunting, fishing, craftwork, or preparation and use of ceremonial paraphernalia (Suttles 1974:384,386). The spirit that appeared to young W̱SÁNEĆ seekers may not have been random or arbitrary, as “they were sent out for no specified length of time but sometimes to specific places for specific spirits” (Suttles 1974:383). Although specific spirits were not exclusively correlated with specific abilities, there were connections, “for example, a certain man with a blackfish spirit was a sea mammal hunter and a certain man with a wolf spirit hunted deer” (Suttles 1974:386).

As is discussed below, within W̱SÁNEĆ longhouse tradition certain families inherited and held exclusive responsibility for specific aspects of the longhouse ceremonies, such as providing the wood and tending the fire (Pelkey 2014). Perhaps the members of a family with a specific responsibility in the longhouse would be sent to quest for a spirit that would bestow a power or ability that would be beneficial in the fulfillment of the family's responsibility. Furthermore, Suttles (1974:383) reports that spirits and their corresponding powers and abilities could also be inherited. This suggests that a fisherman with a spirit that bestowed an ability to fish, might not only pass down his spirit and a corresponding prowess related to fishing within his family, but, thereby, his role or function within the community too. This may explain a pattern of roles performed exclusively by members of specific families that emerged during interviews with W̱SÁNEĆ subjects in Tsawout during the early summer of 2014. For example, it was suggested during these interviews that for generations one family has held an exclusive responsibility for providing marine foods for Tsawout community functions, another for providing ducks for longhouse ceremonies, and another for tending the

fires in the longhouse (Tsawout Participants: MUS 2014). Participants referred to this role, and the individual who embodies it, as a Provider. This idea may be a formal institutionalization of a pervasive and culturally defining idea that every individual has a “role” to play in community, and that the purpose of a good life is, in some senses, to acquire the necessary knowledge, and rise to the responsibility of, that role. To find one’s place in the order of the W̱SÁNEĆ community is to find one’s place in the world.

The formal institutionalization of this concept was related to social hierarchies in W̱SÁNEĆ society. Within Coast Salish society generally, knowledge was considered private property, a commodity owned, protected and passed down by the individual and/or family. As such it was central to class distinctions; possession of knowledge denoted higher standing. Families with inherited knowledge, or ĀLÁNEN, were considered to be higher class, and not just when their knowledge concerned practical and material advantages (Suttles 1987:8-9). Even knowledge, or “advice” as Suttles called it, concerning basic etiquette and manners, such as “don’t lie,” “don’t steal,” and “be polite,” was considered a possession to be passed down within the family, and borne as a marker of social class. Higher-class people, for example, distinguish themselves through their possession of knowledge concerning how to be polite. In this way Coast Salish morality was taught and encouraged with social sanctions as opposed to supernatural ones, and valued as one of the non-material possessions indicating a family’s class level (Suttles 1987:9).

According to researcher Nicholas Claxton, the Elder of a family inherited the right to the family history and teachings, or NE,HIMET, to be passed on orally. Among other things these included:

- **S,IST** – What was owned, all that was in your canoe, belongings, your assets in modern terms.
- **SX’OLE** – Reef net
- **SX’IX’TE** – Land, summer home location
- **SW’ÁLET** – Physical fishing location
- **SMIET** – Hunting grounds in and around summer home
- **ĀO** – Fresh water supply
- **Ā,LEN** – House, longhouse
- **TENEW’** - Land (Claxton 2014).

This Elder also inherited the right to be captain, or CWENALYEN, of the family’s reef-net fishery (Claxton 2014). Along with the inherited rights to all this knowledge came the responsibility for passing it on (Claxton 2003:26).

3.3.3 Reef-Netting

Contemporary W̱SÁNEĆ researcher, educator, and fisherman, Nicholas Claxton (2003:9), asserts that W̱SÁNEĆ identity and marine harvesting practices, which ordered and powered the W̱SÁNEĆ seasonal round, are so completely interwoven as to render it impossible to consider either in isolation. According to Claxton (2003), reef-net fishing was not just a way of life in the fullest sense of the term, but “what it meant in large part to be a Saanich person” (9).

According to Saanich teachings, it was a fishing technique that was given as a gift from the Salmon People to the Saanich in exchange for a beautiful Saanich princess. It was intended that this fishing technique was given (to) allow the Saanich to prosper in their own lands and waters, and live in harmony with the salmon forever.

This fishing technique was more than just a way to catch lots of fish; inherent in it was a model of governance for the Saanich people. (Claxton 2003:9)

Like the salmon, which are imbued with supernatural powers and significance, the W̱SÁNEĆ's characteristic technique of harvesting them is seen as a gift from the supernatural as well. In this way reef netting both expresses and reinforces the W̱SÁNEĆ view of themselves as being "of" their natural environment, in no way separable from it, cooperative and fundamentally respectful actors amongst other equal actors (Claxton 2003:22,24; Elliot 1983:9; Schaepe 2007:234-283). Simply put, reef netting "could not be successful without the Saanich Peoples deep respect for the salmon, the earth, and each other. The principle of respect was an integral part of the Saanich people's worldview" (Claxton 2003:24).

This is a theme Claxton returns to repeatedly in his writings about the W̱SÁNEĆ reef-net fishery. In describing the ring of willow that was woven into the end of the net in order to allow some of the salmon to escape, he observes that this simple and effective conservation measure was in fact borne of a profound respect for the salmon (Claxton 2003:26). Here again the W̱SÁNEĆ belief that everything within their habitat was animated and imbued with supernatural powers was inextricably interwoven with their harvesting practices.

It was believed that the runs of salmon were lineages, and if some were allowed to return to their home rivers, then those lineages would always continue. W̱SÁNEĆ people believed that all living things were once people, and they were respected as such. The salmon were their relatives (Claxton 2003:26). As has been mentioned, the first salmon ceremony, during which all W̱SÁNEĆ honoured the king of the salmon by pulling up their reef-nets and ceasing to fish for a period of up to ten days after the first sockeye salmon was caught, is another example of a ritualized demonstration of respect arising from the belief that the sockeye were human relatives with supernatural powers that also functioned as an effective conservation measure ensuring the future health of the resource (Claxton 2003:27; Suttles 1974:228-235). That the W̱SÁNEĆ took time to celebrate the arrival of the salmon also demonstrates the strong spiritual and community purposes reef net fishing served in addition to its central role in W̱SÁNEĆ subsistence activities (Horne 2012:14).

Claxton and Suttles both describe the respect shown by the women and children who received the salmon on-shore during the reef netting, and the ritualized way in which the captain of the reef-net crew counted out the fish for his crewmembers using the sacred number two, again to show respect for the salmon in order to encourage its ongoing return (Claxton 2003:27; Suttles 1974:228-235). Claxton (2003) explains that, "this respect built a relationship to the resource that allowed the Saanich peoples to thrive as a nation for a millennia. It is this respect for the land and its resources that was, and still is, integral to the Saanich people's worldview" (23).

Suttles believed that reef-net sites were privately owned by individuals, and Kennedy and Bouchard (1991:42) cite an examination of reef-net ownership conducted by Easton in the 1980s that supports this assertion. Claxton (2003:26; 2014), however, disagrees, maintaining these sites were managed by individuals, but owned by families. Moreover, Claxton states that the relationship between families and their reef-net sites is better understood as families belonging to their sites – a subtle but significant distinction that, again, reflects the W̱SÁNEĆ view of themselves as elemental, and of everything within their habitat as animated and imbued with an ordering power. The role of site manager and captain of the reef-netting crew was usually held by the Elder of the family, who would have inherited intricate knowledge of the site, the salmon, and all of the ritual and technical aspects of successful reef-net construction and use (Claxton 2003:26; Suttles 1974:217-218). In addition to his responsibilities for managing and overseeing the family's reef netting, he would be responsible for passing on all of the knowledge about it that he had inherited, in effect ensuring the

ongoing success of a proven approach to and methods for governing the Saanich reef-net fishery (Claxton 2003:26).

According to Suttles (1974:216-218), the captain “hired” a crew of six to twelve men, who agreed to help construct the net, prepare the gear, and participate in the fishing for the season. In exchange, the captain fed the men and divided the catch with them at the end of each day (Claxton 2003:27; Suttles 1974:235-236). The amount of time and labour invested in reef netting was considerable, with as much as a quarter of a year spent preparing the lines, constructing nets and repairing old ones, setting the anchors, and so on, most of which also involved ritual roles and practices (Suttles 1974:218-223; Welsh 2002:26-27). There was also the work of setting and maintaining camp, processing the fish for storage, and other supporting efforts generally conducted on-shore by the crew’s wives and families (Suttles 1974:235-238; Welsh 2002:26-27). However, according to Welsh (2002:26), reef netting was such an efficient system for harvesting that it easily warranted the dedication of so much energy. He calculates that a crew of 10 could obtain enough salmon for all of their families in under two days worth of work (Welsh 2002:26).

3.3.4 *The Longhouse and Spirit Dancing*

In writing about the traditional ways in which the W̱SÁNEĆ governed themselves, Claxton (2003:31) describes several interrelated systems of governance including the inherited rights of and roles within extended family units, the reef-net fishery, and the longhouse and winter dancing. The longhouse was and continues to be the site of private ceremonies involving dancing and important opportunities to share information and teachings, and “for the younger people to listen and take counsel from the Elders” (Horne 2012:12).

This directive component of the longhouse tradition related, in part, to ceremonial roles fulfilled by specific people and families according to birthright. Eric Pelkey explains:

Certain things are things that are passed down in the longhouse where there’s only certain people that make the fire, certain people that gather the wood. We all know which families belong to the ones that look after the fire, and those are the people that we look to when something like that happens... But it’s something that’s been passed down to them. There’s a lot of things that are involved in the longhouse that are only allowed to be done by certain families. You have to have that right to carry out that work in the longhouse. There’s a lot of different ceremonies that belong to a lot of different families, and amongst their line are the only ones that are allowed to do that. It’s something that’s just passed down from generation to generation, and carries on the tradition. The basis of the longhouse really reflects the culture of helping one another. And then teaching a person how to help themselves. (2014)

According to Suttles (1987:200-203), W̱SÁNEĆ longhouse ceremonies were held regularly throughout the winter season, as often as once a week or even daily for several weeks.

A dancer was a man or woman who had a SYEWEN, or “spirit song” that he or she had learned to dance with. A SYEWEN was acquired through the return of the vision power acquired when young, through mourning, and through initiation after kidnapping by a group of dancers hired by the family and isolation (usually for four days) (Barnett 1955:278-282). The new dancer wore a special costume and was subject to special taboos during his or her first season. (Suttles 1990:467)

Suttles (1987:200-203) describes a longhouse ceremony he attended during which these dances were frequently interrupted by naming ceremonies, and by performances involving other inherited rights and possessions such as rattles and songs.

Wilson Duff (1997) describes the longhouses as “large barn-like structures with dirt floors and tiers of benches around the walls, heated by two large bonfires,” (147) and provides a description of the dancing similar to Suttles, also with emphasis on the new dancer:

Initiation as a new dancer, which usually occurs in the late teens, still involves the acquisition of a supernatural power. In some cases the power has entered the individual earlier in life (it may cause a sickness that can only be cured by initiation as a dancer), but more often nowadays it is breathed into him (or her) by the older dancers, who begin the initiation by going through the motions of forcibly abducting the unsuspecting initiate. The power brings with it distinctive personal variations in the song, dance, costume and pattern of painting the face. For four days, while these are being learned, the new dancer undergoes special rituals and observances to help him through this important period of change in his life. (Duff 1997:147))

Despite such reportedly accurate descriptions of longhouse ceremonies by anthropologists, most of the practices associated with the longhouse, their meanings and significance, remain secret and are likely to be kept so from everyone outside the longhouse tradition (Horne 2012:12). This includes members of the W̱SÁNEĆ nation, for not everyone in the community participates in the activities of the longhouse, or even attends the ceremonies held there (Suttles 1987:203).

However, “nearly all give some help in providing food for the guests or fuel for the fires,” either literally or metaphorically speaking (Suttles 1987:203). In recent interviews conducted with W̱SÁNEĆ informants in Tsawout, multiple subjects report the continued existence of special roles performed by members of specific families to supply duck feathers, firewood and other items for ceremonial use in the longhouse.

The reasons for the secrecy surrounding the longhouse are not clearly evident, but may include historic injunctions by the Canadian government and various Christian churches against a number of traditional ceremonial practices, including the potlatch and ritual dancing (Kew 1990:162; Suttles 1987:207). Writing in 1987, Suttles (203) observed that despite a century of European settlement and its incursions into First Nations’ life, Salish ceremonial life in the form of the longhouse appeared to be flourishing. W̱SÁNEĆ were, and remain today, no exception to this statement. Indeed, the organizational flexibility within the longhouse, and the individual expression that spirit dancing and its other ritual practices provide, may have made it the perfect vehicle for the continuance of W̱SÁNEĆ cultural and religious practices (Kew 1990:166; Suttles 1987:208).

These sentiments and the ongoing importance and centrality of longhouse traditions to both sustaining and preserving W̱SÁNEĆ life and culture are echoed by Duff (1997):

There is little indication that spirit dancing will die out within the near future; on the contrary, it gives the impression of being a flourishing and still-evolving activity... The spirit dancer experiences profound sensations that are fundamentally religious in nature; furthermore, he has the social security that comes from belonging to an exclusive group, he has an emotional safety valve that provides a release of tensions in a socially approved way and he has discovered a method of asserting his identity as an Indian. (148)

Throughout the 20th century, the number of spirit dancers on Vancouver Island increased steadily, and even dramatically during the 1980s. During this time dancing was frequently described by participants as “an avenue to a better way of life, an Indian way that provides strength and protection,” and the initiation of new dancers was often prompted by the desire to treat a perceived illness or potentially threatening state, such as alcohol or drug addiction, that might be seen to stem from a loss of culture (Kew 1990:477).

After initiation, the dancer who fails to continue dancing may again become ill. The dancer’s “song” may thus insure his general well-being without conferring any special skill as it would have in the past. Also, initiation as a new dancer is sometimes used as a means of controlling a difficult young person, and so dancing may imply moral well-being as well as physical. Perhaps most importantly, being a dancer is the most unequivocal symbol of being Indian (Suttles 1963:519).

3.4 The Douglas Treaty

In February 1852, James Douglas, Chief Factor for the Hudson Bay Company, which had been granted title to Vancouver Island by the British government, brokered two agreements with the W̱SÁNEĆ (Davis & Simonsen 1995:2; Duff 1969:6, 1997:84-85). Although the documents never use the word “treaty” to describe these agreements, they are conventionally referred to as the “Douglas Treaties,” and have been ruled by the courts to be treaties in effect (Claxton 2003:15; Duff 1969:6). The treaties arbitrarily divide the W̱SÁNEĆ into North Saanich and South Saanich, with Tsawout among the winter villages represented by the former. This treaty states:

Our understanding of this sale is this that our village sites and enclosed fields are to be kept for our own use, for the use of our children, and for those who may follow after us, and the land shall be properly surveyed hereafter; it is understood however that the land itself with these small exceptions, becomes the entire property of the white people forever, it is also understood that we are at liberty to hunt over the unoccupied lands, and to carry on our fisheries as formerly. (CanLII 1989: Saanichton Marina Ltd. v. Claxton)

W̱SÁNEĆ oral history places the signing of the Douglas Treaty at a point of escalating tension after the W̱SÁNEĆ sent an armed party to stop a cedar logging operation in Cadboro Bay and the subsequent shooting of a young First Nations boy by a white farmer (Arnett 1999:36; Elliot 1983:45-47; Foster 1989:632-633; Horne 2012:12; Knighton 2004:12,18-20; Pelkey 2014). It appears that the W̱SÁNEĆ may have been expecting and even preparing for war when they met with Douglas in 1852 (Arnett 1999:36; Knighton 2004:18-20; Pelkey 2014). Hereditary Chief, Eric Pelkey explains that the W̱SÁNEĆ entrusted a missionary who was working among them at the time and who spoke SENĆOŦEN to interpret for them in their meeting with Douglas:

They asked the priest to tell him, that they wanted him to honour their way of life and protect their way of life, and really just leave their people alone. Let them live in their villages, and leave their villages to themselves, and leave them to their way of life, and then that they would make peace with them, and they would trade with them. So that’s what they thought was agreed to that day. And when Sir James Douglas was making hand signals, they

didn't really understand what he was talking about, and he was waving across there, and they took it to mean that he was recognizing their territory. But he was talking about actually a sale of land. So that's what they took him to mean, that he was recognizing their territory by waving his hand across their territory while he was there. So that's what they believed was agreed to that day up on the mountain, and they gave their names to the person that was documenting what happened there. (2014)

Elder Gabriel Bartleman summarizes W̱SÁNEĆ oral history on the treaty, stating that:

[T]he understanding that [Douglas] gave the people at home was that their way of life was never ever going to be disturbed, that they would always be able to take their food and travel as they did before, that nothing would ever be taken away from them. . . .Douglas promised that he could never interfere with their C'ela'nen (way of life), that it would never ever be spoiled the way they were living; that they would continue to live the way they always lived. That was the promises made by Douglas. (Knighton 2004: 10-16)

According to the Claxton's (2003) analysis:

The Douglas treaties explicitly state that those indigenous groups signatory to the treaties have the "liberty to carry on their fisheries as formerly." If taken literally, those indigenous peoples had a system in place, a system of governance over their fisheries, which indeed formed the core of their traditional societies. These traditional fisheries and their subsequent structures of governance and management should conceivably be still intact today, which is overwhelmingly not the case. To the contrary, indigenous fisheries were not protected as promised. (35)

These sentiments are echoed in the following statements made by 2014 MUS participants during interviews in Tsawout:

You have the right to hunt and fish. It wasn't a privilege... At the time they thought it was good. They thought "oh well, we'll let them carry on with what they're doing." But they didn't realize that sooner or later that was going to come back to bite them. And now it's coming back to bite them because they were supposed to take care of the fish. They were supposed to take care of the deer, and all their habitat. And they did a poor job. (Tsawout Participant)

All this is my territory, goes from here all to Sidney and up, Active Pass. These are the places we get the urchins and then down in there is nothin' but the cod. That's a closed area, right. That's been closed for about 20 years. But we're native. We are Treaties, and allowed to get our limit. (Tsawout Participant)

The treaty rights we have are to go out on the water and get what we can, because we're harvesting. (Tsawout Participant)

If the Douglas Treaty is a treaty, which the courts have ruled that it is, then that treaty protects what we say is our fisheries as formerly. Then anything that threatens that salmon fishery goes against the treaty, right? (Tsawout Participant)

Finally, Claxton and Sam (2010) offer the following representative perspective on the provisions and implications of the Douglas Treaty:

We Tsawout people need the full extent of our homeland and home waters to continue our Tsawout fisheries as formerly. Where this is not possible, it means working out agreements and compensation for our irreplaceable losses that were never ceded in legal agreements.
(21)

3.5 The Saanichton Bay Marina Case

The effect of the treaty is to afford to the Indians an independent source of protection of their right to carry on their fisheries as formerly. (CanLII 1989: Saanichton Marina Ltd. v. Claxton)

This was the conclusion of the B.C. Court of Appeal in upholding the lower court decision in favour of the Tsawout in their case against the developers of a proposed 500-berth marina and breakwater in Saanichton Bay where, as the Court observed, W̱SÁNEĆ people have lived and fished “for as long as anyone knows” (CanLII 1989: Saanichton Marina Ltd. v. Claxton).

According to native account, forbears of the present Tsawout people have lived at Saanichton Bay for as long as anyone knows. This bay was the location of one of, if not the most important, permanent villages, providing sheltered, calm waters where winter fishing and hunting could be carried on when weather conditions made fishing in more open waters hazardous. Saanichton Bay provided a wide variety of fish, shellfish, sea mammals and waterfowl important in the economy and diet of the Saanich people.

As did their predecessors, the Tsawout Band relies on the ocean water resources, particularly on the waters and resources of Saanichton Bay. For as long as anyone can remember, the Tsawout Indians have carried on an important stationary crab fishery in the location of the proposed marina basin. Although some crabbing is done by boat, the most convenient and often used method of harvesting crabs is to wade at low tide in to that location, and use the traditional raking method. Clams and other shellfish have, in the past, been and remain an important part of the diet of the Tsawout. They are gathered at various places around the bay including in and around the proposed marina site.

Salmon have been historically relied upon by the Tsawout both from the larger traditional territory and from the confines of Saanichton Bay and continue to be important. Spring salmon are fished only in and around the bay where they come to feed. Coho, herring and smelt have been relied upon in the past and are looked to as a food source at the present time. Bottom fish such as cod, flounder, skate and halibut are taken from the bay as food. Several species of trout, and in particular cutthroat trout, are also harvested from the bay for food. (CanLII 1989: Saanichton Marina Ltd. v. Claxton)

The case functioned as an exploration of the rights and provisions articulated in the Douglas Treaties and as recorded and understood within W̱SÁNEĆ oral history, and the appeal hinged on the treaty’s stipulated right to fish as formerly. As stated in the Appeal Court’s decision, the words of the treaty upon which the present appeal turns are the following: “we are at liberty... to carry on our fisheries as formerly. (CanLII 1989: Saanichton Marina Ltd. v. Claxton)

The lower court judge dismissed Crown arguments that the Douglas treaties were not treaties, that even if they were treaties they were not binding, and that any right to fish they conferred was the same as any member of the public's (Foster 1989:643; Harris 2009; Saanichton Marina Ltd. v. Claxton, 1989). The Court of Appeal upheld the decision ordering a to stop the marina project, ruling that "the protection afforded to the Indians by the treaty provides them with a basis for objecting to the development of the proposed marina and that their objection should be sustained" (CanLII 1989: Saanichton Marina Ltd. v. Claxton).

In short, and of profound importance to the W̱SÁNEĆ, the Court found that:

Construction of the marina will derogate from the right of the Indians to carry on their fisheries as formerly in the area of Saanichton Bay which is protected by the treaty. (CanLII 1989: Saanichton Marina Ltd. v. Claxton)

3.6 Traditional W̱SÁNEĆ Marine and Land Use

From December through to February, during the season of winter spirit dances, Saanich people subsisted largely on dried fish and game, supplemented with clams and ducks and fresh rockcod. Once the stormy winter weather ended however, large amounts of food were harvested during the spring, summer and fall at widely-dispersed seasonal locations that took the Saanich people away from their winter villages. In early April, smaller groups of constituent households headed out to various camping sites...

The subsistence quest, therefore, occupied the Saanich from approximately April through November. The aboriginal Saanich were hunters, fishers and gatherers; they did not practice agriculture, and they did not domesticate food animals prior to the arrival of Europeans. The staple food item was salmon caught by using reef-nets and by trolling, trawling and weirs. This was supplemented with other saltwater fish, especially halibut, a few species of trout. Deer and elk, as well as small game were plentiful on the forested peninsula and offshore islands. Ducks and other game birds were common. Shellfish were especially important for people residing in the Strait of Georgia. Vegetable products round out the diet.
(Bouchard & Kennedy 1996:28)

W̱SÁNEĆ marine and land use was defined by an annual seasonal round of movement between locations that provided a great variety of resources, but with availability fluctuating according to the season, and over the long term. As has been discussed, the dominant force in this cultural pattern of movement were the salmon, and in particular the most prized of all salmon species, the sockeye (Boxberger 2007:57; Vandenberg & Associates 1997:5). Pursuit of this sacred and seasonally abundant food drove the W̱SÁNEĆ from their winter villages, to summer settlements at sites in the San Juan and southern Gulf Islands, throughout Active Pass and at Point Roberts near the mouth of the Fraser River (Bouchard & Kennedy 1991:44-45). In the waters and on the lands along this route the W̱SÁNEĆ harvested a great variety of marine resources and hunted waterfowl and deer (Davis & Simonsen 1995:2). The purpose of the seasonal round was to return to the winter village having harvested and preserved as much as possible of the resources available in order to sustain families at home through the harshest few months of the year.

Success in this endeavour was governed by respect for the natural environment and the harvestable resources within it. Many of the harvesting locations and practices that shape W̱SÁNEĆ marine and land use are considered sacred, and involve ritual activities borne of the W̱SÁNEĆ belief that everything in their habitat was once human, and intended to demonstrate respect for these equal actors within their environment. Additionally, many W̱SÁNEĆ marine and land uses serve cultural ends by providing the materials and/or occasion for cultural practices. For these reasons, W̱SÁNEĆ marine and land use for subsistence purposes cannot be separated from cultural, social or religious purposes, but are intimately interwoven with them.

3.6.1 Seasonal Round

Our people didn't always tell the time by the day, or the moon or the sun. They knew the tide so well they would tell the time, exactly what time of year it was, by the tide that was coming. When the frogs come to life again, when they come out of hibernation you would hear them croaking. That is the reason the first moon of Spring was called WEXES or "frog". My people had been home all winter. From December through January our people did not travel. Our people came home in the fall as the bad weather began to set in. They came in from their territory to the Saanich Peninsula. The Saanich Peninsula was their home. They went out to work in their territory, to hunt, gather, to fish and do whatever they had to do to get things ready again.

-- Dave Elliot Sr. (1983:19)

Perhaps the most important thing to understand about the W̱SÁNEĆ seasonal round and harvesting practices as they relate to W̱SÁNEĆ traditional territory is that "nature is exploited by the intensive use of specific places at specific times in the year, so that the yearly round is fairly rigidly determined" (Suttles 1974:105). The W̱SÁNEĆ's well established seasonal round was first documented by the anthropologist Diamond Jenness, based on a conventional 12-month calendar. However, the traditional Saanich calendar included 13 moons, and was dictated by seasonal changes within the natural environment (Welsh 2002:45). In fact, different individuals may have recognized different seasonal cues to indicate the same moon according to their own specialized knowledge of their habitat (Suttles 1987:72). Furthermore, since harvesting activities and environmental conditions might last for a full lunar month in one place and less or more in another, "the name given to a moon in one village might be the name for the succeeding moon elsewhere" (Jenness 1955:87).

It is not surprising, therefore, that efforts to harmonize the traditional W̱SÁNEĆ 13-moon calendar with the conventional 12-month calendar have been problematic (Welsh 2002:45). Nevertheless, Davis and Simonsen (1995) provide the following overview of the W̱SÁNEĆ seasonal round as described by Jenness and others:

During the winter, dried salmon served as the main food staple supplemented with dried berries, some fresh fish, waterfowl, intertidal shellfish and seaweed. Game, such as deer, was also major food resource. This was also a time when ceremonial activity (such as dancing and initiation rites) took place. With spring's onset, various other marine resources were exploited such as seals, spring salmon, rock cod, grilse, halibut and herring. Land mammals, such as deer and elk, were more frequently exploited with the better weather and plant harvesting for such species as camas, would occur in May in dry, rocky shore locations. A late spring movement of families out of the sheltered waters of Saanich Inlet progressed through the Gulf Islands, where fishing would occur and to Point Roberts, where the Saanich and Malahat would net sockeye and humpback