

Book Reviews/Comptes rendus

Richard DALY, *Our Box was Full: An Ethnography for the Delgamuukw Plaintiffs*. University of British Columbia Press. 2005, xix + 336 p. Index. \$29.95 paper.

Richard Daly's account of attempts of the Gitksan and Witsuwit'en plaintiffs to seek rights to their own land reveals multiple layers of issues regarding First Nations culture, identity, and rights. These two communities are situated in the northwest region of British Columbia along the Skeena and Nass River Valleys. Both the Gitksan and Witsuwit'en westernmost border is among the coastal mountain range but the Gitksan's eastern borders are in the boreal and interior climatic zones, and the Witsuwit'en's eastern border is in the interior zone.

This is a significant book for people, in a classroom or beyond, who are concerned with human rights. At the core of the issue is identity and pre-eminence in regards to First Nations self-governance and land. Also, the argument that Daly puts forth regarding the need for this ethnography and its effect in the Canadian courtroom situates the dilemma of being an anthropologist (i.e. someone on the other side) and serving as an "expert" witness for the plaintiffs. What is disturbing is that the process necessitates a mainstream expert to observe, document and validate the two cultures as they bring their claims to court because Western society (especially the courts) presumes the Gitksan and Witsuwit'en cannot fully (or objectively) account for themselves.

Daly's description of the historical, cultural, and affinal structure for each Nation is thorough and, though there is no orthography for either Gitksan or Witsuwit'en, the content presented is compelling. At the heart of the issue is that the Canadian Government--especially the Provincial Branch of British Columbia--refuses to acknowledge any First Nations claim after British claim to sovereignty over the land. Given the detailed account of stewardship Daly provides for Gitksan and Witsuwit'en use of the land, it becomes apparent that there are cultural clashes of values that ultimately invalidate, in the eyes of the court, the Gitksan and Witsuwit'en attempt for recognition and ownership of the land. These values are related to differences in market economies and gifting economies. Since it is the former that wields the power, it is also the former that determines what land ownership means and makes judgements accordingly.

A significant point Daly makes is that gifting societies are often much closer (based on community relationships in which such giving occurs) and that this contrasts with a market economy where transactions of goods do not go beyond the consumer and buyer relationship. Individuals and groups in gifting societies establish and maintain status in the community and region through an intricate process of procuring goods and distributing goods at family/community feasts. With this concept of stewardship, the land is parcelled out among family lines and its use is strictly observed according to such rights. Furthermore, this process is not limited to intratribal boundaries, as intertribal trade serves as means to establish rights to land, stories, songs, and family crests. Daly emphasizes that the two aboriginal accounts of society and land so acutely contrast the western frame of reference that the court simply refuses to validate such different systems of existence. In all of this I hear echoes from the Nelson Mandela trial in South Africa in 1962.

Mandela's brilliant argument brought to the South African court rested on two premises. The first premise was that it was impossible for him to have a fair trial. The second premise was that he had no moral obligation to observe laws made by a parliament in which he had no representation. It is fitting to see the parallels between First Nations land/self-governance claims and Mandela's situation in South Africa a generation earlier. What is similar is that the Canadian government feigns adjudication for self-governance cases, but, in the end, simply refuses to acknowledge the humanity and pre-eminence that First Nations people believe is given them by their Creator. The Creator (whom the British claim instilled their own sovereignty) warned through Solomon not to remove the ancient boundary stone or encroach on the fatherless. One must surmise from Daly's conclusion that any future cases that First Nations communities bring to the court will only end in the same way because what the court upholds is not justice, but a staunch colonial ideology so inculcated that no ethnography or "expert" account will suffice to win. Daly's report clearly confirms that First Nations simply have no voice, no justice, or no venue to challenge their serfdom to the autocracy of Canada's government and that the British claim to First Nations land supersedes any subsequent aboriginal claim simply because mainstream descendants are in power to reject all other claims.

This book is vital for First Nations communities with cases pending because the extensive backgrounds of the Gitksan and Witsuwit'en communities presented can serve to create more effective and compelling legal discourse. Daly offers important insight into the acceptable narrative structure expected in court which all communities must incorporate into their own cases. He also puts forward two great case studies for students, graduate or undergraduate, in any subject matter that addresses First Nations issues, and for academic and legal professionals concerned with First Nations rights. I find this book valuable because it so relevant to First Nations rights, and it is indispensable for its legal, sociological, anthropological, and educational content as well.

Frederick White, *Slippery Rock University*

© Canadian Sociological Association/La Société canadienne de sociologie