

Landscapes of (Un)lawful Chaos: Conflicts Around Temperate Rainforest and Biological Diversity in Pacific Canada

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Summary

Unresolved questions of land and resource ownership, that have persisted from the colonial period, are limiting rain forest conservation in many parts of the Pacific Rim. In this outline of the liquidation of the ancient temperate forests of Pacific coast of Canada, the notion of the obscuring of the 'cognitive map', of various perceptions and social priorities, is explored in order understand contradictions of legal systems that contribute to continued conflict and instability. The local context for forest conservation are outlined for the Haida and Nuu-Chah-Nulth people as well as for the Province of British Columbia and the Government of Canada

■ Introduction

As natural resources dwindle and human populations increase, pressures for use of public lands, from a widening range of stakeholders and social groups, create environmental conflicts derived from divergent interpretations of boundaries across territories and landscapes. This is especially the case with respect to the remaining islands in the Pacific Rim with tracts of primary forest,¹ particularly those rich in biological diversity.² Such competitions between agents of rapid extraction and advocates for slower utilization and preservation of natural ecosystems often emerge after crises of site planning where conflictual interpretations of rights related to ownership, tenure, or environmental regulation emerge.³ As well as the more philosophical dialectics, such as between sentiments for public versus private control of lands and resources, there are problematic differences around

geographic or ordinal interpretations. These are increasingly perceived as questions of landscape ecology⁴ but are ultimately more social in character.

Every legal discourse contains at least one narrative on land, forest resources, ownership, responsibility, and liability. When these theoretical and spatial maps are unrecognized and unresolved, broader global forces tend to dominate. In recent years on the British Columbian coast, at least three subtexts on land management have been present. Divergence in these social maps of broad landscapes often drive and exacerbate legal conflicts. This article looks at the chaos that is generated and then reproduced and intensified by conflicting views of territory, landscapes, sites, forest ecosystems, and biological resources. This article refers to these arenas, paradoxically as 'landscapes of (un)lawful chaos' because the boundaries between what is considered legal and acceptable, for particular sites, and what is unacceptable environmental damage have yet to be clearly established. In the case of Pacific Canada, this lack of clarity is the result of the 125 year obfuscation of the fact that few 'First Nations'⁵ have ever signed treaties with the Province of British Columbia (BC) – formerly the Crown Colony of British Columbia and the Crown Colony of Vancouver Island – and the Government of Canada. Such neocolonial landscapes are particularly vulnerable to mismanagement of what are supposedly public resources on Crown lands.

This article focuses on two remote areas of the British Columbian coast with which the author has been involved for many years: Gwaii Haanas on Haida

Gwaii, formerly called the Queen Charlotte Islands, and Clayoquot Sound on the west coast of Vancouver Island. Resident communities include the Haida and Nuu-Chah-Nulth, respectively, as well as a diverse and highly mobile grouping of settlers and temporary workers. The contests over each area have yet to be fully resolved⁶ but at this point some patterns and interim solutions have emerged. These, at least, suggest the nature of the dialectics at work: between native and neocolonial ownership of land and resources; between local, provincial and federal control; between short-term and long-term goals for resource utilization and conservation; and between reductionist and holistic scientific interpretations of biological resources and ecological processes.

Over the last two decades, these conflicts have generated long and convoluted legal chronicles that are inserted, in this article, to highlight the relationships between a kind of neocolonial environmental disorientation and conflicts over particular areas. As these stories unfold, a word of caution. Lack of clarity about place, in such a large country as Canada, is not an exotic malady but rather reflects a typical set of economic and cultural relationships that have often been carefully cultivated, in the minds of most publics, at the expense of more lucid and postcolonial 'cognitive maps'.⁷

■ Historical Background

Contact and Colonization

The Haida people were the sole inhabitants of Haida Gwaii until the Crown Colony of British Columbia annexed the archipelago in the early 1850s. In the same period, the Nuu-Chah-Nulth of the west coast of Vancouver Island were incorporated into the Crown Colony of Vancouver Island, without their consent. Traditional Nuu-Chah-Nulth and Haida societies had fishing-collecting economies, ranking systems based on hereditary status, and sedentary villages. These societies had and have cultures based on surplus, considerable knowledge of the natural world, and sophisticated artistic expression. By the beginning of the nineteenth century, the Haida were the most mobile and often the most aggressive of the northwest coast's First Nations. What is most significant about the initial colonial period, from the standpoint of contemporary studies of conflicts around forests, was the relative affluence of these pre-contact societies, their rapid declines from epidemics,⁸ and the lack of treaties signed on behalf of the British Crown.⁹

During the initial 1851–71 colonial period, British authorities could not agree on how to resolve land disputes with indigenous groups on the Pacific coast

of North America.¹⁰ A liberal position, held by most in the London Colonial Office, advocated recognition of native sovereignty and land rights, as contrasted with the attitude of contempt for Indians that was often held by the settler governments. The contradiction was that while London demanded some form of resolution of land claims, the local colonial governments were required to find the funds to buy the rights. But even in BC, one of the wealthiest of the nineteenth century colonies, there was little money allocated and only limited Native interest in being 'bought off'. Starting in 1865, the Crown Colony of BC contracted to transfer lands to private settler control without Haida and Nuu-Chah-Nulth consent. From 1870, a year before joining Canadian Confederation, until 1991,¹¹ it was de facto policy in the Government of BC to formally deny land title to Indians, aside from tiny Indian Reserves.

In subsequent decades, refusal to deal with groups such as the Haida and the Nuu-Chah-Nulth, as sovereign governments, shaped the formation of provincial institutions, particularly the land registry, the land management branch, and ministries responsible for forests and minerals. In this period, the map of BC, characterized by wilderness in contrast to subsistence lands of aboriginal communities, was constructed by the state and maintained through these government ministries. Exploration in this context was a euphemism for a reduction of complex landscapes to sites of extraction of a small number of raw materials. Compounding this entrenchment of the nonrecognition of First Nations were assaults on culture, for example, against the potlatch ceremonies.¹² But First Nations such as these could not be deterred indefinitely. They repeatedly launched court battles to regain control of their lands and resources. Successive governments of BC were sufficiently anxious over their own hold on remote lands to consider other ways to assert control. Beginning before World War I, the granting of large leases to the emerging timber companies was one of the most lucrative approaches to the staking of lands and quickly liquidating natural resources.

Globalization and Marginalization

By the 1960s, the timber industry was becoming increasingly mechanized with larger cut blocks and wider roads. It was in this period that the technique of clearcut logging¹³ was developed for the west coast of North America. In BC, the reduction of commercial forestry to conversion of complex ancient forests to relatively monocultural plantations of trees coincided with an intensification of the multinational character of the industry. With greater mechanization and increased rates of cutting, the slim short-term benefits to Native communities from logging diminished while the transfer of long-term environmental costs to them intensified.

The last three decades have seen a hyper-marginalization of these Native communities while somewhat liberal federal social programmes occasionally provided the basis for renewed assertions of sovereignty and ownership. While better off than most Native communities in Canada, living standards on the British Columbian coast have remained low as has the delivery of local services such as education. More important than provision of government funds have been the modest successes of Native court challenges against the control over lands and resources by the Province.¹⁴ Both the Haida and the Nuu-Chah-Nulth have provided leadership in these efforts for the entire coast of BC.

■ Arenas of Conflict

Environmentalism and the Mediation of Neocolonialism

Environmentalism emerged as an oppositional political force in BC in the mid-1970s. Forest preservationists in both western Canada and the US have tended to be overwhelmingly white and middle class with only limited empathy with labour groups.¹⁵ While first articulated publicly in the remote parts of the coast by countercultural settlers, often with considerable colonial biases of their own, the basic principles had resonance in the revival of traditional Native religions and perspectives. There was an awkward decade before the Haida and Nuu-Chah-Nulth were articulating concepts of ecology, on their own terms, and today they are some of the communities in Canada most adamantly concerned about the protection of biological resources and life support processes. But rather than generalized notions of management of public lands across large regions, Haida and Nuu-Chah-Nulth priorities have tended to be highly resource and site-specific and related to lineages and extended families. Such environmentalism by First Nations has some profoundly different characteristics, being grounded in much older heritages and ties to particular districts, to that which emerged with nineteenth century American preservationism and conservationism.

Broader environmentalism in Canada and BC has been grounded in expanding and diversifying the hold on publicly owned land by dominant and increasingly urban groups. This has often been falsely conceived as more objective and scientific environmentalism. Forms of environmentalism derived from non-Native rural communities has been slow to emerge though there have been important coalitions such as the Islands Protection Society of Haida Gwaii in the 1970s and 1980s and the Friends of Clayoquot Sound in the 1980s and 1990s. However the dialogues within these

primarily 'white' mixed groups and emerging First Nations governments have been tenuous. Much of the generalized environmentalism on the BC coast still often functions to justify further provincial government control of large areas, ownership of which is increasingly contested in court, by these Native political entities. In the meantime, tribal conservation areas have been declared and provisional agreements with provincial agencies negotiated, by the Haida¹⁶ and the Nuu-Chah-Nulth.¹⁷

Tourism and Visual Resources Management

The impacts of clearcut logging on the biological diversity of the Coastal Western Hemlock Zone of the British Columbian coast have been poorly researched. Provincial and federal funding has been limited and not without bias against possible preservationist conclusions. Instead of actual data, much of the resistance against clearcut logging and the liquidation of old-growth forest ecosystems have been derived from the vast areas of visual scars on mountain sides. As international tourism has increased, and the landscapes of BC have been further marketed, aesthetic discourses have often been substituted for identification of specific cause-effect linkages. And the edges of cut blocks have created additional blurring of cognitive boundaries of ownership, adequacy of land management, and notions of sustainable development.

The Government of BC has pioneered the development of visual resources management (VRM) for wildland mountain and coastal landscapes. There has been a dynamic in this work between a sort of landscape cosmetology, in order to hide the clearcuts from tourists, and development and assertion of community-based aesthetics derived from the experiences of various social groups. But integration of concerns for visual, heritage, recreational, and biological resources, into decision-making for landscapes that also have extractive operations, especially on small islands and along coastal strips, has been especially problematic and specific decisions are increasingly contentious for large portions of the public.¹⁸

Biodiversity and Landscape Ecology as Paradigm

The unresolved problems of cultural difference in the responses to the visual changes from the clearcuts have caused a shift in indicators of destructive and acceptable land management to those supposedly objective but in reality simply more technocratic. The notion of biodiversity conservation based on rela-

tively holistic principles of landscape ecology has provided a convenient vehicle for supposedly scientific as opposed to merely cultural framings of environmental problems. In landscape ecology, the concept of fragmentation¹⁹ has resonance with broader (postmodern) cultural theory. But how much forest fragmentation is deemed socially acceptable is determined through deceptively neutral techniques such as impact assessment and the setting of 'minimum viable populations'. This lustre of supposedly pure science has tended to support generalized, and residually colonial, environmentalism. First Nations' perspectives on biodiversity often grounded in traditional use of wild species for subsistence are too often pointedly ignored.

Landscape ecology is an interdisciplinary science that invariably must integrate social factors, including culture and politics, and even that of land management bureaucracies. Instead, there has been an attempt, within government agencies, to interpret landscape ecology as a sort of spatial ecological reductionism focused on a few variables such as the size and shape of cut blocks.²⁰ This has effectively obscured the social decisions and identification of the full range of trade-offs available. This has been, in part, because there has not been a legislative structure to guide the implementation of biodiversity conservation strategies. Neither Canada nor BC have anything comparable to the US Endangered Species Act²¹ or subsequent legislation on public forest lands that spell out specific objectives for conservation of biological diversity that can be used by courts to evaluate government performance. Canada signed the Convention on Biological Diversity in 1992²² and has tended to focus on its implications for foreign policy at the expense of local initiatives.

Maps and Environmental Nightmares

Without clear conservation objectives for the management of the ancient forests on the BC coast, the topographic map, with a notion of balanced use, areas for both conservation and extraction and Native and non-Native ownership, has become the major currency for the settling of disputes. But maps on paper, as tools for communication and public relations, can be easily abused. The colour map used in the public relations by the Government of BC to illustrate the April 1993 decision by Cabinet²³ is a case in point. The large areas where conventional clearcut logging would continue were confusingly coloured green with parks in red. The large areas that are to have largely conventional clearcut logging, with additional care in hiding the most obvious signs of roads and cut blocks, were coloured purple. This was the same colour used for areas with special care for sensitive habitat even though the actual area where this would be a concern

was minuscule. More problematic was that the map did not highlight the extent of the ancient forests in the Clayoquot Sound catchment that had already been cut, suggesting more ancient forests, than actually remain. And the map gave no indication of the assertions for ownership of land by the Nuu-Chah-Nulth.

The critical reading of this map, in the spring of 1993, was probably the single most important awakening for an expanding of a series of non-violent blockades, organized by a largely non-Nuu-Chah-Nulth group, Friends of Clayoquot Sound, and later, Greenpeace. The paper maps confirmed that there was in deed a conflict between cognitive maps, often perceived by members of the 1993 'Peace Camp' as simply between holistic management and sustainable development, on one hand, and commodification and destruction of ancient forest ecosystems, on the other.

Confrontations and Show Trials

In BC, nonviolent confrontation to stop extractive operations had first been successfully developed by the Haida. Originally, there were few non-Haida involved and the structure of the confrontations²⁴ was a curious blend of the ceremony of the original Haida visit to the nascent colonial government in 1859 and Gandhian Satyagraha. But the Nuu-Chah-Nulth largely stayed away from the 1993 'Peace Camp' blockades and insisted that with no treaty, even after over seven generations of colonial activity in the area, the fate of the forests should be in their hands. The courts and the social democratic provincial government finally agreed with them. The process that led up to an interim agreement, in 1994, took some of the righteousness from the Friends of Clayoquot Sound at a time when hundreds of its supporters went to court charged with criminal contempt of an injunction brought by BC's largest timber multinational, MacMillan & Bloedel Ltd. Over 800 people received sentences, most either suspended or monitored at home with electronic devices.

Even in this same period, with increasing international pressure particularly from Europe (including the aborted scrutiny of a committee of the European Parliament) the rate of clearcut logging accelerated in Clayoquot Sound. The social democratic provincial government, already under tremendous pressure from the industrial unions, and waffling in a mode evocative of the Weimar Republic, pursued the prosecutions, through its office of the Attorney-General, against the people 'who had stood on the road', many of whom had provided crucial support in the 1991 election. The blockades and the show trials²⁵ were reduced to media spectacle,²⁶ with scrambling of the legal, historical, and ethical issues, being used to further confuse the cognitive maps of the greater populace.

■ Future Directions

First Nations Reappropriation of Resources and Territories as Remapping

The imminent settlements, over some Native land claims on the British Columbian coast, will probably not include full resolution of issues of sovereignty, ownership and management of resources. Both the Nuu-Chah-Nulth and the Haida will probably be engaged in on-going negotiations and various provisional accords with the governments of Canada and British Columbia for as long as these state institutions continue to exist. Such political relationships begin to resemble those of vassal states surrounded by empires or absorbed by economic communities. In either case, such political and economic relationships could continue to be profoundly colonial.²⁷

As well as reliance on more comprehensive, historically and culturally accurate maps, all of these negotiations will require more precise and site-specific representations at provincial and various regional scales. Maps by marginalized groups, such as younger and more traditional Native people, could better be recognized and included in discussions for particular areas and this in turn could transform conceptions of forest landscapes from vaguely public to specifically communal. This process, in turn, could provide the basis for more careful and authentic Native and (non-Native) environmentalist alliances that, for example, would function quite differently than those, so far, between the Friends of Clayoquot Sound and Nuu-Chah-Nulth communities.

Prospects for Haida Gwaii

Having advocated for conservation of the ancient forests in the southern part of Haida Gwaii since well before 1974, the Council of Haida Nation (CHN) was marginalized in a 1988 compromise between the governments of British Columbia and Canada and various nationally oriented environmental groups.²⁸ A national park reserve became the temporary solution to avert recognition of the sovereignty of the CHN. The 1993 agreement between the CHN and Canada created the legal basis for the first joint management agreement where both parties finally recognized each other as sovereigns. In 1994, the Government of British Columbia responded to over 140 years of Haida overtures and a comprehensive treaty for the entire Haida Gwaii archipelago is now being negotiated. In recent years, there have been separate confrontations and discussions around commercial sportsfishing and forest conservation further north on Haida Gwaii.

Of all of the First Nations groups in Pacific Canada, the Haida have the best legal basis for arguing for a

sovereignty entirely outside of Canada.²⁹ As the economy of the BC coast is further integrated into the Pacific Rim and uncoupled from the poorer regions of Canada's interior, Haida Gwaii could function more as a separate political entity such as Brunei or a Malaysian state. But this would be after a huge number of the most lucrative resources have been removed,³⁰ a large portion of respective wealth having already enriched the coffers of the Province and the business communities of Vancouver and Pacific capitals. In this pressured atmosphere, conflicts and confrontations over the remaining fragments of natural ecosystems are inevitable. But the Haida may decide to continue to operate in a modified provincial system if only because it could provide a framework for forming alliances with neighbour areas and other First Nations.

Prospects for Clayoquot Sound

The 1994 Interim Measures Agreement established a Nuu-Chah-Nulth Board for environmental management which is slowly being constituted. In addition, a Scientific Panel on forest practices was established by the Province and has been careful to include Nuu-Chah-Nulth experts. Since the Agreement was signed, nearly 100 conventional cut blocks have been approved and for the corporations, it has largely been business-as-usual with the added cosmetics of slightly more Nuu-Chah-Nulth input. However, certain Nuu-Chah-Nulth communities are establishing new community forests and conceiving of slower rates of cut, more buffers around more Nuu-Chah-Nulth-initiated parks, and the channelling of more benefits of both logging and tourism back to their communities. Very different strategies are emerging for particular villages, family alliances, and landscapes.

Environmental Planning as Conflict Mediation

If we go back to Frederick Jameson's notion of the need for maps, it becomes clear that the incomplete and contradictory social perceptions of these areas and resources, along with the competing stakeholders, has retarded the development of any kind of spatial framework for resolving legal conflicts of territory, resources, and the distribution of environmental costs and benefits. Even with the new wave of official environmentalist and treaty-making rhetoric, a first in the history of the Province, by the provincial government, there has been remarkably little comprehensive inventory of these areas and traditional patterns of tenure nor even attempts to identify the full range of development and conservation solutions. This is not a surprise given that any exercise that seriously purported to be environmental planning is under tremendous social pressures from divergent interests. The

implications of this conundrum for the employment of scientific data and theory is the state often favours environmental (pulp) fiction over fact. That the exercise leading up to the April 1993 Cabinet decision was such a sham in terms of striking any sort of authentic balance, requires the reconstruction of frameworks of environmental planning³¹ and land management in order to forge authentic dialogues that squarely recognize the dialects of Native and non-Native and short-term extraction versus long-term conservation and fisheries production. The truncated and emasculated provincial efforts in the name of environmental planning will probably be repudiated with new frameworks emerging around the need to mediate conflict as the Haida and Nuu-Chah-Nulth become even more adamant and precise in reappropriation of their resources.

What elements should be included in a legal framework for such authentic forms of environmental planning? The following proposals should certainly be implemented via legal mechanisms:

1. The indefinitely provisional nature of sovereignty and ownership, with overlapping Native and non-Native responsibilities, should be fully recognized and spatially represented.
2. Not only should different scientific perspectives be represented but so should those of the most marginalized groups, particularly in terms of acceptable levels of conservation and environmental deterioration.
3. Within much of the current provincial and federal environmental legislation, are objectives and standards that can be revised on an ongoing basis, often through Orders-in-Council. These mechanisms for adaptive management should now include formal involvement of First Nations governments which, in turn, could influence the nature of the implementation in particular territories.
4. Environmental planning requires considerable amounts of information, some geographic, some photographic, some statistical, and some historical. All of this information will need to be better compiled and made accessible well before forest land use decisions are made. But it may be inappropriate for some of this information to be available outside of First Nations communities and the management of sensitive data will also become a central prerequisite to decision-making.

■ Conclusion: The Political Economic Functions of Chaos

In advanced capitalism, particularly that which now dominates the Pacific Rim, certain forms of chaos in land management hold some advantages particularly

when there are serious flaws in legal frameworks and growing popular resistance to export operations.

The legal conflicts around the remaining lands with ancient forests on the BC coast have resulted from divergent interpretations of landscapes, resources, jurisdictions, rights, responsibilities, and liabilities. With such high levels of disagreement and rancour, often with racial and cultural dimensions, it has been difficult to adequately debate societal decisions over economic development and environmental management without being limited to the subjective priorities of groups and classes. The logging corporation and preservationist confrontations, over the last two decades, have functioned as foils for persistent neocolonial relationships. The marginalization of First Nations' communities and governments, both in the courts and the media, has continued even when emerging Native governments have taken leadership around particular areas and resources and achieved some remarkable victories.

The construction of frameworks for environmental planning, recognizing divergent cognitive maps of forest landscapes, could contribute to authentic forms of both sustainable development and conservation. Such dialogues require the unmasking of many of today's popular narratives and legal and institutional realities, as they constrain forest conservation. The persistent reality of this provincial legal framework for the 'working forest' is that it is still profoundly neocolonial and dysfunctional and provides neither a basis for viable conservation nor conflict resolution.

■ Notes

1. G.B. Ingram, 'The remaining islands with primary rainforest: A global resource', *Environmental Management*, 16:5 (1992), at 585-595. (Ed: on the Pacific Rim generally, see the Kibel and Rosencranz article, and on BC specifically, see the Spalding article in this issue of *RECIEL*).
2. J.H. Vogel and G.B. Ingram, 'Biodiversity versus 'genetically coded functions': The importance of definitions in conservation policy', *RECIEL*, 2:2 (1993), 121-125.
3. G.B. Ingram, 'The ecology of a conflict' in R. Hatch and L. Maingon (eds.), *Clayoquot & Dissent* (Vancouver, Ronsdale Press, 1994), 9-71. See in particular *id.* at 22.
4. The best overview of the field of landscape ecology remains R.T.T. Forman and M. Godron, *Landscape Ecology* (London, John Wiley and Sons, 1986).
5. The Canadian government organized indigenous communities into village-level 'bands'. Many bands have since united to form their own political entities, calling themselves 'Nations'. When referring to more than one group of Native Nations, these groups tend to prefer the term 'First Nations', over Indians, indigenous peoples or aboriginal peoples.
6. While there have been new parks established in both areas, largely conventional clearcut logging of ancient

- forest continues as part of an eighteen month transition period following the 15 June 1995 enactment of British Columbia's first Forest Practices Code. The rates of cutting in 1995–1997 are some of the highest in the region's history.
7. Cognitive maps are maps of what individuals know, remember, and value in their communities. They are often ascertained through opinion surveys and are increasingly used as indicators of social priorities. For an overview of their general use, see R.M. Kitchin, 'Cognitive maps – what are they and why study them', *Journal of Environmental Psychology*, 14(1) (1994), 1–19; and G.M. Bonham, 'Cognitive mapping as a technique for supporting international negotiation', *Theory and Decision*, 34(3) (1993), 255–273. See also the more enigmatic outline of the need for maps by F. Jameson, 'Post-modernism, or the cultural logic of late capitalism', *New Left Review*, 146 (1984), 53–92.
 8. W. Duff, *The Indian History of British Columbia: The Impact of the White Man* (Victoria, Provincial Museum, 1964).
 9. Haida leaders protested the British seizure of the islands to the first governor of British Columbia. See (Victoria) *British Colonist*, 23 April 1859, at 1 (no author or title) which records a meeting where one thousand Haida, at least one-tenth of the total Haida population, arrived in eighty canoes, traded for gold, and insisted on political recognition.
 10. Thomas R. Berger, *A Long and Terrible Shadow: White Values, Native Rights in the Americas* (Vancouver, Douglas and McIntyre, 1991), 142–56. See *id.*, at 143, where Berger notes:

The colony's [the Crown colony of Vancouver Island's] House of Assembly had at first acknowledged aboriginal title, but when the House realized that the money for the extinguishment of aboriginal title would have to be provided locally, it began to insist there was no such thing as aboriginal title and no obligation to compensate Indians for their lands'.
 11. On 28 June 1991, a framework for negotiating between the provincial government and First Nations was proposed in the following report: Chief Joe Mathias, Miles G. Richardson, Audrey Stewart, Murray Collican, Chief Edward John, Tony Sheridan and L. Allan Williams, *BC Claims Task Force Final Report*, on file with the Victoria, British Columbia Ministry of Aboriginal Affairs. But it was not until after a provincial election and a social democratic government that the policy to finally begin negotiations was enacted in December of 1991.
 12. For a discussion of the links between the suppression of traditional culture and loss of Haida control over lands, see Norman Newton, *Fire in the Raven's Nest* (Toronto, New Press, 1973), 90–113.
 13. Bill Devall (ed.), *Clearcut: The tragedy of industrial logging* (San Francisco, Sierra Club Books, 1993).
 14. In the separation of powers between the Canadian government and British Columbia, there was something of a 'Catch 22' where the Federal government has had jurisdiction over most of Indian affairs and yet nearly all of the lands, being claimed by Pacific coast First Nations, are under the ownership of the provinces.
 15. John Bellamy Foster, 'The limits of environmentalism without class: Lessons from the ancient forest struggle in the Pacific Northwest', *Capitalism Nature Socialism*, 4:1 (1995), 11–41.
 16. 'Gwaii Haanas/South Moresby Agreement' 'Between: THE GOVERNMENT OF CANADA, represented by the Minister of the Environment AND: THE COUNCIL OF THE HAIDA NATION', dated 30 January 1993 (on file in the office of the Council of Haida Nation Skidegate); Council of the Haida Nation, 'Purpose and Objectives Statement', *Gwaii Haanas Newsletter* 1 (September 1993), 3.
 17. In the mid-1980s, there was a successful court effort by the Nuu-Chah-Nulth to keep Meares Island from being logged. However, they were saddled with huge court costs. The authors of the 'Interim Measures Agreement on Clayoquot Sound' are the Central Regions Chiefs of the Nuu-Chah-Nulth Tribal Council and the Province of British Columbia and it is dated 19 March 1994 (on file in the British Columbia Ministry of Aboriginal Affairs, Victoria).
 18. G.B. Ingram, 'Biological, visual and recreational values and the planning of extractive development and protected areas: A tale of three islands', *Landscape and Urban Planning*, 21 (1991), 109–129.
 19. G.B. Ingram, 'Fragmentation: Towards an expanded model of the vulnerability of forest habitats on islands. Proceedings of the symposium' in Y.S. Kheong and L.S. Win (eds.), *In Harmony with Nature, International Conference on the Conservation of Tropical Biodiversity* (Kuala Lumpur, Malayan Nature Society, 1992), 94–121.
 20. J.F. Franklin and R.T.T. Forman, 'Creating landscape patterns by forest cutting: Ecological consequences and principles', *Landscape Ecology*, 1:1 (1987), 5–18.
 21. Endangered Species Act, 16 USC § 1531–44 (1992).
 22. Convention on Biological Diversity, Rio de Janeiro, 5 June 1992; reprinted in (1992) 31 ILM 822 and *RECIEL*, 1:3 (1992), 359. In force 29 December 1993.
 23. Government of the Province of British Columbia, *Clayoquot Sound Land Use Decision: Key Elements*, (Victoria, Queen's Printer, April 1993), 1–5.
 24. T. Glavin, 'Indians Halt Lyell Logging', *The Sun*, Vancouver, 30 October 1985, at A1, A2.
 25. R. Hatch, 'The Clayoquot show trials', in R. Hatch (ed.), *Clayoquot & Dissent* (Vancouver, Ronsdale Press, 1994), 105–153.
 26. G. Debord, (translated by Donald Nicholson-Smith), *The Society of the Spectacle* (New York, Zone Books, 1967, 1994), 12–19.
 27. G.B. Ingram, 'Rainforest conservation initiated by traditional island communities: Implications for development planning', *Canadian Journal of Development Studies*, XV:2 (1994), 193–218.
 28. Tom M. McMillan, W. McKnight, and T. Huberts, 'Memorandum of Agreement between the Government of Canada and the Government of the Province of British Columbia for the Establishment of South Moresby National Park and National Marine Park, Queen Charlotte Islands, British Columbia, 12 July 1988', on file with Parks Canada, Hull, Québec.
 29. The Colonial office in London's approval for the annexation of what was referred to at the time as Queen Charlotte's Island was solely to limit territory intrusions by the United States of America and permission was never granted to actually colonize Haida Gwaii ('Extract of a Despatch from Sir John S. Pakington, Bart. M.P. To Governor Douglas; dated Downing-Street 27 September

- 1852', on file Archives of the Royal British Columbia Museum Call N. NW971.35 G786).
30. The extent of the ancient forests that have been removed and converted can be determined by comparing current satellite images and forest cover data with 'Haida Gwaii Forest cover in 1957' (map, scale 1: 650,000) in *Haida Laas: Journal of the Haida Nation* (Fall 1994 Special edition Forestry), centrefold.
31. G. Debord, n.26 above, at 119–127.

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