

# A HISTORY OF WOOD BUFFALO NATIONAL PARK'S RELATIONS WITH THE DENÉSULINÉ

Final Report

Including historical narrative, impacts and  
critical interpretations, with appendices

10 August 2021



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## Preface

In 2010, Parks Canada submitted their Management Plan for Wood Buffalo National Park. Within Key Strategy 1 they outlined their goal to develop a “Shared Vision” for the park, in which “Parks Canada will work towards the establishment of a management structure with local Aboriginal groups.”<sup>1</sup> A key action within this strategy is to engage with “local Aboriginal groups in cultural and ecological research and monitoring programs.” Athabasca Chipewyan First Nation (ACFN) is considering participation in this process. However, in order for Parks Canada to meaningfully engage in this way, acknowledgement of the community’s history in and with the Park – including a long history of exclusion, displacement, dismissals and violence against ACFN and their Dené ancestors with severe, intergenerational impacts of this history on Denésuliné peoples of the region – must first occur.

Research into this history has been ongoing within the community for decades, particularly under the leadership of the late Elder and former Chief Pat Marcel. Chief Marcel pressed for many years for the community’s oral histories to be gathered along with federal records to expose and bring to the public’s attention this fraught and complex history of relations. He himself spoke out often about his own family’s traumatic experiences and the wider environment of treaty violations and harms wrought against the Denésuliné by the Parks Branch through the creation, expansion and management of Wood Buffalo National Park. As will be clear in the full report, extensive oral histories recorded by ACFN from the 1970s onward demonstrate Elders’ and community members’ deep knowledge and firsthand testimony of the history of relations between the Park and the Denésuliné and its harmful, intergenerational impacts on individuals, families and the community.

In 2019, ACFN contracted Willow Springs Strategic Solutions (WSSS) to assist in ACFN’s ongoing work of gathering these histories, and to produce a research report focused on ACFN’s relation to the lands that were taken up by the Park after 1922, as well as the Park’s creation, expansion and management throughout the 20<sup>th</sup> century, including displacements and exclusions, as well as a 1944 Band membership transfer, and the serious impacts that ensued. This information will inform ACFN’s negotiations with the Federal Government, with the intention of informing an official apology and formal reparations, and of laying the groundwork for reconciliation between ACFN and Parks Canada in the future. The researchers are indebted to, and deeply grateful for, the important groundwork Elder Pat Marcel laid and hope that the report that follows serves the purposes intended by the community and honours the extensive work already done and histories already spoken by those who have long sought to defend their lands, waters and treaty rights from violent colonial encroachment.

Peter Fortna, principal at WSSS and Tara Joly, WSSS research associate, started on the project in collaboration with the ACFN Community Steering Committee in June 2019. The following report is the product of roughly two years of original research and community engagement, undertaken in two phases: Phase I, which focused on archival research, critical engagement with existing research ACFN had previously conducted, and in-depth review of the wider secondary literature; and Phase II, which focused on community engagement through extensive original

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<sup>1</sup> Parks Canada, *2010 Wood Buffalo National Park of Canada Management Plan*, 2010. <https://www.pc.gc.ca/en/pn-np/nt/woodbuffalo/info/plan/plan1>

interviews with Elders, knowledge holders and community members. Work on Phase I progressed smoothly for the first year of the project, with most secondary and archival research completed by Spring 2020. Peter Fortna and Tara Joly conducted the majority of the background secondary and archival research for the project.

However, the onset of the global COVID-19 pandemic halted all plans of in-person community engagement for Phase II. Travel plans and in-person interviews, focus groups and community planning meetings originally scheduled for Spring 2020 were cancelled, and Phase II was put on hold until Autumn 2020. In October 2020, Sabina Trimble, research associate at WSSS, took over Joly's role. In November 2020 it was decided by the Steering Committee that interviews should proceed remotely. 29 interviews with 30 individuals were conducted via Zoom or phone by Sabina Trimble and Peter Fortna. They were digitally recorded and transcribed from November 2020-May 2021. All digital interview recordings and transcripts were uploaded to a shared cloud folder for the Steering Committee and ACFN's review and future use. Transcripts have been printed and distributed to all interviewees. All archival and secondary documents, as well as notes by the researchers, have also been uploaded to the shared cloud folder, and physical copies will be made available for the Band's community archives if required.

From October 2020-May 2021, Sabina Trimble undertook an extensive review and analysis process in preparation for the construction of the report. The report that follows was authored by Trimble and reviewed by Fortna and the ACFN Community Steering Committee. It has also been reviewed by ACFN Chief and Council and by the ACFN Elders' council. It will also be reviewed and discussed with community members, including (but not exclusively) those who took part in interviews, with a view to producing a final, community-verified report by September 2021.

As the work is ongoing, the researchers and steering committee consider this report to be a "living document", intended to be updated as necessary under the guidance of the committee, Chief and Council, Elders and community members. The researchers take full responsibility for any omissions and errors in the current iteration of this living document.

This report is the sole intellectual property of Athabasca Chipewyan First Nation.

## A note on language

The researchers have made deliberate decisions regarding terminology, based on the recommendations of Elders and community members who participated in the research.

When referring generally to the First Peoples residing in and using the lands taken up by Wood Buffalo National Park, including Denésuliné, Nehiyaw and Métis peoples, the report uses the term “Indigenous.” When referring to the newcomers of non-Indigenous descent who entered Denésuliné lands starting in the 18<sup>th</sup> century, the terms “non-Indigenous,” “settler,” “outsider” and “newcomer” are variably employed. The use of these terms is deliberate. It intentionally emphasizes the originality of Indigenous peoples’ claims to the places that were overtaken by newcomers especially after the community’s adhesion to Treaty 8 in 1899.

When referring specifically to Dené peoples, perspectives and experiences in the region, we use the term Denésuliné, which refers to the language of the peoples who have inhabited, occupied and moved throughout the area for at least the last 10,000 years. The name translates to “the original/real people.” The Denésuliné of this region go by a number of other traditional names in their language, which indicate their profound and ancient connections to the lands and waterways. For example, the name Etthen eldeli Dené points to the vastness of Denésuliné traditional territory, following the historical migratory patterns of caribou herds.<sup>2</sup> The name K’ái Tailé Dené translates roughly to the “real people” of “blanket willows” or “land of the willows,” demonstrating again the importance of the environment to the identities and lives of the Denésuliné. In consultation with Elders and the Steering Committee, the authors determined that the name Denésuliné was most suitable for the purposes of this report, as it emphasizes the original and lasting claim the Dené peoples of this region hold over the lands and waterways that were taken up by the Park and (in some cases) eventually transferred to the Mikisew Cree Band. Often, we abbreviate to just “Dené”, and at other times, we use the term “the community.”

At times, the report also refers to “Athabasca Chipewyan First Nation,” “ACFN,” “the First Nation,” or “the Band.” These are political designations with particular historical meaning and are only used in this report to refer to the political entity formerly known as the Chipewyan Band. This is because there are individuals and families who identify as Denésuliné by heritage but on paper are members of the Mikisew Cree First Nation (“MCFN”, formerly the Cree Band) because of the forced membership transfer that took place in 1944, described in Section 2. Finally, the Denésuliné have been incorrectly labelled “Chipewyan” by government, churches, academics, industry and other outsiders for many decades. This was a Cree term for Denésuliné peoples that referred to a style of clothing. Because non-Indigenous missionaries, translators and government officials tended to be more conversant in Cree during the history of early contact in Northern Alberta, the name was assumed and applied to Dené peoples of the region. The First Nation now commonly known as ACFN was named the Chipewyan Band in government, legal and academic literature for many years. The term Chipewyan is also still in common use among some Denésuliné people. Based on recommendations from Elders in the community, however, this report only uses this name if directly quoting texts or interviewees that employ it.

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<sup>2</sup> ACFN, *Footprints on the Land: Tracing the Path of the Athabasca Chipewyan First Nation*, (Fort Chipewyan: ACFN, 2003), p. 31-32.



## Introduction

*“according to our treaty, even before the park was formed, we were naturally there, [but]...right now ACFN for the last 100 years basically had no existence in Wood Buffalo National Park.” (Leslie Wiltzen, 2021)<sup>3</sup>*

*“how you could word that is, you know it was always yours and then somebody else comes out and take[s] it away from you...but still it’s yours and you know, you’re a part of it.” (Anonymous Elder, ACFN, 2021).<sup>4</sup>*

In much of the public discourse about protected nature areas (“PNAs”) in Canada, such as national and provincial parks, there has often been a tendency to uncritically celebrate their existence as a significant element of Canadian national history and identity, and as important triumphs of 20<sup>th</sup> century environmentalism.<sup>5</sup> Yet celebratory narratives about PNAs have often ignored the damage they inflict on Indigenous communities, who are usually displaced and dispossessed in the process of their creation.

The history of relations between Wood Buffalo National Park (“the Park”) and the Denésuliné residents and land-users of the lands and waterways it takes up, reflects these tensions. The Park’s 1922 creation, 1926 expansion, and management throughout the 20<sup>th</sup> century eroded Dené rights and sovereignty over a significant portion of their territory and damaged all aspects of the community’s health and well-being, governance, kinship networks, and relations to the land and water. The following report draws on extensive, original archival and oral history research and a deep scan of secondary literature, to detail the complex and fraught history of relations between Wood Buffalo National Park and Athabasca Chipewyan First Nation (ACFN) and their Denésuliné ancestors.

## Protected nature areas and Indigenous peoples: histories and legacies of displacement

The troubled history of relations between PNAs and Indigenous peoples has been detailed extensively across the scholarly literature. From the most famous national parks like Banff and Jasper in Southern Alberta, to provincial parks like Desolation Sound in British Columbia, a common history is that parks and their administrations displaced, dispossessed, excluded and impoverished Indigenous peoples, with long-term, intergenerational impacts.<sup>6</sup> Researchers have

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<sup>3</sup> Zoom Interview with Leslie Wiltzen, 21 January 2021. WBNP2021-Leslie Wiltzen-01-21-21.

<sup>4</sup> Phone interview with Anonymous ACFN Elder, interviewed by Sabina Trimble, 17 March, 2021. WBNP2021-Anon06-03-17-21.

<sup>5</sup> See, for example, J.C. Nelson and R.C. Scace, eds., *The Canadian National Parks: today and tomorrow, Proceedings of a Conference Organized by The National and Provincial Parks Association of Canada and The University of Calgary* (Calgary, AB: University of Calgary Press, 1969).

<sup>6</sup> See, for example, Ted Binnema and Melani Niemi, “‘Let the line be drawn now’: Wilderness, Conservation, and the Exclusion of Aboriginal People from Banff National Park in Canada,” *Environmental History* 11 (October 2006): 724-50; Jonathan Clapperton, “Desolate Viewscapes: Sliammon First Nation, Desolation Sound Marine Park and Environmental Narratives,” *Environment and History* 18, no. 4 (November 2012): 529-559; Tina Loo, *States of Nature: Conserving Canada’s Wildlife in the Twentieth Century* (Vancouver: UBC Press, 2007); Roberta Nakoochee, “Reconnection with Asi Kéyi: Healthing Broken Connections’ Implications for Ecological Integrity in Canadian National Parks,” MA Thesis (Guelph: University of Guelph, 2018); Barry Sadler, “National parks, wilderness preservation, and native peoples in northern Canada,” *Natural Resources Journal* 29: 185-204; Sandlos, *Hunters at the Margin*; Megan Youdelis, “‘They could Take You out for Coffee and Call it Consultation!’: The Colonial Antipolitics of Indigenous Consultation in Jasper National Park,” *Environment and Planning*:

described the effects of similar processes throughout the British empire and around the globe, including in the U.S., Australia, India, Nepal, Buhtan, and across the South American and African continents.<sup>7</sup>

While the specific reasoning varies in each case, usually those who have championed PNAs have perceived a contradiction between their intentions and the presence of Indigenous peoples, who depend upon the resources, lands and waterways protected areas take up. Historians have traced several intersecting and sometimes contradictory intentions that have commonly led to (and continue to justify) evictions of Indigenous peoples from their territories for the creation of PNAs. These include wilderness preservation; wildlife conservation; the development of a tourism industry; and the development of certain other commercial and extractive industries beneficial to the colonial state. Tensions between Indigenous presence and the various desires of newcomers to transform lands and waterways into something either “pristine,” “productive” or “conserved” have driven global policy related to PNAs since the 19th century.

Racist and sexist assumptions about Indigenous land-use—assumptions which were products of a long history of colonial violence and White supremacy across the British and American empires—were driving forces in the history of PNAs. Indigenous lifeways were often “vilified as antithetical to wilderness conservation” and resident peoples were subsequently “violently evicted or coercively displaced” from protected areas.<sup>8</sup> The tendencies to disparage and displace Indigenous land use and privilege the land-use practices of non-Indigenous newcomers (whether for preservation, conservation or development or some combination thereof), have justified evictions of Indigenous peoples for PNAs around the world. As David Himmerflab notes in the context of Uganda:

*“There’s that concept that the white people think different than the land users, you know?”*

*Elder Alice Rigney, 2021.*

colonial officials created imagined histories which effectively erased the ecological legacies of human activity from landscapes and with

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*Economy and Space* 48, no. 7: 1374-92; Megan Youdelis, Roberta Nakoochee, Colin O’Neil, Elizabeth Lunstrum and Robin Roth, “‘Wilderness’ revisited: Is Canadian park management moving beyond the ‘wilderness’ ethic?” *The Canadian Geographer* (2019): 1-18.

<sup>7</sup> For global overviews of literature focused on Indigenous eviction for conservation, see Daniel Brockington and James Igoe, “Eviction for Conservation: A Global Overview,” *Conservation and Society* 4, no. 3 (2006): 424-470; John M. Mackenzie, *The Empire of Nature: Hunting, Conservation and British imperialism* (Manchester: Manchester University press, 1988); Robert Poirier and David Ostergren, “Evicting People from Nature: Indigenous Land Rights and National Parks in Australia, Russia, and the United States,” *Natural Resources Journal* 42, no. 2 (Spring 2002): 331-351.

For specific examples of these processes across the globe, see: Phillip Burnham, *Indian Country, God’s Country: Native Americans and National Parks* (Washington, D.C.: Island Press, 2000); Robert Keller and Michael Turek, *American Indians and National Parks* (Tucson, AZ: University of Arizona Press, 1998); Mark Spence, *Dispossessing the Wilderness: Indigenous Removal and the Making of National Parks* (Oxford: Oxford University Press, 1999); Ramachandra Guha, “The Authoritarian Biologist and the Arrogance of Anti-Humanism: Wildlife Conservation in the Third World,” *The Ecologist* 27, no. 1 (January/February 1997): 14-20; David Himmerflab, “Moving People, Moving Boundaries: The Socio-economic Effects of Protectionist Conservation, Involuntary Resettlement and Tenure Insecurity on the Edge of Mt. Elgon National Park, Uganda,” *World Agroforestry*, 2006), [http://apps.worldagroforestry.org/programmes/african-highlands/pdfs/wps/ahiwip\\_24.pdf](http://apps.worldagroforestry.org/programmes/african-highlands/pdfs/wps/ahiwip_24.pdf); Roderick P. Neumann, *Imposing Wilderness: Struggles over Livelihood and Nature Preservation in Africa* (Berkeley: UC Press, 1998); Klaus Seeland, “National Park Policy and Wildlife Problems in Nepal and Bhutan,” *Population and Environment* 22, no. 1 (September 2000): 43-62

<sup>8</sup> Youdelis et. al., “‘Wilderness’ Revisited”: 2.

them historical residents' claims to the land. Moreover, by classifying local people as categorical threats to the goals of conservation, colonial resource managers could justify the exclusion of local residents from protected area planning as well as their forced displacement.<sup>9</sup>

Indeed, in the creation of protected areas in Canada and across the empire, Indigenous residents were rarely or only marginally included in discussions and decision-making processes, and their land-based knowledge was usually ignored, dismissed or discredited. Meanwhile, “nearly unbridled development and extractivism” adjacent to protected areas were often deemed acceptable by newcomer states and industry – which significantly increased pressure on Indigenous lands and evicted communities.<sup>10</sup> In these ways, as historian Tina Loo shows, protected areas across Canada have “had the effect of marginalizing local customary uses of wildlife, and in that sense [were] part of...colonization.”<sup>11</sup> PNAs have been experienced by Indigenous peoples globally as significant elements of the histories of colonial dispossession, violence and genocide.

In many ways, the history of relations between Wood Buffalo National Park (“the Park”) and the Denésuliné peoples it has displaced reflects this wider history. Indeed, the Park was created during what some have considered to be a “golden age” of conservation across the British empire and the U.S., in the first half of the 20<sup>th</sup> century. Much of the historical narrative below reflects the influence this global drive toward conservation had on the Park, reflecting its similarities to other PNAs elsewhere.<sup>12</sup> Yet the Park’s history is also unique. Its creation and management, as well as its fraught relations with Dené residents and land-users, were driven by intentions that shifted over time, beginning with wood bison preservation in the initial years, shifting to focus on restrictive fur conservation combined with industrial and commercial development from the 1930s-1980s, and eventually transitioning to encompass tourism and co-management schemes in the late 20<sup>th</sup> and early 21<sup>st</sup> centuries. Furthermore, unlike other National Parks in Canada, some Indigenous residents were permitted to remain in the Park due to ongoing interdepartmental conflict between the Parks administration and the Indian Affairs Branch.

Despite these differences, the history of WBNP, like other PNAs across Canada, has been largely characterized by dismissals of local people’s knowledge, lifeways, needs and concerns. Central to the Park’s creation, expansion and management were a series of evictions of Denésuliné people from their homes and land-use areas; separations of Dené families; and restrictions on Treaty-protected rights to reside in and use the land and waterways as the Denésuliné had done since time immemorial. As scholars have demonstrated across so many other PNAs, Indigenous peoples were considered by the Park administration to be “as much in need of management as the animals they hunted.”<sup>13</sup> As ACFN Elder Alice Rigney summarizes: “There’s this concept that the white people think different than the land users” so that their concepts overrode Denésuliné

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<sup>9</sup> Himmerflab, “Moving People, Moving Boundaries.”

<sup>10</sup> Ibid.

<sup>11</sup> Loo, *States of Nature*, p. 6.

<sup>12</sup> Jonathan Sandlos, “Landscaping Desire: Poetics, Politics in the Early Biological Surveys of the Canadian North,” *Space and Culture* 6, no. 4 (Nov. 2003): 395-414.

<sup>13</sup> Jonathan Sandlos, *Hunters at the Margin: Native People and Wildlife Conservation in the Northwest Territories* (Vancouver: UBC Press, 2007), p. 104.

people’s longstanding relations to, and understandings of, the land and water – despite that Denésuliné have always been “taught to protect the land and save it...so our children and grandchildren can use it as they have.”<sup>14</sup> Negative assumptions about Indigenous land-use in the region, as historian Jonathan Sandlos notes, justified evictions of Denésuliné people and “the assertion of state power over a wildlife population that had been under the local control of Native hunters for generations.”<sup>15</sup>

The Park takes up a large portion of ACFN’s much wider traditional territory and encompasses specific places of importance where Denésuliné people travelled, resided, settled, built homes, and harvested for many centuries prior to 1922. These include two significant settlement sites at House Lake/Birch River, gravesites and harvesting areas at Lake Mamawi, Moose Island and Lake Dené and along the Birch Mountains, and a settlement at Peace Point (now the reserve of Mikisew Cree First Nation). It also includes, as indicated in the terms of Treaty 8, various land-use sites, encampments and gravesites along the Athabasca River, Birch River, Gull River, Peace River, and Slave River, parts of each of which are now encompassed by the Park. Thus, as was the case with other PNAs in Canada, WBNP’s complex history of evolving preservation, conservation and economic development policies had significant, long-term impacts on the Denésuliné whose territories it took up.

### Wood Buffalo National Park in the context of Treaty 8

Understanding the context and history of Treaty 8 is key to understanding and interpreting the history of the Park and its relations to ACFN and their Denésuliné relations. Appendix II contains an extract from ACFN Elder René Bruno’s oral history of Treaty 8, which was passed down to him from his mother and grandmother, who were both present at the Chipewyan Band’s adherence to Treaty 8 in Fort Chipewyan in 1899. The oral history of the treaty was also extensively documented by the Treaty and Aboriginal Rights Research (T.A.R.R.) branch of the Indian Association of Alberta in the 1970s. Numerous Elders described oral promises made in good faith at the time of the treaty and eventually broken in the decades that followed, in interviews with the T.A.R.R. researchers.<sup>16</sup> Treaty historian René Fumoleau also details this history in *As Long as this Land Shall Last: A History of Treaty 8 and Treaty 11, 1870-1939*.<sup>17</sup>

In July 1899 leaders representing the Denésuliné peoples of the Athabasca River, Birch River, Gull River, Peace River and Slave River met at Fort Chipewyan with Treaty commissioners representing the British Crown, to negotiate and sign adherence to Treaty 8. Elders’ accounts of the event point to oral and written agreements made in good faith during negotiations. According to the oral histories, Dené leaders understood Treaty 8 as an agreement to peacefully share their lands and waterways with the Crown in exchange

*“They broke their promise long ago.”*

*Victoria Mercredi, 1998*

<sup>14</sup> Phone interview with Alice Rigney, interviewed by Sabina Trimble, 16 March, 2021. WBNP2021-Alice Rigney-03-16-21.

<sup>15</sup> Sandlos, *Hunters at the Margin*, p. 26.

<sup>16</sup> See Bill Russell, Treaty and Aboriginal Rights Research (T.A.R.R.), “Report to the Chipewyan Band of Fort Chipewyan on Treaty Land Entitlement and other Land Matters” (Ottawa: Indian Association of Alberta, 1981).

<sup>17</sup> René Fumoleau, *As Long as this Land Shall Last: A History of Treaty 8 and Treaty 11, 1870-1939* (Calgary: University of Calgary Press, 2004).

for various protections and necessities, including reserve lands, annuities, uniforms, schools and teachers, tools and equipment for agricultural activity where possible, and, most importantly, the uninterrupted “right to pursue their usual vocations of hunting, trapping and fishing throughout the tract surrendered.”<sup>18</sup> Louis Boucher explained to the Indian Association of Alberta’s T.A.R.R. team in 1974:

The commissioner representing the Queen who was here to make the treaty payment picked up a blade of grass and said, ‘In the future, this will never be taken away from you. Don't have any wrong ideas about it. You will always have it. As long as the sun walks and the rivers flow. The way you are making a living in the bush will never be restricted.’<sup>19</sup>

Elder Jimmy Deranger explains the importance of this particular promise to protecting the rights of the Denésuliné in perpetuity:

Whose land is it? Nobody's. Ours, ours. It's always been ours. Now the natural grass is still growing, the water at Lake Athabasca and the rivers are still flowing. And the sun is still shining. And that's our land. And the Denésuliné people and Mikisew people, the Métis people are still using the land as they did before contact and during contact, and to this very day. And will continue to use it. They had used it for 15,000 years, and they will continue to use it for another 15,000 years.<sup>20</sup>

Oral accounts indicate that many of the promises made by treaty commissioners were broken and forgotten in the decades that followed. Several terms and promises made orally at the time of the commission were later revoked or altered in the written Treaty document.<sup>21</sup> Pierre Mercredi, an interpreter for Treaty 8, recalled that there were actually two versions of the Treaty. The original version, which he witnessed and interpreted in Fort Chipewyan in 1899, contained the provision that Dené people would maintain their rights to reside, harvest and move across the land forever. Mercredi maintained that another clause limiting these rights had been added after the fact: “When the copy came back, that second clause (that they shall promise to obey whatever hunting regulations the dominion government shall set) was in it. It was not there before.” He continued, “I have no doubt the new regulation breaks that old treaty. It makes me feel bad altogether because it makes lies of the words I spoke then for Queen Victoria.” Mercredi concluded, “The old Chief came to me and told me that I had spoken the words for Queen Victoria and they were lies. He said that if she had come and said those words herself, then, and broken them, she would have been an awful liar.”<sup>22</sup>

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<sup>18</sup> Treaty No. 8. <https://www.rcaanc-cirnac.gc.ca/eng/1100100028813/1581293624572#chp4>.

<sup>19</sup> Transcript of interview with Louis Boucher, interviewed by Richard Lightning at Fort Chipewyan, 6 February, 1974, Treaty and Aboriginal Rights Research, Indian Association of Alberta (Fort Chipewyan: ACFN Office).

<sup>20</sup> Phone interview with Jimmy Deranger, interviewed by Peter Fortna, 24 March, 2021. WBNP2021-Jimmy Deranger-03-24-21.

<sup>21</sup> This was noted by interpreter Pierre Mercredi in 1949, as discussed in Fumoleau, *As Long as this Land Shall Last*, pp. 79-81.

<sup>22</sup> As cited in Fumoleau, *As Long as this Land Shall Last*, pp. 79-80.



Figure 1: Map of Treaty 8. [Source: Aboriginal Treaties, University of British Columbia].

Thus, despite the oral promises Louis Boucher summarized in 1974, the written Treaty document reads:

they shall have right to pursue their usual vocations of hunting, trapping and fishing throughout the tract surrendered as heretofore described, *subject to such regulations as may from time to time be made by the Government of the country, acting under the authority of Her Majesty, and saving and excepting such tracts as may be required or taken up from time to time for settlement, mining, lumbering, trading or other purposes (emphasis added).*

This language in the written document eventually made it possible for the government to take up treated lands as it saw fit. In this way, Parks officials sometimes justified the taking up of lands

for the Park, the imposition of a suite of strict game regulations throughout the 20<sup>th</sup> century, and the evictions and displacements of Denésuliné people. Thus, the history of the Park has been interpreted by the community as a history of broken Treaty promises and of violations of Denésuliné Treaty and hereditary rights. As many Elders and community members have indicated in interviews throughout the decades, 23 years after the Treaty, the promises to maintain Denésuliné people's "usual vocation" "as long as the sun walks and the rivers flow" were broken through the creation of the Park.

### The troubled history of relations between WBNP and the Denésuliné

The history of relations between Wood Buffalo National Park and the Denésuliné whose lands and waterways it took up is fraught and complex. This history had significant, damaging and intergenerational impacts on Denésuliné families and the community as a whole, which are still experienced to this day. The Park's 1922 creation, 1926 expansion and management throughout the 20<sup>th</sup> century, and the forced membership transfer in 1944, violated Denésuliné treaty rights, displaced Dené residents from their territories and homes (including through a series of evictions from Birch River and Peace River after 1926), cut off or restricted their ability to harvest and live on the land as they always had done, and divided families and the community.

WBNP was created in 1922 with the goal to preserve the last remaining herd of wood bison. It was expanded in 1926 after several thousand plains bison were imported from Wainwright, AB to mix with the wood bison herd. Throughout the 20<sup>th</sup> century, its purpose shifted to encompass the conservation of other game, especially fur-bearing animals. A strict permitting system regulated access and land-use in the Park after 1926, even for Indigenous land-users whose rights were protected by Treaty 8. A suite of restrictive game laws controlled land-use throughout the Park and wider region, and a growing warden system enforced these rules – with the power to fine and jail land-users and even revoke their permits to hunt, trap and travel the land. Over time, some commercial and industrial activities in the region put further pressure on local Indigenous lands and peoples. In 1944, a forced transfer of Dené residents within the Park to the Cree Band treaty payroll list split the Chipewyan Band in half and transferred many families to the Cree Band. Numerous Denésuliné residents and land-users were refused access to the Park or evicted from their homes after this transfer; if they refused to transfer bands, they were forced to abandon their land-use areas and homes. In some cases their cabins were burned down by the Park administration.

In these ways, many of the people who resided and harvested along the Athabasca River, Birch River, Peace River, Slave River and Gull River at the time of Treaty saw their homes eventually taken up by the Park and were either forced to leave or to transfer Bands. Those Denésuliné land-use areas in the Park that were not abandoned became Cree sites as a result of the 1944 Band transfer. Divisions and tensions between ACFN and the community that is now MCFN were exacerbated through an administration that not only privileged preservation and conservation over Denésuliné lives, but also ostensibly privileged Cree over Dené needs and claims.

Extensive oral history evidence suggests that there was little or no consultation with Dené leaders, residents and land-users regarding the Park. If any consultation occurred, Dené leaders were led to believe the land would only be loaned temporarily to the government for the bison sanctuary. Yet 100 years later Dené people remain cut off and displaced. As Victoria Mercredi summarized in 1998, “They broke their word long ago.”<sup>23</sup>



Figure 3: Photo of Wood Bison [Source: Pictured in Maxwell Graham and Fred Siebert's Report on the Wood Bison Herd, 1923].

In addition to proceeding with little to no direct consultation, the history of the Park administration was characterized by officials who ignored and dismissed the rights, needs and concerns of Denésuliné residents, even those who were starving and suffering as a result of evictions and restrictions. Parks officials also typically re-framed Dené hereditary and Treaty rights to access lands in the Park as “privileges” to be granted by the administration. Over time, through strict access and harvesting regulations that were enforced by a powerful warden system, the administration criminalized rights to land-use within and around the Park. Evidently, a preoccupation with preserving and conserving wildlife took precedence over concerns about Denésuliné rights, lives and well-being.

Typically, the Park administration conceded to granting access “privileges” to Dené people only because of pushback from Indian Affairs officials, who feared that displaced families

would rely heavily on social assistance – a fear which eventually materialized as a direct, widespread outcome of 20<sup>th</sup> century Park policy. Even though they repeatedly protested and petitioned for help, Denésuliné people were usually ignored or dismissed by the Parks

*“Whose land is it? Nobody's. Ours, ours. It's always been ours.”*

*ACFN Elder Jimmy Deranger, 2021*

<sup>23</sup> Transcript of interview with Victoria Mercredi, 20 Jan. 1998, interviewed by Lorraine Hoffman, translated by Yvonne Hoffman (Mercredi), Transcripts from Lorraine Hoffman, Cassette tape 2. (Fort Chipewyan: ACFN Office), p. 45.



administration throughout the 20<sup>th</sup> century, despite ample evidence that those who were being evicted were suffering with few alternative options.

The physical displacements and separations of Denésuliné families due to the Park policy occurred within a wider historical context of drastic changes that the Dené people in Northern Alberta were already facing, including the residential school system, devastating epidemics, the influx of settlers and industry, and the increasing power of the colonial state over Northern Alberta. According to Elders and community members interviewed for this project, the Park was therefore a major player in a history in which “an originally healthy and relatively affluent society... has been colonized and disenfranchised and has been losing traditional lands” over the past 250 years.<sup>24</sup>

*“the park there...one day,  
they might recognize that  
they did wrong.”*

*Leslie Laviolette, 2021.*

As such, the history of the Park has led to severe and substantive, direct and cumulative impacts on individuals, families and the community – especially for those who were displaced. These harmful impacts are intergenerational and are experienced by Denésuliné people to this day. The history has

also been widely interpreted within the community as a process of ongoing treaty violations by federal government officials. Numerous individuals interviewed for this research report repeatedly expressed the wish that this story be told, with a view to obtaining genuine acknowledgement from Parks Canada, a formal apology, and appropriate compensation. As Leslie Laviolette says, “the park there...one day, they might recognize that they did wrong. And they [would] give us back, hand over the key [so] that we get back in there.”<sup>25</sup>

## Methodology

### *Community-engaged research approach*

The researchers employed a mixed methodology guided centrally by community-engaged research approaches as articulated across the social sciences and humanities.<sup>26</sup> Community-based researchers, especially those working with Indigenous peoples, emphasize the importance of community engagement and oral testimony to “fill the gaps” left by archival texts produced by primarily elite, non-Indigenous (mostly white) men and to challenge dominant stories and national mythologies that marginalize and do violence to Indigenous experiences and knowledges. They also point to the need for understanding local perspectives on and experiences of the past, suggesting research approaches involving deep listening and extensive community participation in research.

In this tradition, the following report combines original, community-engaged and mixed-methods research with a deep review of secondary literature. It critically engages historical documents from numerous archive collections, including Library and Archives Canada in Ottawa, the

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<sup>24</sup> ACFN, *Footprints on the Land*, p. 9.

<sup>25</sup> Phone interview with Leslie Laviolette, interviewed by Sabina Trimble, 22 March, 2021. WBNP2021-Leslie Laviolette-03-22-21.

<sup>26</sup> See, for example, Keith Carlson, John Sutton Lutz, David Schaepe and Naxaxalhts'i (eds.), *Towards a New Ethnohistory: Community Engaged Scholarship among the People of the River* (Winnipeg: University of Manitoba Press, 2018); Adam Gaudry, “Researching the Resurgence: Insurgent Research and Community-Engaged Methodologies in 21<sup>st</sup> Century Academic Inquiry,” In Susan Strega and Leslie Brown (eds.), *Research as Resistance: Revisiting Critical, Indigenous and Anti-Oppressive Approaches* (Toronto: Canadian Scholars' Press, 2015), pp. 243-265.

Provincial Archives of Alberta in Edmonton, and the community archives of ACFN in Fort Chipewyan and Fort McMurray. It also draws on 44 historical interviews previously conducted with ACFN members from the 1970s onward<sup>27</sup> and 29 new interviews with 30 ACFN members, MCFN members and Métis residents. These new interviews were conducted from November 2020-May 2021. Due to public health restrictions in light of the global COVID-19 pandemic, all new interviews conducted for this report took place remotely.

There have been several excellent histories written to date about the Park, but these focus almost entirely on the extensive archival record.<sup>28</sup> This report's community-grounded perspective complements this work by addressing some of the limitations of a purely archival focus. For example, Denésuliné land-use and stewardship practices are best understood through engagement with oral testimony. Therefore, Section 1 ("Denésuliné Relations to Land and Water") relies primarily on ACFN's previous Traditional Land Use research and interviews with community members. Furthermore, oral testimony often provides details that are absent from the archive record, even at times posing a "counter-narrative" to the dominant narrative contained in written archives. For example, the archives are relatively sparse in details related to specific forcible removals of Denésuliné families from the Park; intimidation tactics used by wardens; or the process that led to the 1944 band membership transfer. These key details however have been clearly articulated in the oral testimony. Therefore, the report relies heavily on analysis not only of the extensive archival record but also of oral history interviews and the knowledge and memories shared by numerous Elders and community members over many decades.

Significantly, the oral record also points to the intergenerational impacts of the Park on Denésuliné people (detailed in Section 3). While some of these details can be gleaned from the archives, they are more thoroughly understood through engagement with living memory of ACFN members who have spoken extensively about the Park's impacts, past and present. Finally, critical interpretations of the history of the Park (outlined in Section 4) are also largely drawn from Denésuliné perspectives shared during interviews.

### *Limitations*

There are some limitations to the research resulting mostly from conducting a community-based study from outside of the community (i.e., on a remote basis) during a global pandemic. For any community-engaged research, long-term, in-person communications with Elders and community members is always preferred; however, the researchers have done their best to work with as many people as possible given the unprecedented circumstances.

First, the opportunities for deep, in-person relationship building, key to community-engaged research, were limited. From the project's initiation in Summer 2019 through April 2021, the research team completed all archival and secondary source research despite these limitations.

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<sup>27</sup> Including transcripts from interviews for the Treaty and Aboriginal Rights Research Report in 1974; interviews with Lorraine Hoffman in 1998; a written questionnaire with ACFN Elders (undated); interviews from the ACFN Land Use Plan – Preservation Areas Study, 2009; and interviews from the Dené Laws research study, 2015.

<sup>28</sup> Patricia McCormack, *Fort Chipewyan and the Shaping of Canadian History, 1788-1920s: "We like to be free in this country"* (Vancouver: UBC Press, 2010) and Patricia McCormack, "How the (North) West Was Won: Development and Underdevelopment in the Fort Chipewyan Region," Unpublished PhD Dissertation (Edmonton, AB: University of Alberta, 1984); see also Claudia Notzke, *Aboriginal Peoples and Natural Resources in Canada* (Concord, ON: Captus University Press, 1994); Barry Potyandi, *Wood Buffalo National Park: An Historical Overview and Source Study*, (Parks Canada: Manuscript 345, 1979); Sandlos, *Hunters at the Margin*.

However, the oral history and interview components of the work were postponed and extended as a result of the unprecedented global circumstances. To abide by public health restrictions and ensure the health and safety of the community and all participants, the researchers pivoted from the original plan to conduct interviews in person, to a new, modified plan to conduct interviews over the phone or via videoconference technology.

Furthermore, recruiting interviewees from a distance for remote interviews presented logistical challenges in the initial months, due to difficulty retrieving contact information for Elders and garnering interest without opportunities to advertise or discuss the project in advance and in-person with participants. From November 2020-February 2021, the team was only able to schedule four phone/video interviews. To expand on this initial engagement, in February 2021, ACFN recruited a Band member with strong connections across the community to directly contact Elders and schedule further phone interviews. As a result, the research team successfully scheduled an additional 25 interviews with ACFN, MCFN and Métis Elders and community members from March-May 2021.

It is possible that, despite best efforts to mitigate the communication disconnect resulting from the pandemic, the researchers have not spoken to all interested individuals and therefore some key voices may be missing from the narrative that follows. The researchers are treating the report therefore as a “living document” rather than a finished product or a closed book. It is assumed that if or when further interviews take place and additional perspectives emerge, these will enhance the report, providing opportunities to update the research conducted to date. It is possible the story, conclusions and implications may evolve based on new findings.

Finally, a key characteristic of oral history is that it is in some ways “alive,” in ways that written texts often are not. That is to say, the communication, interaction and delivery that form an interview are as important as the words shared. When conducted respectfully and relationally, in-person oral interviews breathe with inflection, connection, emotion, gestures, facial expressions and other forms of body language. Remote interviews may not be as reflective of the form and character of oral history as an in-person interview can be. In-person interviews are also superior for building comfort and rapport with participants, who can see interviewers’ physical reactions, whether in a head nod or a smile. Thus, interviews conducted over the phone may result in what some oral history researchers have termed “disembodiment.”<sup>29</sup> To some extent, this disembodiment is inevitable (even when interviews are conducted in person, disembodiment occurs at the point of transcribing oral interviews to writing). The researchers have made their best effort, therefore, given the circumstances, to reflect the meaning, intention and importance of interviewees’ words in the report that follows.

### *A complicated history*

In addition to treating this research as “living,” it must also be emphasized that the history is complicated and fraught. Attempts to represent this complexity in a cohesive narrative can be

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<sup>29</sup> See, for example, Serena Hillman, Azadeh Forghani, Carolyn Pang and Carman Neustaedter, “Conducting Interviews with Remote Participants,” In Tejinder K. Judge and Carman Neustaedter (eds.) *Studying and Designing Technology for Domestic Life* (Waltham, MA: Morgan Kaufman, Elsevier, 2015), pp. 11-32; and Jasmine R. Linabery and Stephanie A. Hamel, “Feminist Online Interviewing: Engaging Issues of Power, Resistance and Reflexivity in Practice,” *Feminist Review* 115, no. 1 (2017): 97-113.

challenging, and the researchers do not wish to rule out complexity in their findings and interpretations. Tensions and apparent contradictions are central to this story.

Several specific examples of the complexity may become apparent throughout the narrative that follows. First, the documents contained in archive collections often lack critical details that have been repeated across the oral record. For example, the researchers have been unable to identify a physical document indicating the Park was proposed initially to residents as just a temporary loan. Yet these details have been articulated clearly and repeatedly in the oral record. Second, there may also be multiple versions of the same oral history containing differing and, at times, evidently contradictory details and interpretations. For example, while many interviewees emphasized abuses of power and intimidation practices perpetrated by Park wardens and officials, others stress that not all Parks staff were “bad guys.” Although the history of surveillance, punishment and the criminalization of Dené treaty rights by the Park was harmful and problematic, some interviewees suggest that wardens were often just “doing their job.” Responsibility for any harm wrought by the Park, they suggest, falls rather with the federal government and Parks administration, which established a system in which abuses of power against Indigenous peoples were normalized and even encouraged.

Another complex factor in this story is that the political and social boundaries between the Park and the Denésuliné community can sometimes be blurry. For example, although many interviewees stated that the imposition of conservation law wrought severe harm, a number of participants also align with and abide by conservation laws despite their objections to impositions without consultation. Indeed, Dené people have maintained their own, sovereign land use and stewardship laws that have protected the environment for future generations since time immemorial. Further, while many Dené people were harmed by Park policy or by unforgiving wardens and officials, some may have benefitted from jobs in the Park: some interviewees shared memories of working for the Park in various roles throughout the 20<sup>th</sup> century. This may seem to contradict the view expressed by a majority of participants that the Park has by and large caused harm to all Denésuliné people, as it has also produced some opportunities for some individuals. A number of Elders also emphasize that Dené peoples were resilient, adaptive and determined in the face of devastating change. They survived severe hardship and helped each other in the face of growing challenges, and sometimes did well for themselves in spite of a history of colonial violence. These perspectives point to the complex and multitudinous experiences that Denésuliné people have had throughout this history, and the resilience and determination that helped them in the face of grave and widespread changes.

What may appear as contradictions in the narrative are reflective of the complex and contested nature of all human history. While attempting to reflect complexity in the narrative that follows, the researchers also find that, by and large, the community’s experiences with and histories of the Park are consistent and clear. Dené sovereignty, livelihoods and rights were trivialized, and Dené families dispossessed of their homes and homelands (particularly at Birch River and Peace Point) in favour of a preservation and conservation agenda intent on “colonizing the local ecology and traditional livelihoods” in the north.<sup>30</sup> By bringing together a wide range of oral historical, archival and secondary sources, the following report embraces the complicated nature

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<sup>30</sup> Sandlos, *Hunters at the Margin*, p. 45.

of this story while also drawing broad conclusions about the harmful intergenerational impacts, based on the community's critical interpretations.

## Overview of the Report

The main body of the report is divided into four sections, plus four appendices.

**Section 1** provides a brief overview of the Denésuliné's longstanding and deep relations to the lands and waterways taken up by the Park. It is based on extensive engagement with community histories, traditional land use studies, and other research previously conducted by ACFN, and is bolstered by extensive reference to past interviews and new interviews conducted for this report.

**Section 2** reconstructs the complex history of the Park since its 1922 creation, through extensive secondary research and original archival and oral history research. The narrative follows the history of WBNP's fraught and often violent relationship with the Denésuliné community that became ACFN, tracing it through the following processes, events and eras:

- Creation of the Park in 1922;
- Expansion of the Park in 1926;
- 1944 Membership Transfer from Chipewyan Band to Cree Band;
- Conservation regulations and enforcement within and outside the Park from 1926 to present;
- Periods of hardship and starvation from 1920s+;
- Dené activism: Protest, petitions and pleas for help; and
- New management era 1960s+.

**Section 3** discusses the multidimensional and intergenerational impacts of this history, both direct and cumulative. These are broken down as follows:

- **Impact 1:** Displaced from their homes and disconnected from their homelands, Denésuliné lost the freedom to practice their deeply rooted land-based ways of living as they had always done. The damage of this impact is multidimensional, involving several layers, including:
  - Erosions of Dené sovereignty and land-based governance systems;
  - Loss of connection to traditional ways of living and land-use;
  - Restrictions on harvesting practices on which people relied for their sustenance and livelihood;
  - Periods of starvation, deprivation and economic hardship;
  - Restriction of the transmission of Denésuliné language and land-based knowledge;

- Restriction on access to Dené cultural and spiritual sites and resources, including medicines, spiritual sites and gravesites, within the Park; and
  - Loss of land-based identity.
- **Impact 2:** As a result of the permitting system after 1926 and the band transfer event of 1944, Dené families were separated, and their kinship connections severed. The damage of this impact is multidimensional, involving several layers, including:
    - Separation of Denésuliné families;
    - Disconnection from Denésuliné identity and heritage for those who were forced to transfer to the Cree Band; and
    - Loss of Denésuliné language for those who were forced to transfer to the Cree Band.
- **Impact 3:** The permitting system split the Band in half in the 1930s between those with and without access to the Park. The 1944 membership transfer enshrined this separation in law. As a result, the Band lost roughly half its population. This impact is multidimensional and has several layers, including:
    - Reduced transfer payments from government;
    - Weakened political base; and
    - Exacerbated tensions between ACFN and MCFN.
- **Impact 4:** Being denied their rights to enter and use their lands in the Park, community members' mental health has suffered. To this day, fear and stress about entering the Park or harvesting persist, as well as feelings of landlessness, disconnection, sadness and deflation.

**Section 4** presents nine analytical interpretations of the historical narrative, based primarily on ACFN members' testimony shared in oral interviews. These are broken down as follows:

- **Interpretation 1:** The creation, expansion and management of the Park were violations of Denésuliné rights enshrined in Treaty 8.
- **Interpretation 2:** The Band did not consent to, and indeed actively protested against, the Park's creation, expansion and management in their territories; the Park administration largely overlooked or ignored their claims and concerns.
- **Interpretation 3:** The Parks administration re-framed Denésuliné rights as "privileges" and, through active enforcement of the permit system and regulations, criminalized Dené rights in the land and waterways overtaken by the Park.
- **Interpretation 4:** The park administration prioritized preserving and conserving animals over human lives. Its policies were steeped in the racialized rhetoric about Indigenous land use common at the time, which justified policies that placed pressure on Denésuliné lands and families and led to hunger and economic hardship.
- **Interpretation 5:** Park policy privileged Cree over Dené rights, needs and concerns.

- **Interpretation 6:** The allowance of some industry/commercial activity within the Park while Dené people were denied the ability to practice their harvesting rights and stewarding responsibilities was arbitrary and contradictory and placed additional pressure on Dené territories and livelihoods.
- **Interpretation 7:** The Park's creation, expansion and management over the 20<sup>th</sup> century led directly to intergenerational impacts, with which the community is still dealing with today.
- **Interpretation 8:** The direct impacts of the Park were compounded and intensified in the context of Canadian colonialism and cultural genocide. The Park was one major source of transformation among others that worked together to remove Indigenous peoples from the land, sought to eliminate local languages and cultural practices, and separated Indigenous families throughout Northern Alberta.
- **Interpretation 9:** The new co-management strategies of Parks Canada and WBNP are not doing enough to fix the problem. A public, formal apology, and specific retributive action will be required to move forward in a true spirit of reconciliation.

**The Four Appendices** include maps referenced throughout the report, ACFN Elder René Bruno's oral history of Treaty 8, and a brief summary timeline of events. They also include a list of direct quotations from interviews conducted for this project, focused specifically on recommendations for government action in light of this history of irreparable harm.

It is hoped that this report will operate as a springboard and source of ample information for ACFN's campaign to garner public attention to this history, as well as a national apology and appropriate compensation for the intergenerational impacts of the violence, dispossession and displacement that characterized it.

## Section 1- Denésuliné Relations to Land and Water

*“The identity of a people is ultimately defined by their relationship to the land... the core of their identity and culture is still tied to their traditional use – hunting, gathering, collecting of medicinal plants – and spiritual understanding of the land” (ACFN, 2003).<sup>31</sup>*

*“Therefore the land we inhabit is rightfully ours. It doesn’t belong to the buffalo, and it doesn’t belong to the white people since we are the original inhabitants of the land. We have the aboriginal rights of the land to claim as ours.” (Billy Simpson, 1974).<sup>32</sup>*

To fully understand the history and impacts of Wood Buffalo National Park on the lives and well-being of ACFN and their Denésuliné ancestors, it is key to understand their longstanding relations to the lands and waterways from which they were displaced. Extensive evidence from oral interviews and previous research the Band has conducted clearly demonstrate the deeply rooted relations the Denésuliné have always had with the land now encompassed by the Park, and with the much wider surrounding region from which the parklands are inseparable. Specific sites within the Park, including the Birch River/House Lake settlements, sites at Moose Island and Lake Dené, sites along the Birch Mountains, a settlement at Peace Point and sites along all five rivers noted in Treaty 8 are key Dené places that must be situated within a much wider Denésuliné homeland and traditional territory.

This report takes a broad and holistic perspective on land-use and occupancy – understanding that the value of the land and water for the Denésuliné is not defined strictly economically and cannot be siloed as non-Indigenous land-use practices often are. Elders’ testimony demonstrates that everything ties together. Free and unimpeded access to Dené territory maintains health and well-being, sustains livelihoods, supports traditional governance, sustains social and kinship relations, ensures the intergenerational transmission of knowledge, language and history, and safeguards cultural continuity. This holistic view on land use suggests that forcible displacements like those imposed after the creation of the Park would lead to serious, multidimensional and intergenerational impacts.

### Extent of Territory and Relationships with ACFN Traditional Territory and Homelands

*“I never heard [of] anybody going hungry. Long ago, there was no border. You go anywhere you want. Nobody sa[id] ‘you’re there, you’re there, you’re there.’ You’re just free going, no border, nothing. Yeah, used to go on your own everywhere.” (Anonymous Elder, ACFN, 2021)<sup>33</sup>*

The traditional names of the ancestors of ACFN point to the extent and significance of the lands and waterways the community has called their territories since time immemorial – indeed, for well over 10,000 years.<sup>34</sup> The name Etthen eldeli Dené indicates the vastness of the territory,

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<sup>31</sup> ACFN, *Footprints on the Land*, p. 17.

<sup>32</sup> Transcript of interview with Billy Simpson, interviewed by Jimmy Deranger, Fort Chipewyan, 7 February, 1974, Treaty and Aboriginal Rights Research, Indian Association of Alberta, p. 4.

<sup>33</sup> Phone interview with anonymous ACFN Elder, interviewed by Sabina Trimble, 19 March, 2021. WBNP2021-Anon09-03-19-21.

<sup>34</sup> ACFN Elders. “ACFN Elders’ Declaration on Rights to Land Use,” In Marcel, Pat, Carolyn Whittaker, and Craig Candler, “Nih Boghodi: We Are the Stewards of Our Land: An ACFN Stewardship Strategy for Thunzea, et’t’hén and Dechen Yághe Ejere



based on the historical migratory patterns of caribou herds.<sup>35</sup> While the territory had reasonable limits, it was not defined by strict boundaries until after the negotiation of Treaty 8 in 1899 and the establishment of the Park in 1922.<sup>36</sup> The name K'áí Tailé Dené translates roughly to the “real people” of “blanket willows” or of “land of the willows,” demonstrating again the importance of the environment to the identities and lives of Dené peoples.<sup>37</sup> Elder Jimmy Deranger’s testimony powerfully encapsulates the significance of the territory, explaining why the land and the Denésuliné are inseparable:

the Elders were saying that the land was made with Dené blood. And so, we asked how? Since wherever the Dené were travelling, wherever they died, they buried the people, and that blood went back into the land. That's how the Dené land is recognized today. Because it was made by Dené blood because wherever the blood went back into the land, all over the land and they were saying that the Dené people, the caribou and the wolf are one person...That's why they have a strong attachment to the land.<sup>38</sup>

Historically, people travelled for much of the year in small bands for subsistence purposes and then settled temporarily at other times of the year, usually along the water (e.g., at Lake Claire, House Lake and Peace Point). Historical trails that researcher Laura Peterson and Dené and Cree Elders uncovered in WBNP in 2018<sup>39</sup> are evidence that the Park was part of a much larger territory that supported the seasonal subsistence movements and the kinship relations on which the people depended. In addition to tracking the caribou, they harvested migratory birds and fur-bearing animals, traded along the river, and harvested the spiritual and cultural resources it supported. They moved seasonally to hunt other large game such as bison and moose, and to hunt and trap small game like rabbits, beaver and muskrat. As Elder Fred Deranger indicates, “They traveled and lived on the land from season to season.”<sup>40</sup> They also fished and gathered plants and medicines.<sup>41</sup> One interviewee explains that the people “had certain areas to get their medicines and stuff, eh. Ratroots and lavender tea and stuff like that is

*“the Elders were saying that the land was made with Dene blood...That's why they have a strong attachment to the land.”*

*ACFN Elder Jimmy Deranger, 2021.*

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(Woodland Caribou, Barren-Ground Caribou and Wood Bison)” (Fort Chipewyan, AB: Athabasca Chipewyan First Nation, 2012, Appendix 1, p. 12.

<sup>35</sup> ACFN, *Footprints on the Land*, p. 31-32.

<sup>36</sup> Patricia McCormack, *Research Report: An Ethnohistory of the Athabasca Chipewyan First Nation* (2 September, 2012), p. 131; see also ACFN, *Footprints on the Land*, p. 32.

<sup>37</sup> Phone interview with MCFN Elder Ernie (Joe) Ratfat, interviewed by Sabina Trimble, 19 March, 2021. WBNP2021-Ernie (Joe) Ratfat-03-19-21.

<sup>38</sup> WBNP2021-Jimmy Deranger-03-24-21.

<sup>39</sup> Laura Peterson, “Exploring the Egg Lake/ ?Eghés tu Landscape and the Lake One Trail: A Collaboration with Knowledge Holders in Wood Buffalo National Park,” Unpublished Master’s thesis, (Edmonton: University of Alberta, 2018).

<sup>40</sup> Phone interview with ACFN Elder Fredalin Deranger, interviewed by Sabina Trimble and Lisa Tssessaze, 19 March, 2021. WBNP2021-Fred Deranger-03-19-21.

<sup>41</sup> See Craig Candler and the Firelight Group Research Cooperative, “Athabasca Chipewyan First Nation Integrated Knowledge and Land Use Report and Assessment for Shell Canada’s Proposed Jackpine Mine Expansion and Pierre River Mine,” (Fort Chipewyan: ACFN, 2011), pp. 24-28; ACFN, *Footprints on the Land*; McCormack, *Ethnohistory*.

harvest.”<sup>42</sup> A number of Elders also emphasize the importance of gathering birch for multiple purposes.<sup>43</sup>

Many interviewees describe hunting, trapping, fishing, gathering and gardening as critical subsistence practices that have upheld families and the community throughout the centuries. One Elder who requested anonymity for this report explains that the Peace-Athabasca River Delta landscape has always been a rich source of life:

    this...used to be the fur hub of the country...all the rats, muskrats, just you know, everything come out to here, pretty plentiful...the Delta here has even migratory birds. Like in the springtime man, used to fly, lots used to fly through here in the Spring and that’s when people harvested most of all their birds for the Summer and for the whole Winter, eh? Geese and stuff.<sup>44</sup>

Elder Ray Ladouceur confirms, “well lots of hunting. That's how we survived, eh. With a garden and hunting and birds and animals, you know. We had to survive by the land, you know, whatever was on the land.”<sup>45</sup> Big John Marcel says that trapping was not only a means of subsistence but a source of income. From his own experience he recalls: “this area was my bank, eh. When I was young, when I was young, because, because whenever I was broke, I would hitch up my dogs and I’d go to our reserve and I’d I set traps and got go and I killed a couple hundred rats. You know and I come back in town and I sell it, I sell it to buy the stuff that I need, and it was my bank for me.”<sup>46</sup> Elder Jimmy Deranger similarly explains, “When you fly to Fort Chip, you look down there. That's our bank. When you look on the land that you're flying into Fort Chip, you look all around, as long as your eye can see. That's our bank. Your bank is Bank of Montreal.”<sup>47</sup>

Elder Alice Rigney describes her father as a land-user with a keen understanding of the territory, and as a teacher to other land-users:

    Every year they had a big, huge garden and my dad was an awesome hunter and fisherman and trapper...he never had any formal education, but he knew the land like the back of his hand. My dad and my brothers taught [Alice’s eldest son] how to become a land user, a trapper, you know, and hunter. And so...that tradition still continues.<sup>48</sup>

Her testimony suggests that land-use has always been key to the intergenerational transmission of knowledge. It upholds Denésuliné ways of being and knowing. Another ACFN Elder, who requested to remain anonymous for the report, explains that people’s widespread movements on

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<sup>42</sup> WBNP2021-Anon06-03-17-21.

<sup>43</sup> ACFN, *Footprints on the Land*; WBNP2021-Anon09-03-18-21.

<sup>44</sup> WBNP2021-Anon06-03-17-21.

<sup>45</sup> Phone interview with ACFN Elder Big Ray Ladouceur, interviewed by Sabina Trimble, 18 March, 2021. WBNP2021-Ray Ladouceur-03-18-21.

<sup>46</sup> Phone interview with ACFN Elder Big John Marcel, interviewed by Sabina Trimble, 18 March, 2021. WBNP2021-Big John Marcel-03-18-21.

<sup>47</sup> WBNP2021-Jimmy Deranger-03-24-21.

<sup>48</sup> WBNP2021-Alice Rigney-03-16-21.

the land and water also kept them closely connected to kin, lands and resources across vast distances:

[the land is] all Dené, yeah. Well, they're kind of nomads back in the day, yeah? They just, you know, they moved around eh, they didn't stay in one area. They probably went to...places where they could you know, spend the winters and stuff like where there's food you know, there's fish, abundance of the wildlife, you know. They moved around, eh? Like they're all relatives, right?<sup>49</sup>

Reliant on the land and waterways as they were, Dené peoples always practiced responsible stewardship. Elder Pat Marcel confirmed: they “always had the responsibility of living in balance with the natural environment.”<sup>50</sup> Elder Alice Rigney explains that “The local people here know that when they go hunting, they only take what they need. They do not leave any behind. And there's always that sharing. So that's how it always was, you know.”<sup>51</sup> Denésuliné engaged in controlled burning, for example, and studied the migration and breeding patterns of various game and fowl to determine appropriate harvesting seasons. These seasonal patterns and respectful practices across a vast and rich landscape ensured people lived healthy lives and maintained social connections and kinship networks throughout the territory from one generation to the next.

*“We had to survive by the land, you know, whatever was on the land.”*

*Elder Ray Ladouceur, 2021*

The land and water, and flora and fauna they support, sustain Denésuliné identity, knowledge, language and culture, and maintain cultural, spiritual, mental and physical health. Two interviewees describe the landscape as a pharmacy, where people go to gather medicines. They also describe it as a “hospital,” a “retreat,” and a “spa,” a place to heal, “get away from it all,” and reflect on life.<sup>52</sup> As Keltie Paul explains:

I think that area has always been thought of as a place of refuge, a place of peace and calmness... A place where you could go to regenerate ...the park is the place that you go for solace, you go there for respite. You go there because of the stresses of village life, I call it urban life, has become too great... You would go there for respite; it was your safe place... nowadays they have what they call bugout cabin. People go there to their cabin for peace, for quiet, for rejuvenation, for thinking, for meditation, for watching the birds, for being close to nature...It was a place you could go that was safe.<sup>53</sup>

<sup>49</sup> WBNP2021-Anon06-03-17-21.

<sup>50</sup> Pat Marcel and Arlene Seegerts, “The Rights to Practice Our Treaty Rights & The Importance of Co-Management with the Province of Alberta” (Fort Chipewyan: ACFN, n.d.), p. 18.

<sup>51</sup> WBNP2021-Alice Rigney-03-16-21.

<sup>52</sup> Phone interview with Keltie Paul and anonymous Elder, interviewed by Sabina Trimble and Jay Telegdi, 25 November, 2020. WBNP2021-Keltie Paul and Anonymous-11-25-20.

<sup>53</sup> Ibid.

Some Elders told researcher Laura Peterson in 2018 that they survived the genocide of residential schools by getting out to the land.<sup>54</sup> One Elder interviewed for this report explains that when he was a child in residential school, summers spent on the land were a retreat, a time to heal and reconnect: “everybody wanted to get out,” he says, “we wanted to go back to the land, you know... This was, the life we all wanted, and we were taken away from it. That's the retreat we get after ten months in the residential school.”<sup>55</sup>

Even through periods of great change, therefore, as with the influx of traders, missionaries and settlers after the 18<sup>th</sup> century, Denésuliné people have always been resourceful and adaptive while maintaining their deep-rooted relations to the land. As Leslie Wiltzen explains, they “have always, always supplemented their resources by... depending what's on the land... whether it be a small grouse, a rabbit, or duck, a goose, moose, deer, whatever it might be, they supplemented their diets with traditional foods.” Many Elders explain that Dené people took care of each other, and of strangers, in times of need— so that even in challenging circumstances people survived. Big John Marcel explains, “I always, when I was young, when I used to go out trapping for moose meat or anything, I always shared it, that's how I was brought up.”<sup>56</sup> Similarly, Leslie Laviolette says, “we just took what we needed. And if we got more, well, we pass it on to our Elders that guided us in our day, how to hunt, and gotta feed back to other people. You know, the sharing part is we take what we need, and if we have too much, we go give our Elders that taught us all these tools.”<sup>57</sup> Elder Ray Ladouceur confirms:

Yeah, that's the way we did. Yeah, we helped one another. You don't go by a place with people you know, going hungry, you give them meat, you know. People used to be happy some of those old Dené, you know. Because we always helped one another, you know. Go hungry, somebody feed us, you know. Especially the Elders they used to be real good hunters now, when they're old they couldn't hunt, they couldn't do nothing for themselves, you know. There's people out there, helping one another, the Dené helped those Elders, you know. Go hunt for them, cut wood for them, for survival.<sup>58</sup>

ACFN Elder Fredalin Deranger's oral history of first contact with non-Indigenous newcomers also demonstrates the caring and sharing Elders describe:

the Denésuliné, from day one, looked after all the Europeans when they came into Canada. They had... poor clothing, no roads, no machines at that time. So the Denésuliné went ahead and clothed them and fed them and looked after them for over 200 years. Yeah. So that's a common knowledge amongst the Denésuliné people of our country.<sup>59</sup>

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<sup>54</sup> Peterson, “Exploring the Egg Lake,” p. 73.

<sup>55</sup> WBNP2021-Keltie Paul and Anonymous Elder-11-25-20.

<sup>56</sup> WBNP-2021-Big John Marcel-03-18-21.

<sup>57</sup> WBNP2021-Leslie Laviolette-03-24-21.

<sup>58</sup> WBNP2021-Ray Ladouceur-03-18-21.

<sup>59</sup> WBNP-Fred Deranger-03-19-21.

As the fur trade grew in the 18<sup>th</sup> and 19<sup>th</sup> centuries, Dené seasonal movements gradually shifted to align with a growing emphasis on fur trapping, and eventually to make use of seasonal wage labour opportunities such as at commercial fisheries or in urban areas. Many people began to settle more permanently and in larger groups by the late 18<sup>th</sup> century, to be close to the economic and social opportunities that were arising – especially in light of new restrictions on their land-based subsistence practices resulting from a growing conservation management regime imposed by the newcomers. This was the case at the Denésuliné settlement sites at House Lake and Peace Point. Elders confirm that these settlements had existed long before the 18<sup>th</sup> century, but that they became more permanent with the fur trade.



Figure 5: A Dené encampment at Fort Chipewyan, ca. pre-1921. [Source: CU1108812, Courtesy of Libraries and Cultural Resources Digital Collections, University of Calgary]

Living seasonally from the land and moving freely throughout their vast and rich territories, and adapting on their own terms to change, the Denésuliné were relatively affluent, healthy and happy before the early 20<sup>th</sup> century. ACFN’s *Footprints on the Land* describes the Dené as the “original affluent society,” and explains that they maintained that level of affluence until the Park was created in 1922.<sup>60</sup> Elders recall how happy and healthy people were. Josephine Mercredi explained in 1998, “I barely remember how so happy the people use to be, enjoying our livelihood. The babies did not cry. They would all get together in one place and tell stories, jokes and have a great time, everyone was happy.”<sup>61</sup>

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<sup>60</sup> ACFN, *Footprints on the Land*, p.

<sup>61</sup> Video interview with Josephine Mercredi, 22 Jan. 1998, interviewed by Lorraine Hoffman, translated by Yvonne Hoffman (Mercredi), Transcripts from Lorraine Hoffman, 1998. Fort Chipewyan: ACFN Office.

## Specific Sites of Importance in Wood Buffalo National Park

*“you go all the way up and up...where the Park is, they’re all Dené...They all spoke Chipewyan.”* (Elder Mary (Cookie) Simpson, MCFN, 2021).<sup>62</sup>

Oral and archaeological evidence demonstrate that Denésuliné people have been occupying, using and stewarding specific sites within what are now the Park boundaries since time immemorial. In particular, at House Lake (southwest of Lake Claire) and Peace Point, Dené families settled and harvested for centuries, and eventually built permanent settlement structures in the 18<sup>th</sup> century. Many were born there, harvested there, married there and were buried there. They also set up campsites throughout other parts of the Park, including at Moose Island, Lake Mamawi and Dené Lake, along the Athabasca, Birch, Gull, Peace and Slave Rivers, and down to the Birch Mountains. The language of Treaty 8 clearly indicates that the Denésuliné were occupying and using lands along all the rivers in the region, and oral testimony confirms that Dené families were residing and harvesting there before the Park was created.

*The Dené people of “the Athabasca River, the Birch River, the Gull River, the Peace River, and the Slave River”*

As indicated in the text of Treaty 8, the Denésuliné ancestors of ACFN were occupying and using lands along the many rivers of the region since time immemorial [see Appendix I for map of Treaty 8 territory], parts of which are all now taken up by the Park: including the Athabasca River, Birch River, Gull River, Peace River, and Slave River. Commissioners referred in writing to “The Chipewyan Indians of Athabasca River, Birch River, Peace River, Slave River and Gull River, and the Cree Indians of Gull River and Deep Lake.”<sup>63</sup>

Thus, in addition to the better-known settlements at House Lake/Birch River and Peace Point, oral testimony and archaeological evidence suggests there were Dené settlements, land-use sites (e.g., harvesting areas) and gravesites along all rivers named in the Treaty, as well as in the following specific locations within the Park<sup>64</sup>:

- Along the Birch Mountains
- At Moose Island
- On the shores of Dené Lake
- On the shores of Lake Mamawi

Indeed, extensive oral testimony demonstrates that Denésuliné land-use sites were spread far and wide throughout the territories now encompassed by the Park. In 1974, Billy Simpson explained:

The people had trapped, hunted and fished around Lake Clair[e] and Mamawi as far back into the interior to the Birch Mountains. The people who lived at Little Rapids had also trapped, hunted and fished

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<sup>62</sup> Phone interview with Mary (Cookie) Simpson, interviewed by Sabina Trimble, 12 March, 2021. WBNP2021-Mary (Cookie) Simpson-03-12-21.

<sup>63</sup> Treaty 8. <https://www.rcaanc-cirnac.gc.ca/eng/1100100028813/1581293624572>.

<sup>64</sup> E.g., WBNP2021-Leslie Wiltzen-01-21-21; WBNP2021-Mary (Cookie) Simpson-03-12-21; WBNP2021-Anon04-03-16-21; WBNP2021-Anon06-03-17-21; WBNP2021-Fred Deranger-03-19-21.

around Lake Claire into the interior as far back to the Birch Mountain and Birch River. We lived at Jackfish Creek. We hunted, trapped and fish up to the Cariboo Mountains. From Peace Point, we trapped and hunted to the Cariboo Mountains.<sup>65</sup>

MCFN Elder Mary (Cookie) Simpson, whose family resided at Peace Point for decades before they were eventually forced to transfer to the Cree Band, explains that when introducing themselves to one another, students in residential school often named the places where they lived; she recalls Dené students saying they came from Gull River and Peace River. “They had homesteads all over the bush,” she said.<sup>66</sup> René Bruno recalls that his father used to trap and move freely throughout the Park: “long, long time ago you don’t need no license...your traveling place, free country. I remember that yes, I was about seven, eight years old then.”<sup>67</sup> Another ACFN Elder shared with ACFN social worker Lori Stevens that the people travelled up toward the Peace River along the Ambra, following the Peace and Slave Rivers to trap beaver. “[T]hey all had that portion for where they would hunt beavers and whatnot...they used to go before the Park was created in the 1920s...that was all the area...everybody went there.”<sup>68</sup>

Ray Ladouceur confirms, “Oh, they were all over back there, eh? Gull River, up the Peace River, you know, they done well for themselves, them Dené in those days, eh? Surviving on the land.” He continues, “Lake Claire, Lake Mamawi, they’d fish in those areas...you know like way down the bay all over, you know. Sweetgrass...it was good. It was survival, you know.”<sup>69</sup> Leslie Laviolette mentions Dené sites at Moose Island (near Peace Point).<sup>70</sup> Elder Fred Deranger also points to “another small settlement at the Dené Lake, which is west of Birch River, its higher elevation, maybe fifteen, or maybe twenty miles. It’s a small lake, but...there’s settlements, there’s graves all over, there’s even tombstones all over the place too.”<sup>71</sup>

*“long, long time ago you don’t need no license...your traveling place, free country. I remember that yes, I was about seven, eight years old then.”*

*ACFN Elder Rene Bruno, 2021*

As Fred Deranger’s oral testimony implies, unmarked gravesites and cemeteries also provide evidence that Denésuliné people had been living, harvesting and travelling throughout the territories encompassed by the Park long before it came to be. The Regional Municipality of Wood Buffalo (RMWB) undertook an archaeological survey of marked and unmarked gravesites throughout RMWB in 2010. 21 gravesites were identified within the boundaries of WBNP.<sup>72</sup>

<sup>65</sup> Transcript of Interview with Billy Simpson, Treaty and Aboriginal Rights Research.

<sup>66</sup> WBNP2021-Mary(Cookie) Simpson-03-12-21.

<sup>67</sup> Phone interview with ACFN Elder Rene Bruno, interviewed by Peter Fortna and Sabina Trimble, 11 March, 2021. WBNP2021-Rene Bruno-03-11-21.

<sup>68</sup> Zoom interview with Lori Stevens, interviewed by Sabina Trimble, 25 May, 2021. WBNP2021-Lori Stevens-05-25-21.

<sup>69</sup> WBNP2021-Ray Ladouceur-03-18-21.

<sup>70</sup> WBNP2021-Leslie Laviolette-03-23-21.

<sup>71</sup> WBNP2021-Fred Deranger-03-19-21

<sup>72</sup> See Lees & Associates Landscape Architects with Regional Municipality of Wood Buffalo. “Regional Municipality of Wood Buffalo Urban and Rural Cemeteries Project: Phase II Consultant Report: Inventories and Interviews.” 23 July, 2010. (Fort Chipewyan: ACFN Community Files).

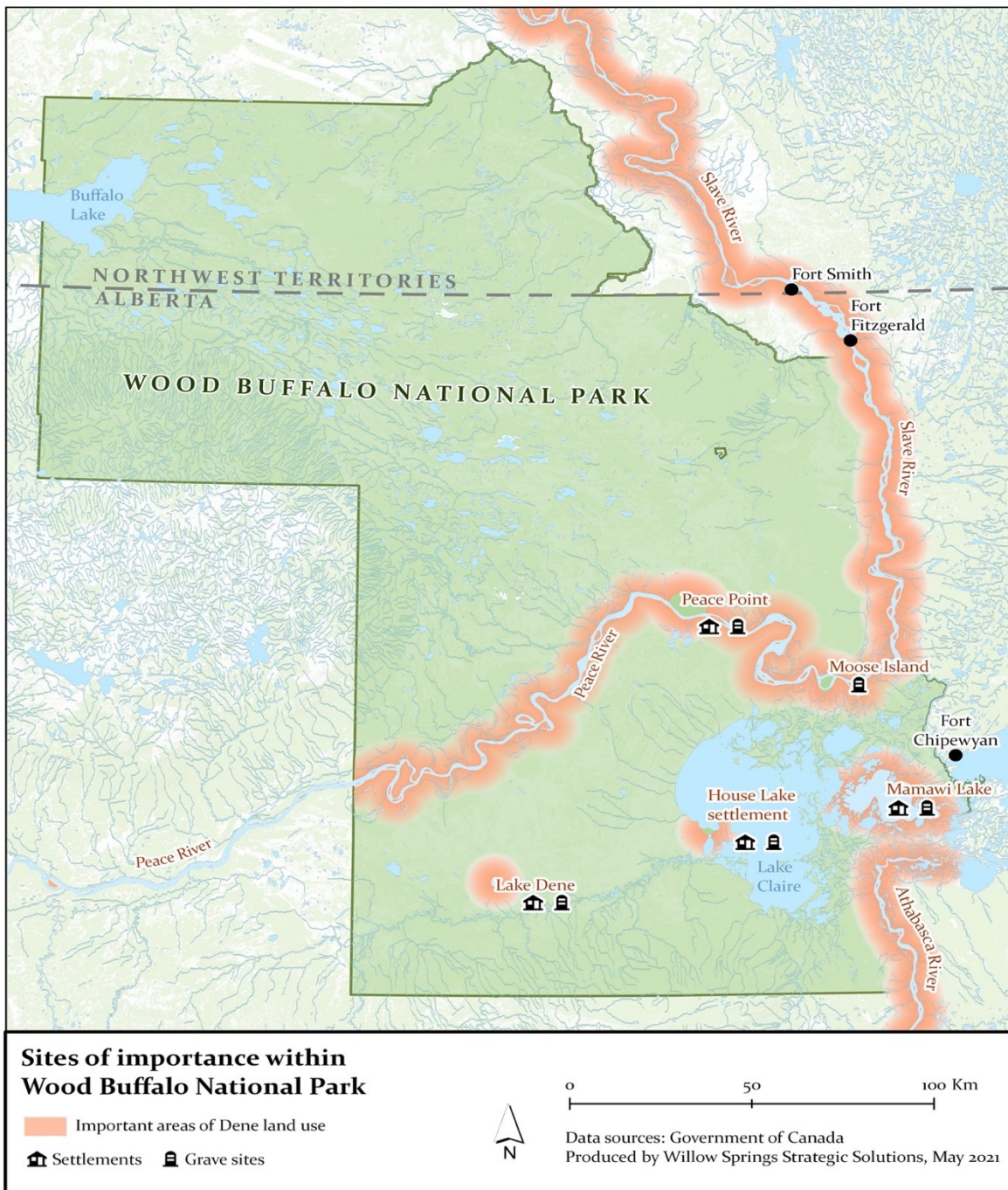


Figure 7: Map of some sites and areas of importance within the Park boundaries, as noted in oral interviews and prior archaeological research.

Oral testimony suggests that many of these, including graves located at Lake Claire and along the Birch River, along the Peace River, at Moose Island, Lake Mamawi and Quatre Fourches are Dené sites. Ultimately, the gravesites are evidence of the widespread and longstanding Denésuliné presence in, and claims to, the lands and waterways that became part of the Park. They also commemorate the devastating history of epidemics and residential schools that ravaged Dené communities in the 20<sup>th</sup> century.



### *The Peace Point and Birch River/House Lake settlements*

Three Denésuliné settlement sites, one at Peace Point and two at Birch River, are the most well-known sites of importance within Park boundaries.

Peace Point is presently considered a Mikisew Cree settlement and is included within the boundaries of an MCFN reserve, but this only became the case after Chipewyan Band members were forced to transfer to the Cree band in 1944. Denésuliné families occupied and used Peace Point before this. Many Simpson family members, who are of Denésuliné heritage, describe Isidore Simpson's homestead at Peace Point: the family built a two-story home there in the 1920s before they (excepting one daughter, Elizabeth Flett [née Simpson]) were transferred to the Cree Band. One Simpson family member (a member of MCFN) who requested to remain anonymous stated that Denésuliné people lived throughout Peace Point (along with a few Cree Band members) and had homesteads all the way up the trail to Fort Chipewyan.<sup>73</sup> One Elder recalls that her mother lived at Peace Point but was forced to move to Old Fort after the 1926 Park annex; some of her relatives even moved as far as Saskatchewan.<sup>74</sup>

Two significant Denésuliné settlement sites were also built southwest of the Birch River Delta, between Lake Claire and House Lake, and along the southern shore of Lake Claire. While Dené people were occupying and using this space for much longer, it is likely that the settlements expanded in the late 1700s and early 1800s, when the Northwest Company built a wintering fur trade post at the mouth of the Birch River. Denésuliné claims to these sites in the Park have been well-documented. In 2011, Parks Canada's Cultural Science Branch published an Archaeological Inventory of the settlement site and cemeteries. The study reveals that Dené people had settled in two places: "one near Spruce Point on Lake Claire and the other along an intermittent creek close to the north shore of House Lake."<sup>75</sup>

*"It's one of the richest countries in the world...in this area right there."*

*Chief Allan Adam, 2021*

The area was rich and abundant: "The House Lake settlements at Birch River are located in an area containing variable and plentiful resources, such as water-fowl, fish, abundant fur bearing animals and large mammals."<sup>76</sup> Chief Allan Adam confirms, "It's one of the richest countries in the world...in this area right there."<sup>77</sup> People built cabins and houses

(which were later burned down) and grew gardens at these settlements. Culturally modified trees, depressions, foundations, refuse pits and trails are all markers of longstanding Dené presence there.<sup>78</sup> Artifacts uncovered in the 2011 archaeological study included what people who lived there would have used daily, such as lanterns, wash tubs, kitchen wares, tools, gramophones, and

<sup>73</sup> Interview with anonymous MCFN member, interviewed by Sabina Trimble, 18 March, 2021. WBNP2021-Anon08-03-18-21.

<sup>74</sup> WBNP2021-Anon09-03-18-21.

<sup>75</sup> Donalee Duck, "Archaeological House Lake Project, 2011," Prepared for Wood Buffalo National Park (Winnipeg: Cultural Science Branch, Parks Canada, August 2012), p. 7.

<sup>76</sup> Ibid., p. 6.

<sup>77</sup> Zoom interview with Chief Allan Adam, interviewed by Sabina Trimble and Jay Telegdi, 02 February, 2021. WBNP2021-Chief Allan Adam-02-02-21.

<sup>78</sup> Ibid., pp. 14-21.

other such items.<sup>79</sup> Many Dené people lived and harvested at these settlements until they were evicted from the Park after 1926. Names of the 37 Dené families residing in the Park between Peace Point and House Lake settlements at the time of the 1944 membership transfer include: Adams, Baptiste, Baulieu, Boucher, Cheezie, Dené, Evans, Fortin, Freizie, Gladue, Nadary, Piché, Poitras, Ratfat, Sepp, Shortman, Simpson, Trippe de Roche, Tourangeau, Vermillion, Waquan, Watsaray and William.

*“It would be better to live like old times, live off the lake – the land...If things were the same, my children might have been still alive, better off.”*

*Josephine Mercredi, 1998*

Numerous interviewees recount family stories about the settlements at Birch River. For example, Chief Allan Adam’s granny, Helen Piché, lived at Birch River before the Denésuliné were evicted from the Park:

She had a two-story house. She had everything, they had a garden there - everything. When they grew up, they were...wealthy people, they provided for their kids and everything. There was families there, certain groups of families and my granny was one of them...it’s the only home she had, was a two-story beautiful house and everything that was there.<sup>80</sup>

Similarly, Elder Alice Rigney explains that her grandmother, Ester Piché, lived happily and healthily at House Lake:

She was always busy, she loved in the summertime when I stayed with her...she would have a little tent set up. And...in the morning, she’d make a little fire outside and you know and sit by the fire and make her tea and would have tea and bannock for breakfast. And, you know...she made dry fish...she made my mum and my aunt...very skillful sewers, and you know, and she was a good provider. You know, there’s stories of...mum saying that they used to go pick cranberries in the fall time till you know, the berries were just about frozen. But granny would take them out and make no fire and warmed hands and just pick because that was the food, we didn’t have a store like now to go and get what we need you know. And so...she used her medicines and she made her medicines and passed all this knowledge on and some of that knowledge is passed on to me.<sup>81</sup>

Alice continues: “I’ll think about my granny living at House [Lake], you know, probably in the most beautiful forests...and then being told to move and her moving to Old Fort and making a home there. I have a beautiful picture of my granny, you know, and...you know, I get my

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<sup>79</sup> Ibid., Pp. 22-49.

<sup>80</sup> WBNP2021-Chief Allan Adam-02-02-21.

<sup>81</sup> WBNP2021-Alice Rigney-03-16-21.

strength from her and my mother. Their life was anything but easy.” It is clear from the Piché family’s stories that Dené families had deep, significant relations to the land and water at the Birch River and Peace Point settlements.

## Conclusion

Wood Buffalo National Park takes up a substantive portion of the much wider Denésuliné traditional territory. Its boundaries and permitting rules have impeded Dené people’s treaty-enshrined rights to travel freely throughout their territories and occupy, use and steward the land and waters as they have always done. In addition, specific evictions from settlements within the Park have had a significant impact on the community. Many Denésuliné families residing along the Birch River, at the House Lake and Peace Point settlements, and harvesting elsewhere in the Park, lost access to their family homes, gravesites, spiritual and cultural sites, gardens and harvesting areas.

Josephine Mercredi indicated in 1998 that people suffered because they no longer lived freely from the land. “It would be better to live like old times,” she said, “live off the lake – the land. The children use[d] to listen to you. We use to all pray before bed. If things were the same, my children might have been still alive, better off.”<sup>82</sup> Elder Rene Bruno explained in 2010 that, living off the land as they had always done, people had been healthy, happy and self-sufficient. He said:

Years ago, the people never lived on welfare. They used to trap all year round, all winter. They never ran short of money. Everything was good then – the water, the land. Now everything is polluted. Lots of muskrat in the past – people had lots of money all year round from the winter trapping. Didn’t spend money foolishly. They weren’t lazy, they work hard...

Years ago, the people lived off the land. They knew everything, how to survive. No one can do things the way people used to do things. Nowadays, people go to the university but they don’t know anything about the bush life. Long ago, people knew everything, they worked hard.<sup>83</sup>

The land-based living and prosperity of the Denésuliné people was interrupted 23 years Treaty 8 was signed, as a direct result of the creation of the Park. The creation, expansion and management of Wood Buffalo National Park throughout the 20<sup>th</sup> century had significant, long-term and multi-layered impacts on the Denésuliné peoples who had lived here since time immemorial. These impacts are detailed in Section 3 of the report. The section that follows narrates the history of Wood Buffalo National Park and its troubled relations with the Denésuliné peoples of the region.

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<sup>82</sup> Video interview with Josephine Mercredi, interviewed by Lorraine Hoffman.

<sup>83</sup> René Bruno, “Oral History of Treaty 8,” recorded by Nicole Nicholls, translated by Arsene Bernaille, (Fort Chipewyan, AB: 8 February, 2010).

## Section 2 – History of Relations between Wood Buffalo National Park and the Denésuliné

This section of the report relates the history of Wood Buffalo National Park’s relations with Denésuliné residents and land-users and with the federal office of Indian Affairs, from the Park’s creation in 1922, through its expansion in 1926, the membership transfer in 1944, and management throughout the 20<sup>th</sup> century.

Archival and oral evidence demonstrates that from the earliest days of the Park’s existence, Denésuliné rights, needs and concerns were sidestepped and dismissed, and local residents and land-users were not meaningfully consulted. Furthermore, Park planning polarized the federal government, creating tensions between the Department of the Interior’s Parks Branch and Indian Affairs Branch, which was hesitant to approve policies would displace land-users in the North, fearing these displacements would lead to increased dependence on government welfare and rations.

This conflict initially protected Treaty harvesters from total eviction from the Park for the first few years. But ultimately, bison preservation and game conservation trumped concerns about Denésuliné rights and lives. Dené people were assumed by Parks officials to be dangerous obstructions to the Parks Branch’s goals. Denésuliné land rights and harvesting practices were framed as privileges to be granted by the state rather than as the inherent rights Denésuliné

*“Cultural genocide is the destruction of those structures and practices that allow the group to continue as a group. Land is seized, and populations are forcibly transferred and their movement is restricted. Languages are banned. Spiritual leaders are persecuted, spiritual practices are forbidden, and objects of spiritual value are confiscated and destroyed. And...families are disrupted to prevent the transmission of cultural values and identity from one generation to the next.”*

***Truth and Reconciliation Commission of Canada, Summary of the Final Report, 2015, p. 1***

people knew them to be. Dené leaders, residents and land-users thus watched as their sovereignty, livelihoods and rights were trivialized and eroded over time. Dené families were dispossessed of their homes and homelands (largely at Birch River and Peace Point) in favour of a

preservation and conservation agenda intent on “colonizing the local ecology and traditional livelihoods” in the north.<sup>84</sup>

### Understanding the Wider Historical Context

The direct impacts of the Park were compounded within a wider historical context of drastic changes already taking place in Denésuliné territories since the 18<sup>th</sup> century, and the Park’s history and relations with the Denésuliné cannot be understood outside of this wider context. WBNP became a key player in a long history of settler colonial elimination, as defined by

<sup>84</sup> Sandlos, *Hunters at the Margin*, p. 45.

scholar Patrick Wolfe,<sup>85</sup> and cultural genocide, as defined by the Truth and Reconciliation Commission of Canada.<sup>86</sup> Indeed, cultural genocide and colonial elimination were taking place in Dené territories and throughout what became Alberta and Canada on a number of levels – the Park played an important role in both of these processes. In particular, devastating influenza, smallpox and tuberculosis epidemics, the residential school system, increasing competition with newcomers from the South, economic and environmental transformations, the growth of industry and commercial activity in Northern Alberta, and the impacts of the Bennett Dam amplified the changes resulting from the creation, expansion and management of the Park.

*“The logic of elimination not only refers to the summary liquidation of Indigenous people, though it includes that...it strives for the dissolution of native societies...it erects a new colonial society on the expropriated land base—as I put it, settler colonizers come to stay: invasion is a structure not an event...[E]limination is an organizing principal of settler-colonial society rather than a one-off (and superseded) occurrence...Settler colonialism destroys to replace.”*

*Patrick Wolfe, 2006, p. 388.*

### *Epidemics*

A series of devastating influenza and smallpox epidemics from 1916-1928 significantly reduced the population of the Denésuliné communities in the region. Tuberculosis also devastated the community at various times in the 20<sup>th</sup> century. In some cases, entire families were lost.

ACFN Elder René Bruno recalls learning from the oral history that the Elders were the most vulnerable in these epidemics; the loss of Elders was profound and harmful to the continuity of the community. Further, he explains, if diseases hit the residential school, many children died as well, but priests and nuns usually survived the epidemics.<sup>87</sup> One Elder interviewed for this report explains that most of the Laviolette family died in epidemics; most of the older graves in Jackfish Lake, he says, belong to Laviolette family members.<sup>88</sup> A strain of the Spanish flu in 1920 hit the Holy Angels residential school and also killed Chief Alexandre Laviolette at age 41 in 1921.<sup>89</sup> Another flu epidemic arrived in 1922, taking the lives of children, Elders, leaders and sometimes entire families. Roughly 10% of the population was killed by this epidemic. It is probable that the original Dené headmen, Julien Ratfat and Sept Hezell, both of whom were active at the negotiation of Treaty 8, were killed.<sup>90</sup> Another tragic flu epidemic hit Denésuliné families outside the park again in 1928, leading to such population declines that Indian Affairs

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<sup>85</sup> Patrick Wolfe, “Settler colonialism and the elimination of the native,” *Journal of Genocide Research* 8, no. 4 (2006): 387–409.

<sup>86</sup> Truth and Reconciliation Commission of Canada (TRC), *Summary of the Final Report: Honouring the Truth, Reconciling for the Future* (Ottawa, 2015), p. 1.

<sup>87</sup> WBNP2021-Rene Bruno-03-11-21.

<sup>88</sup> Phone interview with Anonymous ACFN Elder, interviewed by Sabina Trimble, 16 March, 2021. WBNP2021-Anon05-03-16-21.

<sup>89</sup> McCormack, *We Like to be Free in this Country*, p. 269.

<sup>90</sup> McCormack, *We Like to be Free in this Country*, p. 270.

agents feared it would be impossible for many families to provide for themselves in advance of winter.<sup>91</sup>

One Elder's oral history, related to him by his parents, describes the quick, damaging power of smallpox: "[S]mallpox, yeah. And that's how they kill off, in 1935, that's how they kill off the village of Fish Lake. That guy stopped in the house. But my mom and dad they went to hunt in the bush and they weren't there. And when they came back, wherever that guy stopped with the blanket, they're all dead."<sup>92</sup> Big John Marcel's grandfather recounted memories of boats carrying sick people to Fort Chipewyan, where they passed away and were buried. At one point he remembered seven boats filled with the sick brought into town.<sup>93</sup> Numerous gravesites including in Fort Chipewyan, and at Birch River and elsewhere in the Park are physical markers of these devastating losses. Lori Stevens recalls hearing stories of the mass losses of children and youth from her late uncle Charlie Voyageur:

Well growing up, I remember the mass graves in Jackfish for the children who passed away from the Spanish flu, and my uncle, Charlie Voyageur, who's passed, he was telling us about how the kids were just all dying, and that it was mostly the Dené who had passed. It wiped out a big population in Fort Chip. And they talked about there was like, big strong men that at the beginning of the day would seem like they were okay and by the end of the day, they were dying. Ones who were like helping to dig these graves and stuff like that, didn't show any signs and by the end of the day, they had the flu, and...the next day they were gone, is what they were saying. It just hit them fast. And these were according to Uncle, strong, young, healthy people, right? ...I just remember we went to go clean the graveyards and there was lots of like the last name Laviolette...and then there was like these big long fenced off mass graves. And then there's multiple little kids in there. And then, they died so quickly that they had to put the fence up.<sup>94</sup>

Several Elders relate stories about gravediggers, such as Gabriel Flett and Johnny Logan, who dug mass graves in the area. One Elder was told that Métis Elder Johnny Logan would dig a grave for eight to ten people at a time.<sup>95</sup> Leonard Flett's father, who died of tuberculosis later in life, buried many members of his family who had died in the epidemics, starting when he was eleven years old. His father and brothers dug mass graves at Poplar Point. He recalls, "he was only eleven years old, him and his brother Alec. They were just going [from] home to home, picking up bodies and dragging them with their sled, toboggan sleds."<sup>96</sup>

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<sup>91</sup> Minutes of a meeting of the Committee of the Privy Council, 28 November 1928, LAC RG10, vol. 6731, file 420-1-4, as cited in McCormack, "How the (North)West was Won," p. 156.

<sup>92</sup> WBNP2021-Anon05-03-16-21.

<sup>93</sup> WBNP2021-Big John Marcel-03-18-21.

<sup>94</sup> WBNP2021-Lori Stevens-05-25-21.

<sup>95</sup> Phone interview with anonymous Elder, interviewed by Sabina Trimble, 12 March, 2021. WBNP2021-Anon03-03-12-21

<sup>96</sup> Phone interview with Leonard Flett, interviewed by Peter Fortna, 30 April, 2021. WBNP2021-Leonard Flett-04-30-21.

Another ACFN Elder who requested to remain anonymous for this report recalls his uncle telling him:

he was a young boy, young man, he said, 'I work hard,' he said. He used to dig graves from morning till dark... And he said, 'I used to be so tired,' he said. And he said, 'when my time is up, when I die, I go to heaven, the person I dug graves for will probably have a cup of tea waiting for me.' Yeah, that's what he said. He told me that himself.<sup>97</sup>

Another Elder related the following story about the Spanish Flu, which came to community in two waves, the second of which was particularly devastating:

my grandfather was born in 1899 and he...got enlisted to join the army...him and that other guy, John Gladue, I think his name is, enlisted in the army, the barracks or something in Edmonton. And they're like going for training and stuff then the next thing the war was over, eh? In 1918. So they came back through Fort McMurray by train or something and sit around McMurray. I think they got the flu there. I think they were kind of sick or something and they were wrapped up with something, with this Hudson Bay blankets and stuff and they finally made it back to Chip. But that's when the flu, well like it came after, that's why they call it the Spanish Flu...because it came mostly from the war veterans, eh? Brought it in from, well they came back from fighting in Europe.

But he came here and then, he used to bury like at least, the cemetery just behind the northern ridge over there. They have, you know, sometimes there's six or eight people buried in one grave because he couldn't dig fast, dig it right fast enough when the ground is frozen, eh. No backhoe back then, eh. They had to dig a hole... burn the wood and thaw it out and dig it down and burn again. Like it takes, a long process to make a grave, eh? Yeah. There's so many dead there and then like six people in one grave so when the spring came along, summer came along, you smell the stench of the decaying people, eh? But they said that in Birch River, like somebody went over the Birch River and they, I guess this cleaned out the whole community that was there.<sup>98</sup>

As these oral histories suggest, throughout the history of the Park, the Denésuliné population was already dwindling, and leadership, families and communities were being devastated by disease. Thus, the severe impacts of the Park and its attendant policies throughout the 20<sup>th</sup> century served to amplify an already tragic situation.

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<sup>97</sup> Phone interview with anonymous ACFN Elder, interviewed by Sabina Trimble, 11 March, 2021. WBNP2021-Anon02-03-11-21.

<sup>98</sup> WBNP2021-Anon06-03-17-21.

### *Residential schools*

The genocide committed through Canada's residential school system, and its traumatic, intergenerational impacts, have been extensively discussed in the final report of the *TRC*, in scholarly research, oral history and community testimony across the country.<sup>99</sup> This expansive



Figure 8: "Church of England school children, Fort Chipewyan, Alberta" ca. 1912 [Source: CU1115076, Courtesy of Libraries and Cultural Resources Digital Collections, University of Calgary].

body of research demonstrates that residential schools were violent, traumatic spaces that severed families and communities and led to long-lasting physical, mental and emotional harm. The tragic findings of the mass, unmarked graves of Indigenous children through ground-penetrating radar searches at the sites of former residential schools across the country present further evidence of what survivors and Elders have known all along: many children were taken from their families to attend residential school and never came home.

Under the residential school system, Indigenous children were forcibly removed from their families, lands, languages and cultures. They often faced extreme hunger, disease, and physical, mental, emotional and sexual abuse. They were assigned numbers or English/French names to replace the names they had grown up with. Some were subjected to scientific experiments. Students were also forced to speak English and French, practice Christian rituals, attend Church, and engage in manual labour. They were taught homemaking skills and outdoor trades skills. If caught speaking their mother tongues or engaging in any other traditional practices, they were

<sup>99</sup> See TRC, *Summary of the Final Report*. See also, for example, Theodore Fontaine, *Broken Circle: The Dark Legacy of Indian Residential Schools – A Memoir* (Victoria: Heritage House Publishing, 2010); J.R. Miller, *Shingwauk's Vision: A History of Native Residential Schools* (Toronto: UofT Press, 1996); John S. Milloy, *A Naional Crime: The Canadian Government and the Residential School System, 1879-1986* (Winnipeg: University of Manitoba Press, 1990); Bev Sellars, *They Called Me Number One: Secrets and Survival at an Indian Residential School* (Vancouver: Talonbooks, 2013).



punished, often violently. Cultural continuity and the health of many Indigenous languages have suffered drastically due to the forced program of assimilation perpetrated by churches and the government through these schools. Many died in residential school because of abuse, malnourishment and disease, and their parents, grandparents and families were never informed.

Dené families have their own traumatic experiences with residential schools in Northern Alberta and Saskatchewan, with many children forcibly taken from their homes and sent to Holy Angels

*“they never asked anybody, about the residential school too. They just decided to put it there. That messed up so many families...And also they lost languages and our cultural ways. You know, they had a really big impact on us.”*

***MCFN Elder Joe Ratfat, 2021***

Residential School in Fort Chipewyan. Indeed, ACFN will be undertaking ground-penetrating radar research to confirm the presence of numerous unmarked graves to which Elders and survivors have been pointing for decades.

A number of Elders interviewed for this research were residential school survivors. Several shared their personal stories, while others described the experience in more general terms. Elder Joe Ratfat explains, “they never

asked anybody, about the residential school [Holy Angels] too. They just decided to put it there. Yeah. That messed up so many families...And also they lost languages and our cultural ways. You know, they had a really big impact on us... I was in the residential school. We had no choice. And if we didn't go there, then our parents would be thrown in jail.”<sup>100</sup>

One Elder, who requested to remain anonymous in this report, explained “Yeah, I was there [at Holy Angels] ...from [19]45 till [19]50. Yeah. All my childhood. Rough. But, I don't talk about it with the kids, I just forget it, eh? Sometimes nice but mostly lots of rough.” She recounts that during Lent the children were only permitted to eat hanging fish, which Dené people traditionally fed to dogs. “It didn't taste good, but we're hungry, we have to eat it,” she recalls. She also remembers switching back and forth from Denésuliné to French and watching out for the nuns because “some kids got caught and you get a lickin' for your language.”<sup>101</sup> Another Elder who requested anonymity explained that he did not totally lose his language even though he attended the school for seven years. This was because when he went home during the summer, he continued to speak Denésuliné with his family. However, the very few remaining fluent Dené speakers today is testament to the intergenerational impacts of the residential schools. As he explains: “all the young ones there, they don't know, they don't understand. There's not too many of us left here now who speak Dené. Getting less and less and less all the time. That's on account of, you know the convent [another name for the residential school].”<sup>102</sup> This was because children “had to block it” in order for them to survive it in residential school: “they have to block their own language.”<sup>103</sup>

MCFN Elder Mary (Cookie) Simpson recounts the tragic story of one of her uncles' deaths in residential school:

<sup>100</sup> WBNP2021-Joe (Ernie) Ratfat-03-19-21.

<sup>101</sup> WBNP2021-Anon09-03-19-21.

<sup>102</sup> WBNP2021-Anon02-03-12-21.

<sup>103</sup> WBNP2021-Mary (Cookie) Simpson-03-11-21.

my dad said he had a brother named Marvin. And they all had to go to residential school. There was about four or five of them that had to go to residential school. All of a sudden...my dad said, they took Marvin all of a sudden, and...then they never seen him ever again. And then when my mushum, my grandpa went [in the summer term] to pick them up, his kids up, Marvin was missing, so, they said that he had died of influenza.



Figure 9: View of Fort Chipewyan, Alberta, including RC Church and Mission, 1933. [Source: CU1104316, Courtesy of Libraries and Cultural Resources Digital Collections, University of Calgary].

The story encapsulates the devastation residential schools wrought on families and the community at large. The loss of children, of the Denésuliné language, the restrictions on cultural practices, the violence and abuse children underwent and numerous deaths that often went unreported, as well as separations from family and land created harmful, intergenerational impacts. These were only enhanced by the Park restrictions after 1922. Displacements and treaty violations committed by the Park throughout the 20<sup>th</sup> century went hand-in-hand with the trauma of residential school and devastating epidemics.

*“the white trappers [are] going to spoil my country and what I said then has com[e] true...The white men they kill fur with poison, they trap in the sand before the snow comes. They breake [sic] the rat house and they break the beaver house and now there is hardly anything left and if you don't do something for us we are going to starve.”*

**Chief Jonas Laviolette, 1927**

#### *Competition with outside trappers*

At the time Wood Buffalo Park was created, Denésuliné harvesters also found themselves competing for land with an increasing number of trappers from the south, which peaked in the 1930s but presented challenges throughout the 1920s-1950s. The Great Depression drove a new wave of White trappers north, seeking income through the declining fur trade, claiming traplines and starting businesses throughout Dené territory. By this time, the fur trade was already in decline and resources were becoming scarce, making the competition that much fiercer. This made it increasingly difficult for Dené people expelled from the park to survive. Bishop Breynat stated in 1928, “White

trappers and Half-Breed [sic] from the South are more and more invading their hunting ground. The fur [is] already very scarce.”<sup>104</sup>

Extensive archival evidence suggests that White trappers often trapped indiscriminately to make large incomes, unlike Dené harvesters who generally were “satisfied with a living.”<sup>105</sup> Whereas Denésuliné trappers struggled to secure enough furs to feed themselves and their families, White trappers were often reported to be over-trapping to maximize profits. They used poison, destroyed Dené harvesters’ traps, ignored conservation practices, and depleted fur stocks; their aggressive approach put Denésuliné land-users at a significant disadvantage.

Indian Agent Gerald Card indicated in 1920 that “a serious encroachment had been made on their ancient trapping and hunting grounds by a rather poor type of white men...without any apparent regard to the prior rights of the Indians” and that this meant that people “did not get enough to live on properly,” leading to malnourishment and other health problems.<sup>106</sup> As Chief Jonas Laviolette wrote to officials in 1927: “the white trappers [are] going to spoil my country and what I said then has com[e] true...The white men they kill fur with poison, they trap in the sand before the snow comes. They breake [sic] the rat house and they break the beaver house and now there is hardly anything left and if you don’t do something for us we are going to starve.”<sup>107</sup> A decade later, the situation had not improved. Chief Laviolette wrote to Bishop Breynat: “We

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<sup>104</sup> Bishop Breynat to Hoadley (Minister of Agriculture and Public Health,) Alberta, n.d. (ca. 1928), LAC RG10 Vol. 6731, file 420-1-4, as cited in McCormack, “How the (North)West was Won,” p. 15.

<sup>105</sup> M.J. Dempsey (Park Warden) to F.E. Trudel, Acting Agent, Superintendent of Wood Buffalo Park, 5 August, 1937, LAC RG85, vol. 852, file 7869, pt. 1

<sup>106</sup> Indian Agent Gerald Card to Indian Affairs, 5 July 1922, LAC RG10, vol.7778, 2713 4-1.

<sup>107</sup> Chief Jonas Laviolette to Indian Affairs, 20 February, 1927, LAC RG10, Vol. 6732, File 420-2B, pt. 1.



Figure 10: "Hudson's Bay Company post, Fort Chipewyan, Alberta," 1919 [Source: CU1108601, Courtesy of Libraries and Cultural Resources Digital Collections, University of Calgary].

cannot do anything. White trappers steal our trapping grounds. They remove our traps. There is nobody to protect us and we cannot protect ourselves on our own land against these invaders who have become masters of our country."<sup>108</sup> The Superintendent General of Indian Affairs confirmed in 1934, "[i]n these provinces...the Indians have no protection whatsoever against competition by Whites in the commercial trapping of fur-bearers."<sup>109</sup> The problem persisted into the 1940s and 1950s. J.L. Grew, Fur Supervisor, wrote in 1945:

In most cases the white trapper is a man without dependents and is trapping to make a stake in a few months that will support him for the balance of the year. Being generally more aggressive...the average white man during his winter operation will cover enough country to support from 10 to 15 Indian families. Just so long as this condition is

<sup>108</sup> Chief Laviolette to Bishop Breynat, 17 July 1936, as cited in Fumoleau, *As Long as this Land Shall Last*, p. 389 & 408.

<sup>109</sup> Memorandum from Superintendent General (Indian Affairs), Feb. 23 1934, LAC RG10, Vol. 6733, File 420-1.

permitted to exist there will be danger of extinction for many of our valuable fur-bearers.<sup>110</sup>

The influx of trapping competition also brought a wave of tensions and violence that particularly affected people who were excluded from the Park after 1926. Newcomers aggressively protected the trapping areas they claimed in Denésuliné territories. For example, an extensive series of official memoranda and letters describe the activities and behaviour of Grant Savage, a white harvester who moved into the Park to trap in 1926 and harassed local Indigenous harvesters. He frequently complained to the Park administration, claiming that Indigenous locals were encroaching on the trapping area he had claimed.<sup>111</sup> Due to his aggressive behaviour, the administration eventually wearied of him, and Savage was banned from the Park in 1941.<sup>112</sup> This forced him to move his enterprise outside the Park, where he continued causing trouble for people who lived there. This series of events suggests that, even if there was competition with white trappers for Indigenous harvesters within the Park boundaries, they had a little more protection due to the strict permitting system governing the Park. But the Denésuliné people living outside the Park lacked such protections and often had to face the violence and aggression of White trappers with little or no recourse to government help.

As J.L Grew summarized in 1945, Indigenous harvesters outside of the Park were being “crowded out.” “It must be remembered,” he wrote, “that these people for the past 30 or 40 years and particularly in the past 15 or 20 years, have been losing their hold over extensive trapping areas by white settlement and the intrusion of white trappers and have felt that at any time they might be crowded off their traditional hunting grounds.”<sup>113</sup> It took until 1954 before the Chipewyan Band’s IR201 reserve allotments were made official. For the decades prior to this, Denésuliné leaders and land-users pleaded with government for assistance in the face of increasing and violent competition. They lobbied for the establishment of reserves and hunting preserves to protect the people, but to no avail. Thus, for decades those Denésuliné residents who were evicted from the Park after 1926 faced steep competition that led to displacement and hardship, with little or no assistance from government.

### *Economic and environmental transformations*

Significant economic and environmental transformations also occurred in Northern Alberta from the 1920s-1960s; these had serious impacts on Denésuliné lives and livelihoods and were acutely challenging for those who were evicted from the Park. As noted above, the fur trade economy on which Dené families had relied for over a century, was in decline by this time. Victor Mercredi’s diary described the dramatic results of this decline:

Many years have pulled by. Time passed. Old Fort Chipewyan was affected by the tide that swept past it. The fur trade has diminished. The wabies are leaving the place, the fishing is not as good as years

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<sup>110</sup> JL Grew to D.J. Allen, 14 August 1945, “Report on Registered Trap Lines in Alberta and General Trapping Conditions,” LAC RG10, Vol. 6734, File 420-2-2 3, p. 12.

<sup>111</sup> Dempsey to Gibson, 5 August, 1937, LAC RG85 Vol. 852, File 7869, pt. 1.

<sup>112</sup> See Gibson to Urquhart, 13 August, 1941, LAC RG85 Vol. 852, File 7869, pt. 2; see also memo from Gibson to Cumming, 8 March, 1940, *Ibid.*; Gibson to Urquhart, 28 October, 1940, *Ibid.*; Savage to ?, 25 June, 1940, *Ibid.*, W.B. Skead, RCMP Report re: Grant Savage, 17 March, 1941. *Ibid.*

<sup>113</sup> JL Grew to D.J. Allen, “Report on Registered Trap Lines in Alberta and General Trapping Conditions,” p. 11.

ago. The old place of the H.B.Co. near the rock is abandoned. All the buildings are now worn and a store more modern was built in a situation more convenient to the people. Fort Chipewyan was the northern Indian life play out. Nowadays Crees and Chipewyans keep more around the Fort and they give up the ways of their fathers.<sup>114</sup>

Mercredi's diary indicates that before the 1920s, fur yields were plentiful and prices high, so that "credits were limited and everybody was rich," but there was a serious decline in the 1920s-40s.<sup>115</sup> Beaver and muskrat trapping was regulated stringently from the 1930-1950s through licensing, closed seasons and bag limits, with a limited number of permits granted to only some



*Figure 11: "Fred Fraser with dog team, Fort Chipewyan, Alberta" ca. Summer 1921 [Source: CU1108954, Courtesy of Libraries and Cultural Resources Digital Collections, University of Calgary].*

trappers in a given year.<sup>116</sup> Prices for furs declined gradually as well, partly because of over-trapping, and partly as a result of environmental factors like a major drought in 1939 that decimated the Delta muskrat population. The muskrat yield was just roughly 1,000 in that year; only three years before, it was 10,000, and three years before that it had been 30,000. The average return for furs by 1945 had decreased by \$23.00.<sup>117</sup> In addition to the fur trade decline, other traditional land-use practices were affected by declining game populations and increasingly strict harvesting regulations. Though bison populations began to thrive in the Park by the 1930s,

<sup>114</sup> Victor Mercredi, "Diary of Victor Mercredi," (Fort Chipewyan, 1962), PAA, ACC 71.369 SE PAA, p. 26.

<sup>115</sup> *Ibid.*, p. 19.

<sup>116</sup> "Precis for Northwest Territories Council: Representations of single Indians for Wood Buffalo Park beaver permits." N.d. LAC RG85, v. 1213 file 400-2-3, pt. 2A; see also letter to Hugh Conn, Fur Development, Indian Affairs, 19 July, 1950, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 1.

<sup>117</sup> Letter to Hugh Conn, Fur Development, Indian Affairs, 19 July, 1950, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 1

moose and other large game were in decline by the 1940s.<sup>118</sup> One official noted in 1947 that “no appreciable improvement in wildlife conditions may be expected in the immediate future.”<sup>119</sup>

Although historian Patricia McCormack explains that the 1940s “stand out” as the years in which Indigenous residents were forced into wage labour “because the land would no longer support them,” many also struggled to secure alternative sources of income, including wage labour, at all.<sup>120</sup> One Elder explained that people who had been displaced were “dragged into town.”<sup>121</sup> But

*“I have heard the complaints of native trappers in virtually every settlement...the oft repeated charge that the Government was slowly but surely starving the Indians by applying an ever tightening net of restrictions.”*

*W.A. Fuller, 1949.*

few alternative employment opportunities arose there. Bishop Breynat noted early on that Delta Dené had “no means at all of earning money during the whole Summer season while during the Winter they are depending only on their fur catch.”<sup>122</sup> Although some industrial and commercial activity provided alternative options, the

availability of work was limited and rarely consistent. Some Elders interviewed for this report shared stories of working for the commercial fisheries and lumber mills, and also of working in various roles for the Park, including for a controlled bison slaughter program, during their youth. But these labour opportunities ebbed and flowed. Lumber operations, for example, began to decline in the 1950s: “A large number of our Indians cannot find work and they have no funds. There is also talk of the mills closing down.”<sup>123</sup> Indian Agent Jack Stewart also noted that many fish camps were abandoned in the 1960s, reducing opportunities for income drawn from commercial fishing.<sup>124</sup>

Indigenous labourers were rarely, if ever, granted opportunities to work in roles in the Park (e.g., as wardens) that would have allowed them to remain close to their harvesting grounds. This was usually because of discriminatory attitudes towards Indigenous labourers. This is evident, for example, in the words of one government official at the time: “I do not think that Indians can be used satisfactorily in positions of responsibility such as that of janitor or park warden.”<sup>125</sup>

Racist discrimination embedded in mainstream employment practices, combined with the booms and busts of commercial and industrial economies of the 20<sup>th</sup> century, meant that those who were cut off from subsistence harvesting by the Park had few alternatives to live on. These hardships continued well after WWII, as post-war inflation further drove down the value of furs and

<sup>118</sup> J.P. Richards to Cumming, 12 February, 1947, LAC RG85, Vol. 1214, File 400-2-3, vol. 3A; see also extract from J.W. Stewart’s report on Treaty Trip, Athabasca District, June 1949, LAC RG10, vol. 6734, File 420-2-1-1 and letter from R.A. Hoey (Director Indian Affairs Branch to G.H. Gooderham (Regional Supervisor of Indian Agencies), 10 January, 1948, LAC RG10, vol. 6734, File 420-2-1-1.

<sup>119</sup> Gibson to Hoey, Director of DIA, 12 February, 1947, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 1.

<sup>120</sup> See McCormack, “How the (North)West was Won,” p. 268.

<sup>121</sup> Phone interview with anonymous ACFN Elder, interviewed by Sabina Trimble, 16 March, 2021. WBNP2021-Anon04-03-16-21.

<sup>122</sup> Bishop Breynat to Hoadley, ca. 1928, as cited in McCormack, “How the (North)West was Won,” p. 154.

<sup>123</sup> Indian Agent Jack Stewart, “Diary of Jack Stewart,” entry for 29 June, 1960, p. 9. PAA/ACC 94.131 SE Box 4.

<sup>124</sup> Several Elders interviewed for this report spoke of their personal experiences losing work in the 1950s-1970s when fisheries and mills closed down. For example, WBNP2021-Anon06-03-17-21; and Phone interview with anonymous ACFN Elder, interviewed by Peter Fortna, 18 March, 2021. WBNP2021-Anon07-03-18-21.

<sup>125</sup> As cited in McCormack, “How the (North)west was won,” p. 205.

labour, while driving up the cost of living. As W.A. Fuller noted in 1949, “I was at Chipewyan in the lean summer of 1945 and so was able to observe the hardship occasioned by a poor muskrat crop. I have heard the complaints of native trappers in virtually every settlement...the oft repeated charge that the Government was slowly but surely starving the Indians by applying an ever tightening net of restrictions.”<sup>126</sup> Indian Agent Jack Stewart wrote in his diary in 1960 that families around the Fort Chipewyan settlement “are in bad position, they just cannot provide for themselves, price of wood and food still being very high.”<sup>127</sup>

### *Industrial and commercial activity*

Industrial activity also had significant ecological impacts in the 20<sup>th</sup> century and into the present; these activities contributed to the cumulative, long-term impacts of the Park on Dené lives and lands. Leslie Laviolette explains the double-standard that applies to industry and commercial activity, putting Denésuliné land-users at a disadvantage and damaging the land and water:

You know, and it's not only the park that we have a hard time with, it's all these oil companies...and everybody, it's a big obstacle today that we're living in right now. And it's frustrating to see that they're allowed to do a lot of damage that we couldn't do as Dené people. If we did something outside in our backyard and made a mess well, Fish and Wildlife was there to make sure you cleaned it up. And the oil companies if they have a big spill inside there, that's their land base. And I said how do you guys get land and we can't get it, which we signed for 300 and some years ago.<sup>128</sup>

Commercial fisheries depleted fish stocks in lakes where Dené families had fished from time immemorial.<sup>129</sup> Mineral extraction has also affected the health of waterways and flora and fauna throughout Denésuliné territory. The vast mineral resources across the region meant that Dené territories became highly sought-after by government and industry alike and continue to be to this day. Numerous traditional use studies, impact assessments and cultural histories have demonstrated the extensive ecological change that has resulted from mineral extraction in Denésuliné territories.<sup>130</sup>

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<sup>126</sup> W.A., Fuller (Mammologist), “Monthly Report for March, 1949,” p. 2. LAC RG10 Vol. 8409, File 191/20-14-1, pt. 1.

<sup>127</sup> Jack Stewart, “Diary of Jack Stewart,” entry for 13 January, 1960, p. 3.

<sup>128</sup> WBNP2021-Leslie Laviolette-03-24-21.

<sup>129</sup> For example, as early as 1939, Indigenous residents were reporting the depletion of fish stocks in Lake Mamawi. As a result of their complaints, McInnes fisheries was denied a permit to fish there. Other lakes were not similarly protected. See for example the following series of letters: Agent Head to Secretary, Indian Affairs, 26 February 1939; McInnes to Gibson, 28 February, 1939; Gibson to W. Schlader (Manager, McInnes Products Corporation, Ltd.), 2 March 1939; Gibson to McGill, 2 March 1939, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 1.

<sup>130</sup> See for example, Candler, C. and Firelight Group, “Athabasca Chipewyan First Nation Integrated Knowledge and Land Use Report”; Marcel, Whittaker and Candler, “Nih Boghodi”; Marcel and Seegerts, “The Rights to Practice our Treaty Rights”; McCormack, *Research Report: An Ethnohistory of Athabasca Chipewyan First Nation*; Adams & Associates, *Fort Chipewyan Way of Life Study* (Stuart Adams & Associates, 1998)..



Numerous Elders interviewed for this report shared testimony about the changes they have witnessed over time in their homelands as a result of the extensive extractive activity. Several indicate that run-off from extractive operations has polluted waterways, affecting fish and birds. With waters warming and increased air pollution, the migratory patterns and movements of both migratory birds and river fish have shifted; fish have also become toxic to eat.<sup>131</sup> One interviewee explains that people can eat no more than two fish per week and pregnant women do not consume the local fish at all.<sup>132</sup> As Alice Rigney states, “It’s the pollution from the oil sands that have made our fish undesirable... You don’t want to buy fish that have a deformed backbone, you know, lesions around the gills and stuff like that. So yeah, there’s fish that have disappeared from the Athabasca River...we used to make dry fish by the thousands every summer. And that was our source of income for my parents.”<sup>133</sup> This source of income disappeared for many people with the pollution of waterways over the 20<sup>th</sup> century. As Leslie Laviolette explains, oil and gas companies are not transparent about the damage they cause: “They say they’re not polluting our river, and now they killed our river.” He continues:

*“The land was healthy. Now the land is polluted today.”*

*Leslie Laviolette, 2021.*

And toxins that they’re putting underground now and saying, ‘oh, eat the berries on top.’ That chemical down there gets in that plant, and that plant goes into the berry and you got the chemical in the berry. Like how much percent, you don’t know. Because the plant’s environment people hide all this stuff. Even their engineers hide a lot on us. Then when you ask them all these questions, that’s what makes you mad in this world today is, they say well, we got to go back in their papers. And they never do come back and tell us the honest truth. That’s why we always argue with them.<sup>134</sup>

Other Elders draw connections between heightened death rates from cancer, lupus and other diseases and the intensive extractive activity in the region.<sup>135</sup> As Leslie Laviolette concludes, “The land was healthy. Now the land is polluted today.”<sup>136</sup> Elder Rene Bruno indicates that ACFN receives few financial benefits from the extraction economy:

You know, people they don’t use the land very much anymore...before everything that happened the Peace Athabasca Delta, they called it. Now there’s nothing, we’re poor, everything pollution, and there’s no water, nothing, they kill it, the government...But there’s still more, more, and more, you know, more industry, more companies, like that’s what happened, we get nothing

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<sup>131</sup> Phone interview with anonymous ACFN Elder, interviewed by Sabina Trimble, 21 March, 2021. WBNP2021-Anon10-03-21-21.

<sup>132</sup> WBNP2021-Anon06-03-17-21.

<sup>133</sup> WBNP2021-Alice Rigney-03-16-21.

<sup>134</sup> WBNP2021-Leslie Laviolette-03-22-21.

<sup>135</sup> For example, WBNP2021-Anon05-03-16-21.

<sup>136</sup> WBNP2021-Leslie Laviolette-03-22-21.

we should get something out of it. Government getting all the money.  
Richest government in Canada is Alberta.<sup>137</sup>

As the Denésuliné watched their livelihoods and lands harmed by intensive industrial activities, they were also managing the impacts of being evicted from their homes and harvesting places within the Park since 1922. Park evictions and permitting regulations, as well as a strict system of harvesting laws, combined with the ecologically harmful activities described above to erode Denésuliné connections to and sovereignty over the land and water.

### *W.A.C. Bennett Dam*

B.C. Hydro's W.A.C. Bennett Dam, built in 1967 in British Columbia with no consultation from those who would be most affected, has had profound and lasting impacts on Dené lives and land-use. It destroyed the Peace River Athabasca Delta habitat for fur-bearing animals, resulting in irreparable damage to the fur economy, to Dené land-use practices, and to the community's health and well-being for generations afterward. Elders have lamented the total loss of their trapping and hunting lifestyles that resulted.<sup>138</sup> Victoria Mercredi described the long-term damage: "Long ago I lived and raised my children in Old Fort. Trapping rats was like having money in the bank. Today, everything has been destroyed. We raised the children with the

*"The Bennett Dam was a  
curse to our land, to our  
people.*

*Alice Rigney, 2021*

money we made from trapping. There was no rations or welfare. By rights we should get money for that they did to the river."<sup>139</sup> One Elder explains, "everything went haywire because the water dropped. And so, pretty well, we lost everything."<sup>140</sup>

Most of the Elders and community members interviewed for this report spoke at length about the damage the Bennett Dam created. Several Elders' testimony about the impacts of the Bennett Dam are quoted at length below. They speak directly to the harm inflicted on Dené lands and lives as a result of the Bennett Dam, which only amplified the negative impacts of the Park in Dené territories.

One Elder who requested to remain anonymous explains: "Everything was dead. [It] changed the water climate. Now we have no rats on the river now on our reserve. Muskrat, nothing. They clogged up the water and they leave some kind of chemical in there, it killed off all the animals. All the muskrats. Now we don't have no rats."<sup>141</sup>

Another Elder who requested anonymity states:

With the Bennet Dam being in place, the water levels here are as low as could be. No more flooding like before. Used to start flooding every two or three years and replenish all the bases and stuff you know, lots of muskrats and everything was plentiful but now the

<sup>137</sup> WBNP2021-Rene Bruno-03-11-21.

<sup>138</sup> See for example, ACFN, *Footprints on the Land*, p. 86. Stuart Adams & Associates also detailed the profound impact of the Bennet Dam on ACFN and the Delta in *Fort Chipewyan Way of Life Study*.

<sup>139</sup> Transcript of interview with Victoria Mercredi, interviewed by Lorraine Hoffman, p. 58.

<sup>140</sup> WBNP2021-Anon02-03-12-21.

<sup>141</sup> WBNP2021-Anon05-03-16-21.

Bennett Dam in place, they're regulating the Peace River so. We used to get high waters on the Peace like during the wintertime now and they're releasing water instead of in normal time like a rainfall event or spring break up, it would be made, the water height, the water levels are in the wintertime and then you know that's why they call it the Peace Athabasca Delta because the Peace has a lot of effect. It cools down and only so much water can go down the Slave.<sup>142</sup>

Elder Ray Ladouceur recalls the following:

yeah I heard about Bennett Dam there when they put [in the] Bennett Dam. Oh my dad was involved in that, he was against it, you know. With Chief Marcel and then...Alan Coutereille was the chief. They were against it. They went out there and protest against it because they're taking our water away, eh. But you know how white man is, what's money is money...So, that's what happened and they drained this whole Delta out and muskrats were gone, oh hard to survive...It was really bad when it went down it really, really went down and muskrat just keep on disappearing, eh? ...Yeah it's totally destroyed. But what are you going to do, you know. ...At times we used to scratch our heads, where our next meal is going to come from.<sup>143</sup>

Elder Alice Rigney's poignant discussion of the profound, intergenerational impacts of the dam is quoted at length here:

The Bennett Dam was a curse to our land, to our people. I mean, by them taking our water at this end and flooding it by the man-made lake and other side of the Bennett Dam, they totally destroyed Aboriginal homes [and] graveyards. You know...I think they were given like 48 hours to move out...and for them to write a letter to us saying that we would not, our Delta would not be affected, makes us feel...[we] believed them. And we saw the results almost right away. The lake here has dropped at least three meters...So, we would get a flood that would replenish the Delta, the snyes, and inland lake. You know, so, the muskrats and beavers were plentiful. And that was all taken away. You know, the water dried out, the lakes dried out, and my dad...saw that. Not only my dad, most of the people here who are land users noticed that.

And you know, issues like the Bennett Dam was just another tactic that they used, that our say was not worth anything. So, yeah, the Bennett Dam did a lot of damage...and that was just like the resources. But when you think about the people that were affected, the families that were affected by a loss of a way of life, where trapping

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<sup>142</sup> WBNP2021-Anon06-03-17-21.

<sup>143</sup> WBNP2021-Ray Ladouceur-03-18-21.

was taken away from them, they had to move off the land. Well, they were more or less forced to move off the land and into the community.

So, the impact of the Bennett Dam is not just the loss of the water, it's all that and more, what happened after the fact, when you think about it and it's still ongoing...

And so yeah, the Bennett Dam changed our way of life here. Took away our resources, created a lot of social problems for many families, a lot of alcohol related deaths, alcoholism on the rise, you know and drug use now.<sup>144</sup>

### *Conclusion*

The history and impacts of Wood Buffalo National Park cannot be understood without reference to the wider historical context described above. Drastic transformations took place across Denésuliné territories due to epidemics, residential schools, competition with newcomers, industrial activity, economic and environmental changes, and the W.A.C. Bennett Dam. Although the Park is not directly responsible for some of these specific processes and events, its impacts were amplified within the wider historical context of genocide and colonial elimination described above. The Park's creation, expansion and management throughout the 20<sup>th</sup> century were key parts of the processes of elimination and cultural genocide that the Denésuliné of the region faced. The direct and cumulative impacts of the Park are detailed in Section 3 of this report. The section that follows discusses the long and complex history of relations between Wood Buffalo National Park and the Denésuliné people.

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<sup>144</sup> Follow-up phone interview with Alice Rigney, interviewed by Sabina Trimble, 17 March, 2021. WBNP2021-Alice Rigney-03-17-21.

## The Creation of Wood Buffalo Park, 1922

*“How I feel about the Parks on the map, I don’t think much of it because we were not consulted, to start with, we are not aware of when were they created and by who and who authorized that.”<sup>145</sup> (Alec Bruno, 2009).*

*“At that time, after the treaty was signed, and the federal government took over the National Park...the Indigenous people didn’t get access. So the Park was stolen.”<sup>146</sup> (Horace Adam, 2021).*

### *A lack of direct and meaningful consultation*

The creation of Wood Buffalo Park in December 1922 to provide a sanctuary for the region’s endangered wood bison herd followed over a decade of research and planning, as well as tense negotiations between officials from the Department of the Interior’s Parks Branch and Indian Affairs Branch.

*“From what I understand, they the Government just went ahead and grab as much land as they needed for their own use, no input from locals. People were not notified of the changes they will face because of this WBNP creation.”*

*Elder Frank Marcel, n.d.*

Little evidence of direct consultation with Denésuliné residents, land-users and leaders exists in either the archival or oral records. One Elder, who requested to remain anonymous in this report, suggests that this was common practice at the time: “there was no consultation then.”<sup>147</sup> Elder Joe Ratfat states, “they don’t tell people back then. They just do whatever they wanted to do. Well, we had no say, when it came to government things, we had no say, they just did it.”<sup>148</sup>

Indirect consultation was much more common. This typically only involved Indian Affairs agents and missionaries. Two identifiable archival references to communications with local leaders suggest that Indigenous people’s perspectives and desires were mostly ignored. Inspector Henry Bury reported that he had discussed the park idea with local leaders at Ft. Chipewyan, Ft. Smith, Fitzgerald and Fond du Lac in 1916.<sup>149</sup> His report concluded that local residents might be amenable to a bison park as long as they were given time to relocate and could continue harvesting freely, to mitigate the severe economic effects they anticipated from the Park creation.<sup>150</sup> In a 1920 land survey, surveyor F.H. Kitto reported discussions with some local chiefs, who had stated that reserves should be established to protect Indigenous peoples before a bison sanctuary was created.<sup>151</sup> In both cases, leaders’ suggestions were ignored: Denésuliné harvesters were largely excluded from harvesting within the Park after 1926, and the Band’s reserves were not officially established until 1949. Furthermore, historian Jonathan Sandlos

<sup>145</sup> Alec Bruno, Focus Group PA-1, ACFN Land Use Plan, Old Fort Elders, Ft. Chipewyan: ACFN, October 15, 2009. (ACFN online archives, CKK).

<sup>146</sup> Phone interview with Horace Adam, interviewed by Peter Fortna, 19 March, 2021. WBNP2021-Horace Adam-03-19-21.

<sup>147</sup> WBNP2021-Keltie Paul and anonymous Elder-11-25-21.

<sup>148</sup> WBNP2021-Joe (Ernie) Ratfat-03-19-21.

<sup>149</sup> Henry Bury to Deputy Minister of Indian Affairs, 13 April 1916, LAC RG85, vol. 664, file 3910, pt. 1.

<sup>150</sup> Ibid; for analysis of Bury’s report see Sandlos, *Hunters at the Margin*, p. 264, FN 79.

<sup>151</sup> F.H. Kitto, “Notes from survey,” 26 June 1920, RG 10, vol. 4085, file 496,658-1A, LAC.

cautions that both Bury and Kitto were advocates of the Park idea from the start, and therefore their conclusions may have been filtered through this lens rather than representing the actual views and words of Indigenous leaders with whom they spoke.

Thus, apart from indirect consultation with Indian agents and missionaries which seem to have had little lasting impact on the Park administration's decisions, little direct consultation with Dené residents about creating a park is evident from the archives.

The oral record confirms this lack of direct and meaningful consultation – virtually all Elders and community members interviewed for this research in 2020 and 2021 stressed the lack of consultation when the Park was created, confirming what Elders and community historians had been saying for generations. Elder Jimmy Deranger discusses his time working as an interviewer for the Treaty and Aboriginal Rights Research team in the 1970s. During interviews with Denésuliné Elders, many of whom were present at the time the Park was created, he learned that no systematic mode of consultation occurred. Parks officials visited individual camps and some families, but “there was no large assembly of them together...the official didn't say that ‘I have gathered you here today, because we want to use the land for buffalos.’ They didn't say that, they just went to camps I think...and told them.”<sup>152</sup>

*“Wood Buffalo is not what we expected from the newcomers, because before Wood Buffalo the Denésuliné, from day one, looked after all the Europeans when they came into Canada.”*

*Elder Fredalin Deranger, 2021*

Felix Gibot confirmed in 1974, “Yes, our land was made to be part of the Park. It is like something sitting in the middle of a plate. They do whatever they want with the Park. They never consult us, they own it.”<sup>153</sup> Louis Boucher, who was 30 years old when the park was established, stated in 1974 that if leaders had been appropriately consulted and known what was to come after the Park's establishment, they never would have assented. “We feel it was a dishonest deal which was made with the Chiefs,” he said, “When the Park officials were going to bring the buffalo on to our lands, they had said, ‘Yes.’ That is the reason the Park was made. If they had refused, there would be no Buffalo Park.”<sup>154</sup>

The late Elder Alec Bruno stated 40 years later, “The Elders said they weren't aware of WBNP being created...no government officials ever came to them for consultation or input from the trappers and hunters of the region. So this proves that they, the government didn't intend to share this with our people. Trappers and hunters weren't given any say in the formation of WBNP.”<sup>155</sup> Drawing on the oral history he knew, Frank Marcel confirmed, “From what I understand, they the Government just went ahead and grab as much land as they needed for their own use, no input from the locals. People were not notified of the changes they will face because of this

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<sup>152</sup> WBNP2021-Jimmy Deranger-03-25-21.

<sup>153</sup> Interview with Felix Gibot, interviewed by Richard Lightning at Fort Chipewyan, 5 February, 1974, Treaty and Aboriginal Rights Research, Indian Association of Alberta

<sup>154</sup> Transcript of Interview with Louis Boucher, Treaty and Aboriginal Rights Research, p. 5.

<sup>155</sup> Alec Bruno, Written questionnaire, “ACFN Elders on Wood Buffalo National Park,” (Fort Chipewyan: ACFN Community Archives, n.d.).

WBNP creation.”<sup>156</sup> Keltie Paul recalls: “[T]hey plopped everything down...they had no consultation; they didn't say anything to anybody.”<sup>157</sup> Another Elder confirms, “they established the park without consulting with the Native people...they should have consulted with the Native people...they never consulted with First Nations or with anybody in Treaty 8.”<sup>158</sup>

Elder Fredalin Deranger’s story of Denésuliné /newcomer relations before the Park perhaps best encapsulates the shock that the Park’s creation presented to Dené land-users who had welcomed, shared with and cared for newcomers since the 18<sup>th</sup> century:

Wood Buffalo is not what we expected from the newcomers, because before Wood Buffalo the Denésuliné, from day one, looked after all the Europeans when they came into Canada. They had...poor clothing, no roads, no machines at that time. So the Denésuliné went ahead and clothed them and fed them and looked after them for over 200 years. Yeah. So that's a common knowledge amongst the Denésuliné people of our country.<sup>159</sup>

#### *A promise to return the land*

Other interviewees have suggested that, if Denésuliné leaders were consulted about the Park in the early days, they may have only agreed to it because they were led to believe that their lands would only be loaned temporarily for the bison sanctuary. Much oral testimony suggests that Parks officials promised residents and land-users that the land transferred to the Park would be returned. Some Elders were told that the loan would be no more than one or two decades, while others recall oral stories of a 99-year lease, which, if executed at the time of the 1922 Park creation, should be coming to its end in late 2021. No written record of this loan has been discovered in the archives to date. Whether the promise (like other Treaty 8 promises) was made orally in good faith by government officials and then broken, or the document was destroyed, is unclear. Alice Rigney hopes the document will be found: “it sure would be nice to find the document if it does exist and present it to the parks. And never mind the apology. Just give us back our land.”<sup>160</sup>

Extant written document or no, the oral record contains extensive evidence of this promise. Jimmy Deranger recalls Elders telling him in interviews for the Treaty and Aboriginal Rights Research in the 1970s that Parks officials had told their families they would only use the land “for a number of years.” They told land-users that they would be able to “go on doing what they want to do.”<sup>161</sup> However, “after they got the land, things changed...they developed policies saying ‘you can’t do this, you can’t do that.’”

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<sup>156</sup> Frank Marcel, Written Questionnaire, “ACFN Elders on Wood Buffalo National Park,” (Fort Chipewyan: ACFN Community Archives, n.d.).

<sup>157</sup> WBNP2021-Keltie Paul and Anonymous Elder-11-25-20.

<sup>158</sup> WBNP2021-Anon10-03-21-21.

<sup>159</sup> WBNP2021-Fred Deranger-03-19-21.

<sup>160</sup> WBNP2021-Alice Rigney-03-17-21.

<sup>161</sup> WBNP2021-Jimmy Deranger-03-25-21.

Elder Billy Simpson confirmed, “apparently it was just loaned to [them]”<sup>162</sup> and the late ACFN Elder Alec Bruno stated decades later that “the Government had promised the trappers that they intended to use this WBNP area, just for ten to fifteen years only. After that they will return the land back to the trappers to use it as they had done for many years before. Eighty plus years later the WBNP is still in existence. Another broken promise to our people.”<sup>163</sup> Another ACFN Elder indicates, “They said that they’d have the park for 100 years. It’s over 100 years now, so. Yeah. So I guess they [should]give it back now.”<sup>164</sup> MCFN Elder Mary (Cookie) Simpson (whose family is of Denésuliné heritage but was transferred to the Cree Band in the 1940s), confirms:

[T]hat's what my dad always said. He said, ‘when are they gonna leave anyways?’ he would say, ‘because it's only temporary.’ And that's what they said when they first brought the buffalo in, when they first made the park, they said it was just temporary and the land would go back to them, to the people...my uncles always said that too...they're all gone now...but they would talk about it and I would sit there and listen to them... That was one of the main things they said when we talked about the park was that it was just on loan.<sup>165</sup>

The lack of consultation and broken or forgotten promises were key components of the history of relations between WBNP and the Denésuliné. They comprised the dominant approach of the Park administration, the driving force of relations between the Park and Denésuliné locals, shaping relations to the present-day, and creating general distrust of Parks administration and experiences of exclusion, misrepresentation and dismissal.

#### *Anti-Indigenous rhetoric and preservationist discourse: the foundations of WBNP*

Wood Buffalo Park was first proposed by Dominion officials as early as 1911, imagined as a game sanctuary urgently needed to preserve the last-known remaining wood bison herd in North America. Already, bison hunting (including by Indigenous harvesters) had been prohibited under the 1894 *Unorganized Territories Preservation Act*. But this law’s provisions were set to last only until 1912. Foreseeing that government control over the wood bison would soon come to end, and concerned that the population still was endangered, several officials from the Department of the Interior – especially Maxwell Graham (Parks Branch, Animal Division), O.S. Finnie (Director, Northwest Territories and Yukon Branch – Department of Interior) and F.H. Kitto (Natural Resources Intelligence Branch – Department of Interior) – sought to establish more permanent protections through a national park covering the entire wood bison range from the Caribou Mountains to the Slave River.

In a letter to Parks Commissioner James Harkin heavily laden with the preservation rhetoric prevalent at the time, Maxwell Graham recommended in December 1912 that a national park be established north of the Peace River. “The only way to continue in abundance and in individual vigour any species of game, is to establish proper sanctuaries,” where “no hunting or trapping...should be allowed,” Graham wrote.<sup>166</sup> He claimed this was in the interest of the

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<sup>162</sup> Interview with Billy Simpson, Treaty and Aboriginal Rights Research.

<sup>163</sup> Alec Bruno, Written questionnaire.

<sup>164</sup> WBNP2021-Anon09-03-19-21.

<sup>165</sup> WBNP2021-Mary (Cookie) Simpson-03-11-21.

<sup>166</sup> Letter from M. Graham to J. Harkin, 30 June 1912, LAC RG 85, vol. 665, file 3911, pt. 1.



Dominion and all human civilization: “The interest of the entire people of this Dominion, and to some extent that of the entire civilized world, is centred on the continued existence of the forms of animal life.”<sup>167</sup>

Urgent claims about the need to preserve species like the wood bison of this region went hand-in-hand with negative assumptions about local Indigenous land-use that was common across the British empire at the time. There was a widely held view that wolves and human hunters were a “menace” to bison and other species, and that a sanctuary where all hunting was prohibited and wolves culled was the only solution.<sup>168</sup> Indigenous harvesters in particular were assumed to be a threat: government officials’ discourse about game preservation was usually mixed with racist rhetoric about Indigenous harvesters, whom they inaccurately described as “reckless and wanton.” This rhetoric justified the creation of parks that would evict Indigenous residents.<sup>169</sup> These attitudes were not new. In 1898, four years after the establishment of the *Game Preservation Act*, Dené hunter Francois Byskie had been arrested and charged for killing two bison near Lying Wood Mountain because he and his family were starving. His defence of starvation was refused, however, and his hunting deemed “mischief.”<sup>170</sup> His arrest was used by federal officials to send a message to other harvesters: their land-use practices and subsistence needs were considered dangerous and undesirable, and new laws would now control them.

Racist rhetoric about Indigenous land-use practices was of course unfounded; in Denésuliné territories, deeply embedded conservation practices have always guided Dené land-use.<sup>171</sup> Even some reports by Dominion surveyors and researchers in Northern Alberta showed that local hunters were widely obeying the game laws and not killing wood bison at the time.<sup>172</sup> Despite this, administrators like Graham in these early years were “willing to exaggerate the dangers facing the bison population” by applying sweeping accusations to further their goal.<sup>173</sup> Ultimately, highly racialized notions of Indigenous harvesters as “wanton killers of wildlife” went alongside urgent appeals to preserve animals. This racialized rhetoric justified the creation of the Park, and the imposition of increasingly strict game regulations over time.<sup>174</sup>

#### *Delayed by Indian Affairs: preservation vs. starvation*

Following several months of research and land surveys, in 1914 Graham drafted and forwarded to the Superintendent of Indian Affairs an Order-in-Council, outlining detailed plans to establish

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<sup>167</sup> Ibid.

<sup>168</sup> See for example, Maxwell Graham, *Canada’s Wild Buffalo: Observations in the Wood Buffalo Park, 1922* (Department of the Interior, Northwest Territories and Yukon Branch. Ottawa: F.A. Acland, 1923), p. 11. Available at: <https://babel.hathitrust.org/cgi/pt?id=mdp.39015006571528&view=1up&seq=1>. See also O.S. Finnie to J.W. Martin (Commissioner of Dominion Lands Administration), 14 April 192?, LAC RG85, Vol. 792, File 6276.

<sup>169</sup> Sandlos, *Hunters at the Margin*, p. 39; See also Jonathan Sandlos, “Landscaping Desire: Poetics, Politics in the Early Biological Surveys of the Canadian North,” *Space and Culture* 6, no. 4 (Nov. 2003): 395-414.

<sup>170</sup> Routledge, Patrol Report, Fort Saskatchewan to Fort Simpson, in “Report of the Royal Northwest Mounted Police,” *Sessional Papers of the Dominion of Canada*, no. 15 (1899):88, 95-96, as cited in Sandlos, *Hunters at the Margin*, p. 24.

<sup>171</sup> Pat Marcel and Arlene Seegerts, “The Rights to Practice Our Treaty Rights & The Importance of Co-Management with the Province of Alberta” (Fort Chipewyan: ACFN, n.d.), p. 20.

<sup>172</sup> See for example, Radford to Hooper, 20 June 1911, LAC RG 85, file 3912, pt. 1; Henry Bury, “Report on Buffalo Protection,” 25 October 1915, LAC RG 85, file 3912, pt. 1; George Mulloy’s patrol report to Robert Campbell, 9 July 1913, LAC RG 85, file 3912, pt. 1; and Charles Camsell, “The Wood Buffalo Range of Northern Alberta,” 21 November 1916, LAC RG 85, vol. 1390, file 406-13, pt. 1.

<sup>173</sup> Sandlos, *Hunters at the Margin*, p. 53.

<sup>174</sup> Sandlos, “Landscaping Desire,” p. 395.

a Dominion Park of roughly 9,000 square miles.<sup>175</sup> But Graham and the other Park planners' goal of creating a sanctuary devoid of all human activity faced pushback from Indian Affairs. This ultimately delayed the process and resulted in a more moderate arrangement in the initial years. These early tensions between Indian Affairs and the Parks Branch remained a central characteristic of the history of relations between Denésuliné residents and the Park.

At first, Indian Affairs Superintendent General Arthur Meighen stated that he “would be very glad to cooperate in any way” with the Parks Branch. However, several other ministers vehemently opposed the bison sanctuary, fearing it would interfere with local subsistence practices, which would lead to hunger and increased reliance on social assistance. Much evidence suggests that Indigenous peoples in Northern Alberta were already starving due to severe economic and environmental changes.<sup>176</sup> Imposing park boundaries on such a massive tract of Dené lands could only worsen the problem. Indian Affairs officials contended that, unlike in southern parks such as Banff or Jasper, displaced Indigenous residents in the Delta

*“The interest of the entire people of this Dominion, and to some extent that of the entire civilized world, is centred on the continued existence of these forms of animal life.”*

**Maxwell Graham, Department of Interior, 1912**

would not have alternative options, such as agricultural opportunities, to make a living if their subsistence practices were interrupted by a park. John McLean, secretary of Indian Affairs, protested the Park in a letter to Parks Commissioner Harkin in 1914, stating that Treaty 8 protected

Indigenous rights to pursue their “usual vocation” in the area, and that the proposed preserve was so vast it would lead to serious trouble for (and with) displaced harvesters.<sup>177</sup>

Eventually, Superintendent Meighen shifted his position, agreeing with his colleagues that it would be undesirable for social assistance to “take the place of that ability to help themselves which Indians alone can exercise if they are in the environment of wild life.”<sup>178</sup> Frustrated by this disapproval, Graham argued that time lost was precious. He urged, “steps cannot be taken too soon to ensure the successful carrying out of the carefully prepared plans made by this Branch for the preservation of the beneficent animal life.” He presented arguments that trivialized Denésuliné subsistence needs, land-use practices and rights, and claimed that only “a few” people regularly hunted in the area, and that these people did “not possess any special rights entitling them by treaty to hunt through that territory.”<sup>179</sup> This of course was contrary to the provisions of Treaty 8, which clearly protected Denésuliné people’s pursuit of “their usual vocations” within the proposed Park boundaries and much wider territory.

In the end, despite Graham’s urgent appeals, the plans for the sanctuary were put on hold during the First World War, after Parks Commissioner James Harkin concluded for various reasons—not

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<sup>175</sup> Maxwell Graham to O.S. Finnie, Memorandum, “Statement as to the Causes that Led Up to the Creation of the Wood Buffalo Park,” 25 January, 1926, LAC RG85 Vol 1213, File 400-2-3, v. 1, page 2.

<sup>176</sup> Chief Jonas Laviolette to Indian Affairs, 20 February, 1927.

<sup>177</sup> McLean to Harkin, 23 July 1914, LAC RG 85, vol. 664, file 3910, pt. 1.

<sup>178</sup> Arthur Meighen, “Address of Welcome,” in *National Conference on Conservation of Game, Fur-Bearing Animals and Other Wild Life, 18-19 February 1919*, ed. Commission of Conservation of Canada (Ottawa: King’s Printer, 1919), p. 5.

<sup>179</sup> Graham to Finnie, “Statement as to the Causes,” p. 3.

the least of which was Indian Affairs' opposition—"the matter must stand."<sup>180</sup> A hiatus on park planning took place from 1916-1920.

*Park Planning Resumed: Privileges vs. Rights*

By 1920, however, the discussion resumed. F.H. Kitto (Natural Resources Intelligence Branch), who had spent two weeks in the bison range for a natural resource survey earlier that year, raised the suggestion once more to create a bison sanctuary to solidify state control over the wood bison.<sup>181</sup> The Advisory Board on Wildlife Protection passed a resolution calling for the creation of a park in June 1920.<sup>182</sup> By then, Graham had transferred from the Parks Department to the Game Division of the new Northwest Territories and Yukon Branch of the Department of the Interior. Graham accompanied Dominion land surveyor Fred Siebert in summer 1922 on an investigation to gather more data and determine the boundaries of the proposed park. The Department provided them with "'every possible facility' for carrying out a thorough investigation."<sup>183</sup>

As a result of their final report, Wood Buffalo Park was created in December 1922 by Order-in-Council P.C. 2498. The order stated:

WHEREAS the Minister of the Interior reports that in order to safeguard the Wood-bison...it will be necessary to reserve as a National Park their original habitat...

and WHEREAS, unless the above area be reserved for the Wood-buffalo, there is grave danger that the only remaining herd of buffalo in their native wild state will become extinct...

THEREFORE His Excellency the Governor General in Council, on the recommendation of the Minister of the Interior and pursuant to the provisions of Section 18 of the Dominion Forest Reserves and Parks Act, is pleased to order and is hereby ordered that the area of land described immediately following be, by proclamation, designated as a Dominion Park to be and to be known as the Wood-Buffalo Park.<sup>184</sup>

The Park boundaries, encompassing 10,500 sq. mi. on both sides of the Alberta/NWT border, were made official, and the Department of the Interior was granted administrative authority over the new park (see Appendix I).

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<sup>180</sup> Ibid., p. 6.

<sup>181</sup> F.H. Kitto, "Report on the Natural Resources of the Mackenzie District and Their Economic Development." Natural Resources Intelligence Branch, Department of the Interior, 1920, LAC RG10, vol. 4092, file 549,036.

<sup>182</sup> Minutes, Advisory Board in Wildlife Protection, 18 June 1920, LAC RG10, Vol. 4085, file 496,658-1A.

<sup>183</sup> Graham to Finnie, "Statement as to the Causes," p. 7.

<sup>184</sup> Order in Council PC 2498, 18 December, 1922. LAC RG 85 vol. 1391, file 406-13.

Ongoing opposition to the Park by Indian Agents, Indian Affairs officials and missionaries limited the restrictions this Order-in-Council could include. Denésuliné land-users and leaders, keenly aware of the declining game populations on which they depended and of the increasing

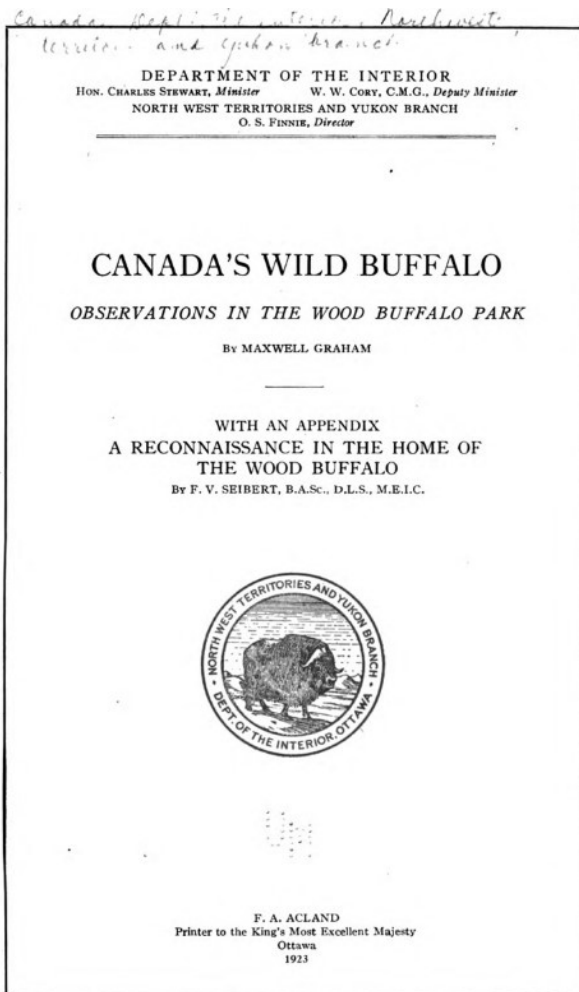


Figure 12 : The cover of Graham and Siebert's final report, 1923.

pressures from white trappers and other newcomers, also protested the creation of the Park, publicly voicing their concerns to the government. At a chiefs' assembly at Treaty Days in 1922, Indian Agent Gerald Card learned of the vehement opposition of leaders who were concerned their treaty rights would be restricted. Bishop Breynat and Indian Agent Card subsequently both publicly opposed the park. Card wrote an editorial in October to the *Edmonton Bulletin* arguing against the park, stating that Indigenous leaders were strongly opposed, as they were already under increasing pressure from encroaching white harvesters and suspected the Park would present restrictions on their ability to practice their treaty rights.

Faced with negative publicity and the opposition from Indian Affairs, Park planners were forced once more to concede that their proposal must consider Indigenous harvesting practices and subsistence needs. The Parks and Indian Affairs Branches eventually found a compromise. Whereas no harvesting was allowed in any other national park per the *Dominion Parks Act*, the Park became the first in Dominion history to allow some

Indigenous land use via a special clause added to the Order-in-Council. Harvesters with treaty

status could continue accessing their lands in the Park, as long as they abided by game laws and did not kill bison. All other harvesters (white and Métis) were excluded. Over 100 posters were distributed throughout the area in 1923 to ensure the message got across.<sup>185</sup>

Pressured as they were by Indian Affairs though, the Parks administrators never referred to Indigenous harvesters' access to the Park as a treaty right. Henceforth, in its policy and discourse the Park administration framed Treaty rights within and around the Park not as rights but as *privileges*, granted by the government on grounds of compassion rather than as treaty obligation. Graham wrote to Finnie in 1923, "a great concession is made in granting hunting and trapping privileges to treaty Indians in a special game sanctuary."<sup>186</sup> As O.S. Finnie stated, "the only

<sup>185</sup> Maxwell Graham to O.S. Finnie, 27 September, 1923. Archival source unknown. Copies of source available at ACFN community archives, Fort Chipewyan, Alberta.

<sup>186</sup> Ibid.

persons allowed such a *privilege* are those Treaty Indians who from immemorial times have hunted and trapped in the area now a park, this privilege was accorded these people both on compassionate grounds and as a matter of both equity and policy."<sup>187</sup> This attitude persisted throughout the 20<sup>th</sup> century. Fur supervisor R.I. Eklund stated in 1955, for example, "The fact that Wood Buffalo Park is a National Park as is Elk Island, Banff and Jasper, it is my humble opinion that hunting, trapping or fishing by any person, whether Treaty Indian or not, is a privilege and not a right."<sup>188</sup>

*"The fact that Wood Buffalo Park is a National Park as is Elk Island, Banff and Jasper, it is my humble opinion that hunting, trapping or fishing by any person, whether Treaty Indian or not, is a privilege and not a right."*

*R.I. Eklund, Dept. of Interior, 1955*

### *Conclusion*

Oral history indicates that Denésuliné leaders had taken treaty in 1899 under the impression that their lives and movements across the land would never be restricted. As Felix Gibot's oral history indicates, local leaders agreed to share the land but insisted their people's rights and lives be protected:

The Indian said, 'You now have worked on me for 2 days, and now on the third day, I will talk to you. What you are saying is that the promises are being made in good faith. My people will now be cared for by the government. But I will tell you one thing. I don't want my people to be sent away from our land...

The commissioner told him that this land which now belongs to you, that is the land you can keep. None will be restricted to you. You can make your living the way it suits you best. The Chief said, 'Yes.'

...He indicated that since he was now the Chief, he didn't want the commissioners to say no to anything he said or requested. 'When you make promises to me and I say yes, I have given you my word to last forever. If I agree to anything again, that is my final word and I expect the same from you. The promise you have made I want that fulfilled.'<sup>189</sup>

After the Park was created, however, Denésuliné leaders perceived that these promises would not be upheld forever, and that the Park would likely restrict them in the future. They had good reason to believe this as they were never meaningfully consulted in the creation of the Park and as Parks officials tended to frame their treaty-enshrined rights as privileges, and their land-use practices as unwanted impediments to bison preservation. The main reason Denésuliné residents

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<sup>187</sup> Finnie to McDougal, 20 July, 1925, LAC RG85, Vol. 1213, File 400-2-3, vol. 1. Emphasis added.

<sup>188</sup> R.I. Eklund to R.F. Battle, 4 January, 1955, R.I. Eklund to Regional Supervisor of Indian Agencies, 4 August, 1954, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 2.

<sup>189</sup> Felix Gibot, Treaty and Aboriginal Rights Research.

and land-users were able to maintain access to the Park under Order-in-Council P.C. 2498 in the first few years of its existence was federal cost-savings – Indian Affairs officials wanted to prevent growing reliance on federal social assistance.

As Denésuliné leaders had suspected, however, everything changed in 1926 when the Park was expanded. As Elder Jimmy Deranger explains, “after they got the land, things changed...they developed polices saying that ‘you can’t do this, you can’t do that.’”<sup>190</sup> Although in the first four years of the Park’s existence Denésuliné families and land-users could remain within the original Park boundaries, new rules imposed after 1926 denied them access to their homelands and harvesting grounds, evicted them from their homes, and separated them from their families. The creation of the Park in 1922 thus initiated a history of broken treaty promises producing severe challenges for the Denésuliné residents that it dispossessed.

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<sup>190</sup> WBNP2021-Jimmy Deranger-03-24-21.

### Park expansion in 1926: “That is not what they had agreed upon”

*It is like the Buffalo Park, when it was first established. I will tell you about it too. It was during the time a herd of buffalo was moved up here. They were taken far in the north country. Two seasons after that they made their way into our land. Those were the plains buffalo. When they came upon our land that is when the Park was established. The Chief was asked, "The buffalo entered your land. what do you think?" He replied, "I don't know." The Park official who was in charge, as there had been buffalo up north before said, "What do you think about the idea where they are going to include your land in the Buffalo Park, are you willing?" The Chief replied, "No."*

*Park official: "Will you lend it out or give it up?" The Chief told him he would lend it out but I can't give it to you people. "I'll just lend it to you." The Park official told him that of all the buffalo that wandered into his land, the Indians could use them for a livelihood. They would multiply and they could live from the buffalo. If the Indians were experiencing difficulty they could approach the Park officials and he would take charge. He told the Indians that they could kill them at their discretion whenever it was necessary, not anytime. I myself worked in the Park for a long time. We used to slaughter buffalo for the Indians and the missionaries. That was the agreement on the Buffalo Park. But after a while it seems they didn't think that way anymore. If someone is caught killing a buffalo, he will get a 6-month sentence. That is not what they had agreed upon. (Felix Gibot, 1974).<sup>191</sup>*

### Further plans to eliminate Indigenous land-use: “It will never be a sanctuary”

Although Finnie, Graham and Kitto had achieved their victory in 1922, they continued their attempts to eliminate Indigenous residents and land-users entirely from the Park. O.S. Finnie wished to find “some means by which all Indians may be kept out of this area,” arguing that “[a]s long as they are permitted to enter it will never be a sanctuary” and “we will be in constant suspense regarding fires and the killing of buffalo, and the wild life of course will seriously

*“As long as they are permitted to enter it will never be a sanctuary...we will be in constant suspense regarding fires and the killing of buffalo, and the wild life of course will seriously suffer.”*

*O.S. Finnie, Department of Interior, 1925.*

suffer.”<sup>192</sup> He further articulated these concerns in a 1926 report entitled “Statement as to the Need for Eliminating Indians as well as Other Hunters and Trappers from the Wood Buffalo Park.”<sup>193</sup>

However, this elimination plan faced ongoing disapproval from Indian Affairs. Deputy superintendent general Duncan Campbell Scott, for example, responded to one of Finnie’s proposals to expand the Park in 1925 stating “it is my view both official and personal that the vital interests of the Indians should be paramount and should have precedence even over the protection of wildlife.”<sup>194</sup> District agent John McDougal agreed that although “every unbiased person in the North country will agree” that bison protection was important and that local harvesters were “a nuisance and a menace,” he

<sup>191</sup> Transcript of interview with Felix Gibot, Treaty and Aboriginal Rights Research.

<sup>192</sup> O.S. Finnie to Gibson, 9 December 1925, LAC RG85, Vol. 1213, File 400-2-3, v. 1.

<sup>193</sup> O.S. Finnie, “Statement as to the Need for Eliminating Indians as well as Other Hunters and Trappers from the Wood Buffalo Park,” 25 January 1926, LAC RG 85 vol. 1213, file 400-2-3.

<sup>194</sup> D.C. Scott to Stewart, 29 December 1925, LAC RG 85, vol. 1213, file 400-2-3, pt. 3.

believed eviction would result in severe hardship for families who had been harvesting there for many generations.<sup>195</sup>

Because of this pushback, the plan to totally eliminate Indigenous people was unsuccessful until the Wainwright (plains) bison importation scheme of 1925. This was the precursor to a large annex of additional Denésuliné lands south of the Peace River, and to a new permit and regulatory system that denied many Dené families access to the newly expanded Park. Despite the pushback of Indian Affairs, the decision to annex Dené lands south of the Peace River in 1926 to accommodate the imported bison demonstrated that Park administration's concern for bison preservation trumped the needs, rights and lives of the original residents of the area. As Chief Allan Adam states, "[T]hey brought in the buffalo and they gave all the rights to the buffalo. The buffalo were protected more than anything else and we were pretty much...save the buffalo, shoot the Dené."<sup>196</sup> The late Alec Bruno recalled: "As I see it the government had eradicated our people from their homeland just to be replaced by bison. This is unacceptable at any given time – the government had more concern for the animals than they did for our people."<sup>197</sup> This attitude characterized the relations of the administration with the Denésuliné throughout the history of the Park.

As Felix Gibot's oral history of the annex, quoted above, suggests, the decision to annex more Dené lands south of the Peace River in 1926 in order to expand Wood Buffalo Park was a violation of Dené rights with intergenerational implications. Like the original Park creation, the annex occurred with little to no

*"As I see it the government had eradicated our people from their homeland just to be replaced by bison. This is unacceptable at any given time – the government had more concern for the animals than they did for our people."*

*Alec Bruno, n.d.*

consultation with the Dené people whose homes and harvesting areas were annexed in 1926. MCFN Elder Cookie Simpson confirms: "There was no consultation at all, that word didn't even exist a long time ago. They...never came to my grandpa or my uncles...or my father and they never ever did say, 'hey, we're going to be expanding, we're going to be bringing buffalos in, and we're going to take this land.' That was their traditional land and they just, they just lost everything."<sup>198</sup> Felix Gibot's history also points to oral promises made by Parks officials that the land for the annex was only to be loaned temporarily and that the livelihoods and land-use practices of Dené people who lived there would not be impeded. The expansion, which divided the Park into three sections with varying access regulations, was accompanied by a strict permitting system and a strengthened warden system that monitored and controlled all access to the Park.

The annex and attendant changes to Park policy led to displacement, starvation and economic hardship. In addition to this socioeconomic hardship, many Dené individuals who had been denied access to the annex, or who for any reason lost their permits, were separated from family

<sup>195</sup> J.A. McDougal to O.S. Finnie, 2 March 1926, LAC RG85, Vol. 1213, File 400-2-3, pt. 1, as cited in McCormack, "How the (North)West was Won," p. 138.

<sup>196</sup> WBNP2021-Chief Allan Adam-02-02-21.

<sup>197</sup> Alec Bruno, Written Questionnaire.

<sup>198</sup> WBNP2021-Mary (Cookie) Simpson-03-11-21.



who remained in the annexed area. This ultimately led to a forced membership transfer from the Chipewyan to the Cree Band in 1944, discussed in detail below. Ultimately the impacts of the annex were even more severe than the original Park creation in 1922. As Leslie Wiltzen notes: “when it was expanded was when... the Dené people, the Chipewyan people of Fort Chip were really affected.”<sup>199</sup>

*Importation of the Wainwright plains bison and annex of Dené lands south of Peace River*

Discussions about importing several thousand young bison from the Wood Buffalo Park in Wainwright, Alberta initiated in 1923, as the Wainwright herd had grown significantly and was escaping and destroying nearby pasture. Deputy Minister W.W. Cory suggested to Parks Commissioner James Harkin that “it would be a good idea to transfer some of the healthy young stock to the Wood Bison Reserve administered by the Northwest Territories Branch.”<sup>200</sup> Despite widespread concerns that the tuberculosis-infected herd would mix with and infect the Northern Alberta wood bison, officials pursued the scheme with vigour. They ignored the warnings of Dominion zoologists and the wider scientific community, who believed mixing the two

*“they said they were going to give it back. That’s what those Elders said. They were going to give it back after they used it for a certain period of time”*

*Jimmy Deranger, 2021*

subspecies would ultimately lead to the loss of the wood bison herd. Between 1925-1928, 6,673 bison were shipped by rail and barge to the Park, released on the west side of the Slave River.<sup>201</sup>

As predicted, the imported plains bison mixed with the wood bison and introduced tuberculosis and brucellosis, a problem Parks Canada still manages to this day. Furthermore, the plains bison migrated out

of the Park boundaries to feed in the Lake Claire area in 1925. Administrators were suddenly faced with the problem of protecting the bison that had migrated. They decided to enlarge the Park by annexing the lands that made up the new bison range, primarily south of the Peace River, where many Denésuliné families lived, harvested and moved since time immemorial.

<sup>199</sup> WBNP2021-Leslie Wiltzen-01-21-21.

<sup>200</sup> W.W. Cory to James Harkin, 26 May 1923, LAC RG85, vol 1390, file 406-13, pt. 1.

<sup>201</sup> W.F. Lothian, *A History of Canada’s National Parks*, Vol. IV. (Ottawa: Parks Canada, 1981), pp. 33-35. See also Jennifer Brower, *Lost Tracks: Buffalo National Park, 1909-1939* (Edmonton: AU Press, 2008).



Figure 14: Buffalo scow unloading at Peace River, 1925 [Source: Provincial Archives of Alberta, A4723]

Elder Rene Bruno relates the oral history shared to him by his Elders:

a long time ago, there's two parks, a long time ago, one that first park...is across Peace River. And, when they bring in Buffalos, 1925, 1930 maybe, and they took the other park again [in the] Delta, that's the old timers they call it the old park and new park... they wanted to bring buffalos here...and then the story is, what they said, my Elders...they said they borrowed it, they were going to give it back to Alberta, they never gave it back yet...and they borrowed, took over the park. They took a big one.<sup>202</sup>

Elders recall that, just as when it was first created in 1922, the Park expansion occurred with little to no consultation with local land-users and residents; if consultation did occur, as Rene Bruno's history confirms, Dené people may only have agreed if the expansion was presented by the Parks officials as a temporary loan. Billy Simpson's 1974 oral history said:

apparently it was just loaned to them. After 5 years, the population of the buffalo grew in size. It was at this time the government (federal) had, as the provincial government for the land south of the Peace River and north of the Peace River is the old buffalo park, the provincial gov't also loaned the federal government the land south of

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<sup>202</sup> WBNP2021-Rene Bruno-03-11-21.

the Peace River for the WBNP. Now that land is also filled with buffalo as far as the 27<sup>th</sup> baseline.<sup>203</sup>



*Figure 15: First shipment of 200 Wainwright Bison arrives, 1925. [Source: CU1103322, Courtesy of Libraries and Cultural Resources Digital Collections, University of Calgary].*

Similarly, Elder Jimmy Deranger explains, “Well they said they were going to give it back. That’s what those Elders said. They were going to give it back after they use it for a certain period of time.”<sup>204</sup>

When rumours of the expansion circulated in early 1926, Indigenous and non-Indigenous residents feared it would impede their land-use practices. A number of dissenters wrote in a protest letter that year:

So unnecessary is any such establishment in the area in question, and so harmful would it ultimately prove to be to those now resident in that area and vicinity that we pray that the above-described terrain shall under no circumstances be set apart as a Buffalo Park, or as an annex...if their hunting and trapping is restricted or prohibited in the above area, starvation will result, they will become a public charge.<sup>205</sup>

<sup>203</sup> Transcript of interview with Billy Simpson, Treaty and Aboriginal Rights Research.

<sup>204</sup> WBNP2021-Jimmy Deranger-03-24-21.

<sup>205</sup> Memorandum signed by John Wylie, Colin Fraser, ? Marcel, P. Mercredi, et. al., “Re the setting-apart of a New Buffalo Park or the establishing of an annex to the existing Wood Buffalo Park; which is to be situated in the terrain North of the Quatre Fourche River, and on the West shore of Lake Mamiwi, North of Hay River and Lake Claire,” 16 April, 1926, LAC RG86, v. 1213, file 400-2-3, pt. 1A.

Yet despite the clearly and repeatedly stated concerns of local leaders, Indian Affairs agents and missionaries, the Parks administration proceeded with the annex.<sup>206</sup> In response to the 1926 petition O.S. Finnie wrote a letter that justified the expansion, citing the clause of Treaty 8 which stated lands could be “taken up” from time to time for various purposes and suggesting the park expansion would further benefit Indigenous locals by restricting White and Métis access to the area.<sup>207</sup>

In the end, Elder Ray Ladouceur explains, “They had no choice, yeah. No choice after they brought in the other animals, the prairie buffalo.”<sup>208</sup> The Park was expanded south of Peace River by Order-in-Council P.C. 634 on 26 April, 1926, then further expanded to include Buffalo Lake by Order-in-Council P.C. 1444 on 26 September of the same year.<sup>209</sup> This expanded the Park to a total of 17,300 sq. mi.



*Figure 16: Buffalo calves unloaded and heading west at Peace Point along 7 miles timber cut to open lands, 1925 [Source: Provincial Archives of Alberta, A4727].*

<sup>206</sup> John A. McDougal (District Agent) to the Director, Northwest Territories Branch, 25 March, 1926, LAC RG85, Vol. 1213, File 400-2-3, pt. 1.

<sup>207</sup> O.S. Finnie to ?, 30 June 1926. Archival source unknown (likely LAC RG85). Copies of source available at ACFN community archives, Fort Chipewyan, Alberta.

<sup>208</sup> WBNP2021-Ray Ladouceur-03-18-21.

<sup>209</sup> Order in Council PC 1444, 18 September 1926, LAC RG 85 vol. 1391, file 406-13.



- Original park boundary, 1922-1926
- Expanded park boundary, 1926-present



0 50 100 Km

*Figure 17: Map of the boundaries the original Park and annex.*

*The New Permitting System: Splitting Families, Dividing the Band*

*“we go back to that expansion of Wood Buffalo National Park and for some reason, the ... Chipewyan people took the brunt” (Leslie Wiltzen, 2021).<sup>210</sup>*

*“They just established the park, you know. And, they had released the buffalo by...Buffalo Landing by Hay Camp, Stony Island...from what I heard, people were kicked out of the park.” (Anonymous Elder, 2021).<sup>211</sup>*

Rather than imposing an outright ban on harvesting in the annex, a formal amendment to the *Dominion Forest Reserves and Parks Act* specified that some people could remain both in the original park and annexed area on a permit-only basis:

No person shall enter the Wood Buffalo Park unless he holds a permit from the Superintendent of the Park authorizing his entry to the said Wood Buffalo Park; and any person found within the Park boundaries without the necessary permission from the Superintendent, may be summarily removed from the Park by order of the Superintendent.<sup>212</sup>

In June and September 1926, the following new access regulations were enshrined in Dominion law through Orders-in-Council P.C. 1444 and 2589: “all Treaty Indians who formerly hunted and trapped in the Park will be allowed to continue to do so, but must first secure a permit from the Park Superintendent. In the new area south of the river, whites and half-breeds, who formerly hunted and trapped there will also be allowed to continue.”<sup>213</sup>

The park was thus split into three zones with varying levels of access, and each with a different set of game laws: Zone A in the Northwest Territories, Zone B in the Alberta section of the original Park north of Peace River, and Zone C in the annexed section south of Peace River. Anyone who was in the annex in 1926 could apply for a permit to stay there. Treaty harvesters could continue to access Zones A and B if they procured permits. In Zone C, those who already resided there at the time of the annex could apply for permits to stay.<sup>214</sup> White and Métis harvesters could only apply for permits in Zone C.<sup>215</sup> Parks administrators believed that through this system they were granting special privileges to permittees, who would be protected from competition from other trappers and hunters who would not obtain permits. O.S. Finnie wrote that

*“[T]hey brought in the buffalo and they gave all the rights to the buffalo. The buffalo were protected more than anything else and we were pretty much...save the buffalo, shoot the Dené.”*

*Chief Allan Adam, 2021.*

<sup>210</sup> WBNP2021-Leslie Wiltzen-01-21-21.

<sup>211</sup> WBNP2021-Anon10-03-21-21.

<sup>212</sup> Order in Council PC 1444, 24 September 1926, LAC RG 85 vol. 1391, file 406-13.

<sup>213</sup> Gibson to Allan (Superintendent, Reserves and Trusts, Indian Affairs Branch), 23 September, 1938. LAC RG85 v. 1213 file 400-2-3, v.1.

<sup>214</sup> O.S. Finnie to R.A. Gibson, 23 April, 1926, LAC RG85, Vol. 1213, File 400-2-3, pt. 1.

<sup>215</sup> R.A. Gibson to D.J. Allan (Superintendent, Reserves and Trusts, Indian Affairs Branch), 23 September 1938. LAC RG85 v. 1213 file 400-2-3, v.1.

“This Order-in-Council will practically make a monopoly for them. They may continue to hunt and trap, but no new-comers will be allowed to do so.”<sup>216</sup>



Figure 19: Map of the 3 Permit Districts of the Park after 1926.

But far from creating a generous monopoly free of competition, these regulations were damaging to Dené families. The new Orders-in-Council gave park administrators a great deal of latitude to distribute or withhold harvesting and visiting permits. A 1954 consolidation of game laws summarized the unilateral legal power of superintendents and parks officials to grant, deny or revoke Indigenous rights to the Park: “The Minister may...cancel, suspend, or refuse to issue or renew any license or certificate of registration for any cause that to him seems sufficient.”<sup>217</sup> Elder Rene Bruno recalls the strict enforcement of the permitting rules as related to him by his Elders: “way back, you know, they were pretty strict... First time, long time ago, we can’t even go to the park. We got to get a permit... You can’t go. You can’t go to the park.”<sup>218</sup> With the new permitting system, Dené people were displaced from the traditional harvesting areas and homes where they and their ancestors had resided from time immemorial.

Most Cree residents were in the Park annex in 1926 and were thus able to obtain permits. But not all Dené land-users whose families had a strong claim to lands in the expanded Park boundaries happened to be there at the time, for one reason or another harvesting or residing elsewhere that year. A number of Dené families therefore did not get to apply for permits in the early years. This essentially split the Band in half, separating even immediate family members, between those with and without access. Under 200 permits were issued to Cree and Dené harvesters from 1926-1929. Only 107 were added to the list in the 1930s. Most of these permittees were men – “heads of household” – though a few widows were granted permits. This points to the gendered nature of the dominant conservation system, which assumed harvesting to be a strictly male activity and tended to exclude women from most or all land-use permissions. Over time, permitting laws and the warden system that upheld them greatly reduced Dené access to the Park, thus bringing the administration closer to its goal of a human-free sanctuary. As Rene Bruno summarizes, “Yeah, long time ago, you can’t go there, you get in trouble... a long time ago, the park they do anything they want to you.”<sup>219</sup>

People had to make a strong case for a permit, according to the following criteria: first, that they were “bona fide residents of the Park area,” and second, that “they are dependent upon the game supply of the Wood Buffalo Park for their livelihood.”<sup>220</sup> But many were refused. The reasons for declining permit applications were fairly inconsistent, and could legally include a wide range of justifications, such as a perceived shortage of game or the perception that an applicant was in some way “undesireable.” In 1935, for example, Adam Boucher was denied a permit “owing to his gambling tendencies,” and he and his wife Victoire Boucher and mother-in-law Sophie Ratfat were evicted from the Birch River settlement. The family had harvested there for generations and had cabins there.<sup>221</sup> Chief Jonas Laviolette was denied a trapping permit twice – in 1928 and 1933 – because his name had not been on the original list when the permitting system was first

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<sup>216</sup> Memo from O.S. Finnie to R.A. Gibson, 18 June 1926. Archival source unknown. Copy of memo available at ACFN community archives, Fort Chipewyan, Alberta.

<sup>217</sup> Department of Northern Affairs and National Resources, Northern Administration and Lands Branch, Conservation and Management Services, Wood Buffalo Park Game Regulations, Office Consolidation, Ottawa: 1 June 1954, LAC RG10, Vol. 8409, File 191/20-14-1, pt. 2.

<sup>218</sup> WBNP2021-Rene Bruno-03-11-21.

<sup>219</sup> Ibid.

<sup>220</sup> Memorandum from ? to Gibson, Department of Interior, 29 February, 1936, LAC RG85, v. 1213 File 400-2-3, pt. 2A, p. 2.

<sup>221</sup> Report from M.J. Dempsey to M. Meikle (Agent and Superintendent), 20 February 1937, LAC RG85, vol. 845, file 7744, pt. 1.



established. The superintendent felt that by granting him a permit, he would be setting an undesirable precedent: opening a door to granting permits to “a large number of treaty Indians who are in the same position as Mr. Laviolette as to having at some time trapped or hunted in the area which is now the park, whose applications would follow closely upon the granting of a permit to Jonas Laviolette.”<sup>222</sup>

Visiting rights (i.e., permits for someone residing outside the Park to visit a family member within the Park) were also restricted. Chief Jonas Laviolette had to apply for a permit to enter the Park just to see his band members.<sup>223</sup> Wardens were also reported to be limiting visiting rights among the three Park zones. An Indian Agent in the 1940s for example relayed complaints of Cree and Dené leaders in the park, whose people had been warned against visiting family or friends in different zones. They “unanimously felt quite incensed over this restriction to their personal freedom...even relatives were denied the right of visiting each other.”<sup>224</sup> Despite such complaints, the administration declined to revise its policy around visiting, maintaining that “[i]t

*“[We] will not go to the Park. I wouldn't even think of going to the Park...I mean, all our family, nobody goes to the Parks. Nobody.”*

*Anonymous Elder, 2021.*

does not seem unreasonable for the Wood Buffalo Park Officials to keep a check on the movements...by requiring any visitors to obtain permission from the resident Warden so that he may keep track of their movements.”<sup>225</sup>

Thus, regulations intended to restrict harvesting within the Park also restricted Denésuliné people's freedom of movement in their territories and

separated communities and families. In 1939, William St. Cyr wrote to the acting park superintendent requesting a permit to live and trap there because he had been adopted by a family that already lived in the park. His application was denied. Thomas Loutit lobbied with the administration for 13 years from 1936-1949 to procure Park trapping licenses for his adult sons so that they could assist him with harvesting as he aged. He was denied as well because it was deemed that his sons had lived away from the trapping area for too long.<sup>226</sup> Many others were denied permits to enter the park in order to live with siblings and family members already residing there, including Jonas Tourangeau and Isidore Voyageur.<sup>227</sup>

Marriage also complicated things. At first, a person without a permit could not become eligible for a permit through marriage to a permit-holder who resided within the Park. Over time, however, this regulation appears to have changed. One Elder interviewed for this report states, “well they changed it and then...you had to have family members and proof that your family was in there before and it was carried down to the family and stuff, eh? ...And then next thing you know...say a white person came to stay with a Native girl up here, then they'll get the hunting rights and they could go in the park. And then there's Dené that were there before but couldn't even get into the park. You know, it was really bad for a while there when they changed the rules

<sup>222</sup> M.J. Dempsey to J. Milner (acting District Agent), 1 March, 1933, LAC RG85, v. 852, File 7870.

<sup>223</sup> Ibid.

<sup>224</sup> Melling, “Report of Meeting with Chief and Councillors of Indians Living in ‘B’ and ‘C’ Areas of the Wood Buffalo Park,” LAC RG10, Vol. 8409, File 191/20-14-1, pt. 1.

<sup>225</sup> Grew to Allen, 19 March 1943, LAC RG10, Vol. 8409, File 191/20-14-1, pt. 1.

<sup>226</sup> A.L. Cumming to R.A. Gibson, 16 December 1937, LAC RG85, vol. 845, file 7744, pt. 1.

<sup>227</sup> Pat McCormack, *How the (North)West was Won*, p. 191.

and regulations.”<sup>228</sup> These laws appear to have been particularly detrimental to Denésuliné land-users and families.

They were particularly drastic for women who married non-permit holders and left the Park. A number of family histories shared during interviews suggest a number of women in this position eventually lost their permits and homes. For example, Elder Alec Bruno shared that his mother, who had been born and raised at House Lake and had married there and buried two of her children there, left the Park at some point after her marriage. When her husband passed away in 1929, she wished to return to her family home, but was evicted from her house by the Park. Her request to return was denied, and her home was burned down.<sup>229</sup> Garry Flett’s mother, Elizabeth Flett (née Simpson) had a similar experience, which was further complicated by provisions in the *Indian Act* governing Indigenous women’s status. Elizabeth married a non-status man and, under this law (which only applied to women), lost her status and was forced to move out of the Park and off reserve. While this was happening, her family (the Simpsons) were transferred from the Chipewyan Band to the Cree Band in 1944. Decades later, under Bill C-31, which amended the *Indian Act* and allowed women who had lost their status through marriage to re-apply for status, she re-applied for status and was granted it, but was reinstated to Athabasca Chipewyan First Nation rather than the Cree Band, of which her family had become a part. As a member of ACFN, she and her children were refused re-entry to the Park where most of her family continued to reside. This history suggests that women were often doubly affected by Park policy. Inconsistent rules around marriage and Park access could cause a woman to lose her access to her home and family in the Park, while rules around status enshrined in the *Indian Act* enhanced the power and longevity of these restrictions and cut women off from their families, lands and communities.

*“when parks took over and then...when everybody had to get out of there, if you don’t belong to the park, you know, they were burning houses and everything...parks did that.”*

*Big John Marcel, 2021*

The permitting system was also characterized by inconsistencies and uncertainties. Confusion over the three zones and sometimes contradictory rules led to frustrations. Policy contradictions were usually only updated ad hoc and over time, as questions arose. Even some Park wardens recognized the problems policy inconsistencies could create: “[t]here are some doubts as to what the regulations really are, which may be a cause of friction,” wrote Park Warden Dempsey to District Agent Cummings a decade after the annex, in 1935.<sup>230</sup> For example, administrators lacked certainty on whether harvesters who had a valid claim for a permit, but who for various reasons did not apply when the system first was put in place in 1926, should be granted permits at all.<sup>231</sup> A number of permit applicants who were in this situation were refused, though a few were granted at the discretion of Parks officials. This law was only clarified a decade later, when it was determined that under such circumstances, if an applicant appeared to have been

<sup>228</sup> WBNP2021-Anon06-03-17-21.

<sup>229</sup> Interview with Alec Bruno, Dené Laws Research Project (Fort Chipewyan: ACFN, 2015).

<sup>230</sup> Dempsey to Cumming, 12 August 1935, LAC RG85, v. 1213, File 400-2-3, pt. 2A.

<sup>231</sup> ? to Gibson, 29 February, 1936, p. 2. LAC RG85 Vol. 1213, File 400-2-3, pt. 2A.

harvesting or working outside the Park for an extended period before applying, they should generally be denied a permit renewal.<sup>232</sup>

Additionally, the issue of granting permits to the sons of existing permit-holders was only settled in 1937, a decade after the annex occurred. Prior to that, the children of permittees could accompany their parents into the Park on harvesting trips, but administrators sometimes denied them their own permits after they turned 18. A 1935 law clarified and tightened the rules. It determined that if “the applicant is over eighteen years of age and...he is the son of a holder of a Wood Buffalo Park hunting and trapping permit,” then his request should be granted.<sup>233</sup> But these young applicants were often denied if they did not apply for a permit immediately upon coming of age, or if they were found to be making a living elsewhere and then, as Parks officials put it, they “suddenly decide they want to hunt and trap in the park as their fathers do.”<sup>234</sup>

People could also lose their permits. Those who had received permits in 1926 but at a later date harvested outside the Park, sometimes had their permits revoked.<sup>235</sup> Breaking game laws could also result in permanent expulsion.<sup>236</sup> Finnie recommended this strict measure as early as 1925, writing that “any Indian convicted of leaving fires burning in the Park, or of killing buffalo, would be evicted and not allowed to re-enter.”<sup>237</sup> Numerous RCMP reports from the 1920s-50s detail cases of Indigenous harvesters arrested and tried for breaking harvesting regulations; it was not uncommon for the defendants to lose their permits temporarily or permanently, in addition to having their game confiscated and facing fines.<sup>238</sup> Wardens reported Julian Ratfat, for example, for having two beaver in his possession during closed season in 1928; they revoked his license to trap temporarily and he and his family were expelled from the park.<sup>239</sup> Historian Jonathan Sandlos counts at least forty people whose access “privileges” were revoked from 1934-1939.<sup>240</sup> The practice continued throughout the 1940s. Fred Gibot was ejected from the Park in 1942 for trapping beaver out of season, and his Park trapping permit was suspended for a year.

By the time Fred Gibot lost his permit, the registered trapline system had already been established in the Province and much of the trapping land outside the Park had been claimed by others, so that he was unable to find an alternative trapping area to make his living outside the Park during the year he had lost his permit.<sup>241</sup> William Wakwan, another Denésuliné hunter in the Park, had a similar experience in 1942. Indian Agent Melling complained to Indian Affairs

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<sup>232</sup> Ibid. See also Department of Northern Affairs and National Resources, Northern Administration and Lands Branch, Conservation and Management Services, *Wood Buffalo Park Game Regulations, Office Consolidation*, Ottawa: 1 June 1954, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 2.

<sup>233</sup> ? to Gibson, 29 February, 1936, p. 2. LAC RG85 Vol. 1213, File 400-2-3, pt. 2A, p. 2.

<sup>234</sup> M. Meikle to Gibson, 15 April, 1937, LAC RG85, v. 1213, file 400-2-3, pt. 2A.

<sup>235</sup> Meikle to Gibson, 15 April, 1937, LAC RG85, v. 1213 file 400-2-3, pt. 2A.

<sup>236</sup> See “Regulations governing hunting and trapping in Wood Buffalo Park Established under authority of the Order-in-Council of the 14<sup>th</sup> December, 1933, P.C. 2589,” LAC RG10, Vol. 8409, File 191/20-14-1, pt. 1.; See also W.G. Brown to G.E.B. Sinclair, 20 July, 1951 “Illegal Beaver – Wood Buffalo Park,” p. 1, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 2.

<sup>237</sup> O.S. Finnie to R.A. Gibson, 9 December 1925, LAC RG85, Vol. 1213, File 400-2-3, v. 1.

<sup>238</sup> See, for example, Royal Canadian Mounted Police, Reports on Conclusions of Case, Form 264B, 19 March 1942, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 1; W.G. Brown to G.E.B. Sinclair, 20 July, 1951 “Illegal Beaver – Wood Buffalo Park,” p. 1, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 2.

<sup>239</sup> McDougal to Finnie, 4 January, 1928, LAC RG85, v. 1213, file 400-2-3, pt. 1A, as cited in McCormack “How the (North)West was won,” p. 150.

<sup>240</sup> Sandlos, *Hunters at the Margin*, p. 71.

<sup>241</sup> Melling to Secretary of Indian Affairs, 12 June, 1942, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 1.

that people who lost their permits suffered: “the only source of livelihood for these Indians is derived from their work pursuant to hunting and trapping. There is practically no casual labor to be had in our settlement.”<sup>242</sup> As Melling pointed out, when harvesters lost their Park permits, whether temporarily or permanently, they were cut off from their main source of income and food; with few other options, many could not feed their families and were forced to rely on government relief.

A similar situation occurred in 1953, when over 20 Dené, Cree and Métis trappers were tried for trapping beaver outside of open season in the Park, even though they had been granted beaver permits that year. They were arrested and transported to Ft. Vermillion for the trial “without any summonses being handed them” and then charged. All were fined, some jailed and several lost their permits. As a result, “all these families were on relief for a whole year, and this injustice has completely demoralized this band of Indians.”<sup>243</sup> Although it is likely that many of the defendants in the above narrative were from the west side of the park (in the Little Red River area), the story points to a larger issue that affected all harvesters in and around the Park, including Denésuliné people. Losing access to the Park due to the new permitting regulations could have dire consequences. As one Elder summarizes, “You know, they got booted right out, just like that.”<sup>244</sup>

*“Yeah, long time ago, you can’t go there, you get in trouble...a long time ago, the Park they do anything they want to you.”*

*Elder Rene Bruno, 2021*

#### *Forcible removals from the Park*

The oral record contains numerous stories of forcible removals of those who had lost their permits or otherwise were unable to prove to the administration’s satisfaction their claim to be there, even if they had family members with permits. Several Elders and community members, such as Elder Alice Rigney, the late Pat Marcel, Chief Allan Adam and Garry Flett, recount specific examples of family members who were forced to leave. One ACFN member who requested anonymity recalls being told by his Elders:

The Park formation wasn’t good...way back in those days, the members, they wanted to go back there and they wanted to live in the Park back then. It was our Elders and that’s how they talk about it when they would sit around having coffee. Yeah, they talk about the bush, you know, and a lot of them...that’s where they wanted to be, in the Park back then.<sup>245</sup>

Elder Horace Adam explains the deep and widespread impacts of the evictions and access restrictions: “oh yes it was hard for them, because like the Fort Chip people, it used to be there was no park... [but then] they can’t go out the way they usually go on the west side of the river. Both sides, the west side of the Athabasca river. And then yeah...Peace River and the Slave River all those were in the park. Our people used to go all the way up, far way to our

<sup>242</sup> Melling to Secretary of Indian Affairs, 15 October, 1942, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 1.

<sup>243</sup> See Neil Walker to C.B. Carignan, 11 May 1953, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 2.

<sup>244</sup> WBNP2021-Anon02-03-12-21.

<sup>245</sup> WBNP2021-Anon07-03-18-21.

territory...It was pretty hard for us First Nations to go.”<sup>246</sup> People’s ability to move freely throughout their territory, as Horace explains, was impeded.

Once evicted, many people’s homes were burned down; they lost cabins and belongings. As one Elder stated: “Once you leave, you can’t come back. And the people that left their homes were burnt down, they went back [to] get some furniture or whatever they had and they come back to burnt home.”<sup>247</sup> Another anonymous Elder confirms that after eviction, some people’s homes were burned down by the Park, and he even heard from one Elder that some people’s dogs were shot.<sup>248</sup> Elder Big John Marcel states: “as far as I know...when parks took over and then...when everybody had to get out of there, if you don’t belong to the park, you know, they were burning houses and everything...parks did that.”<sup>249</sup> Others recall hearing from Elders that Denésuliné residents were threatened and intimidated by wardens and RCMP if they tried to enter the Park after losing or being denied a permit. Chief Allan Adam recalls his Granny telling him, “if [she] had went back they were going to kill her because they were ordered to kill anybody if they resisted to leave and that mainly meant ACFN members, Athabasca Chipewyan First Nation known as Chip Band 201 back then.”<sup>250</sup>

### *Conclusion*

Following the 1926 annex of Denésuliné lands to expand the Park south of the Peace River, the strict new permitting regulations increased state control over Dené lives, movements and land-use. Permit revocations or denials often led to expulsions of Dené people from their homes and harvesting areas and, in turn, to extreme hardship. The system was enforced and strengthened through the expansion of the Park warden system, described below. Imposed restrictions ensured that many Dené people stayed out of the Park for fear of violent repercussions: “even today,” states one Elder, “I will not go to the Park. I wouldn’t even think of going to the Park...I mean, all our family, nobody goes to the Parks. Nobody.”<sup>251</sup>

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<sup>246</sup> WBNP2021-Horace Adam-03-19-21.

<sup>247</sup> WBNP2021-Keltie Paul and Anonymous Elder-11-25-20.

<sup>248</sup> WBNP2021-Anon04-03-16-21.

<sup>249</sup> WBNP2021-Big John Marcel-03-18-21.

<sup>250</sup> WBNP2021-Chief Allan Adam-02-02-21.

<sup>251</sup> WBNP2021-Anon05-03-16-21.

## Wardens: Criminalizing Treaty Rights

*“It is difficult for someone to get buffalo meat because there are park officials who guard the Park.”<sup>252</sup> (Louis Boucher, 1974).*

*“Back then, they didn’t care for the people...they just came to rule...There was no give or take. You’ve never heard of anybody just saying... ‘I guess I’ll let you go this time’... you never heard nothing like that.” (Cookie Simpson, MCFN, 2021).*

After 1926, the Park’s warden system, which was initially established in 1911, was expanded and granted more power over surveillance, enforcement and punishment. At the time of the annex, supporters felt “that the present warden system [should] be increased to such an extent that every Indian in the Park could be closely watched, no matter what place in the Park he might be.”<sup>253</sup> Wardens often worked alongside the RCMP. They distributed permits, collected them at end of season, stamped furs, fought forest fires, killed bison for the bison slaughter relief program, and did other jobs throughout the Park. They closely watched Denésuliné movements and activity within and outside the Park and enforced the permit system and new game laws with varying levels of severity: issuing warnings and fines, confiscating harvesting gear, arresting people, and suspending or permanently revoking permits and expelling people from the Park. In this way, wardens became a major part of a system that criminalized Denésuliné Treaty-enshrined rights to harvest unimpeded throughout their territories. Dené Elder Magloire Vermillion, who was born at Birch River, explained in 1974: “Even since the treaty was signed,” he said, “we were slowly being restricted with game regulations, preventing us from trapping, hunting and fishing. There was no such thing as Park wardens [before Treaty] ...along with these buffaloes [from Wainwright], came the park wardens.”<sup>254</sup>

Numerous examples from the archival and oral records demonstrate the power of wardens in and around the Park throughout the 20<sup>th</sup> century. One Elder who requested to remain anonymous

*“in order that the Buffalo get proper protection from the Indians, I should strongly recommend the present warden system be increased to such an extent that every Indian in the park could be closely watched, no matter what place in the park he might be.”*

***Indian Agent J.A. McDougal, 1926.***

explains: “back in the day you know, the priests and the game warden eh, and RCMP, boy they had lots of power, like they can do whatever they want, eh? People were kind of scared of them back in the day.”<sup>255</sup> Leslie Laviolette confirms, “well the

park was the sheriff, he had the badge and he did what he wanted. Cause when you have a badge, well you got to listen to them, they're not gonna listen to me. I don't have no badge, I'm just a trapper and that's it, cause I'm just a number.”<sup>256</sup>

<sup>252</sup> Transcript of interview with Louis Boucher, Treaty and Aboriginal Rights Research.

<sup>253</sup> J.A. McDougal to Director, 2 March 1926, LAC RG85 vol. 1213, file 400-2-3, pt. 1, as cited in McCormack “How the (North)West was Won,” p. 149.

<sup>254</sup> Interview with Magloire Vermillion, Interviewed by J. Deranger, 13 February, 1974, Treaty and Aboriginal Rights Research, Indian Association of Alberta (Fort Chipewyan: ACFN Community Archives).

<sup>255</sup> WBNP2021-Anon06-03-17-21.

<sup>256</sup> WBNP2021-Leslie Laviolette-03-22-21.

Elder Alice Rigney says, “Parks Canada was able to go into anybody's home and check and see if you had buffalo meat and if you had buffalo meat they could sentence you to jail. I mean that kind of rudeness...and power over the people.”<sup>257</sup> Wardens often entered people’s homes and tents without warning or sufficient reason and “search[ed] through your coolers and...your sheds.”<sup>258</sup>



**Warden's Camp at Pine Lake, Centre of Range.**

*Figure 21: Photograph of a warden's camp at Pine Lake, pictured in Siebert and Graham's 1923 Report on the Wood Bison.*

Elder Joe Ratfat explains that enforcement could be quite severe: “if you’re caught shooting a buffalo...they had a fine to pay for or else I think there’s a jail term too...[T]hey would come into your home and they would check your meat, you know?”<sup>259</sup> Another Elder who requested anonymity also confirms: I did hear stories that they will lose all their trapping stuff, you know? And...if they’re stopped in their vehicle out in the park with that, they’d lose their vehicle, their guns, everything. And they’d go to court and they could go to jail.”<sup>260</sup> Garry Flett similarly points to the common surveillance and enforcement practices he grew up with:

people in general that harvested a bird in the Park or that were caught doing that sort of thing or even picking a flower got you into some crap with the Park... it was common to...hear about the court dockets of people that were fined for doing those things.<sup>261</sup>

<sup>257</sup> WBNP2021-Alice Rigney-03-16-21.

<sup>258</sup> Ibid.

<sup>259</sup> WBNP2021-Ernie (Joe) Ratfat-03-16-21.

<sup>260</sup> WBNP2021-Anon10-03-21-21.

<sup>261</sup> WBNP2021-Garry Flett-12-03-2020; WBNP2021-Alice Rigney-03-16-21.

Many interviewees stress that people lived in fear under this system. An Elder who requested anonymity states, “you never know when them rangers would come around, eh. So they kept that, you know, and then the rangers I heard were really bad. They’d go and check where the dogs are tied up and everything and look for bones. That’s what I heard anyway.”<sup>262</sup>

Leslie Laviolette compares the relationship to the violence glorified in American Western films: “it was just like watching the movies, like cowboys and Indians, we used to hide.

We see the cowboy ride by in a big jet boat and us, we come out in the canoe and we

paddle away from them...they always seem to get some guy and so we just go that extra mile not to get caught.”<sup>263</sup> As MCFN Elder Cookie Simpson explains:

*“back in the day you know, the priests and the game warden eh, and RCMP, boy they had lots of power, like they can do whatever they want, eh? People were kind of scared of them back in the day.”*

*Anonymous ACFN member, 2021.*

It's always a threat. Every time you see somebody with, what do you call their outfit? You think, ‘oh shit, they're gonna come and give us shit or they're going to come and arrest us.’ You know, there was...not even a good relationship with them...It was always like, the threat of something bad is going to happen. Sudden doom is going to come to you if you see somebody with one of those green outfits on.<sup>264</sup>

Elder Rene Bruno confirms, “The park rangers...way back, you know, they were pretty strict...Well, the warden, you were scared of him eh.”<sup>265</sup> This fear remains alive for many today.

There is also evidence from the oral record of wardens abusing their power at times. The archives are fairly sparse in details about this (and indeed community members were unsurprised by this archival omission: “they’re undocumented for sure. I mean, it would be self-incriminating if they put some of this stuff in there,” said one ACFN member<sup>266</sup>), but one official document points to discriminatory attitudes of some wardens:

Mr Stewart indicates that he has spoken to Park Wardens and Game Guardians...and he divides the opinions into three categories [sic], those who believe the Indians are too lazy to fish for a living; those who believe the Indian as a ward of the Government and not a human being; those who take a broad view of the matter.<sup>267</sup>

Stewart’s description points to some of the attitudes that informed warden practices and interactions with Indigenous peoples. Another 1953 government letter stated that some wardens “acted and conducted themselves in a ruthless and arrogant manner.”<sup>268</sup> Although the RCMP and

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<sup>262</sup> WBNP2021-Anon02-03-12-21.

<sup>263</sup> WBNP2021-Leslie Laviolette-03-22-21.

<sup>264</sup> WBNP2021-Mary (Cookie) Simpson-03-11-21.

<sup>265</sup> WBNP2021-Rene Bruno-03-11-21.

<sup>266</sup> WBNP2021-Garry Flett-12-03-2020.

<sup>267</sup> E.G., Oldham to R.A. Gibson, 15 September, 1947, LAC RG85, Vol. 1214, File 400-2-3, vol 3A, p. 5.

<sup>268</sup> Neil Walker to C.B. Carignan, 11 May 1953, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 2.



Parks officials refuted and dismissed this claim, it is conceivable that warden behaviour and abuses of power, especially toward Indigenous harvesters, were under-reported or else covered up and omitted from official records.

However, there is no shortage of examples in the oral record of these types of actions and behaviours. In 1974, Elder Magloire Vermillion related a story in which wardens fined him, confiscated his guns and revoked his permit for one year, charging him with hunting a duck and a beaver out of season. He was not permitted to return to the Park for the full year. “I was very frustrated and disappointed,” he explained, “My permit was taken from me, my only source of livelihood. All my trapping, hunting and fishing supplies were in my cabin at Peace Point. There was nothing that I could do about the incident.”<sup>269</sup> Later, when he decided to appeal the decision, he went to Fort Smith, explaining that he had not killed the beaver out of season (having killed it

*“we were slowly being restricted with game regulations, preventing us from trapping, hunting and fishing. There was no such thing as Park wardens [before Treaty] ...along with these buffaloes [from Wainwright], came the park wardens.”*

*Magloire Vermillion, 1974.*

in early spring with the season expiring in late spring) and that the permit was his only source of income. The warden who had charged him, Phillip Burkque, happened to be in the office at the same time. When the Park superintendent cross-examined the warden, it became apparent that Burkque had only charged Vermillion for the purpose of “showing their [the Park wardens’] authority rather than for the principle.” The superintendent confirmed that Vermillion should not have lost his permit, and

Vermillion returned to Fort Chipewyan. Eventually Burkque met Vermillion to return the permit: “Philip Burkque came up to me and told me while he was laughing, that I could have my permit back.” Vermillion then had to return to Fort Smith to reclaim the permit.

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<sup>269</sup> Interview with Magloire Vermillion, Treaty and Aboriginal Rights Research.



*Figure 22: View of a dog camp for police dogs and the Wood Buffalo warden's dogs, 1952. [Source: A17163, Provincial Archives of Alberta].*

Although in the end the warden was forced to return Magloire Vermillion's permit, this story provides a clear example of how wardens could strip people of their livelihoods and sustenance whether or not they had broken any laws, ostensibly just as a power play: a means of displaying Park authority over Denésuliné lands and lives. The apparent nonchalance with which Burkque revoked the permit, defended himself to the superintendent, and laughingly returned the permit to Vermillion later, exemplifies the insensitivity with which some wardens treated people's lives and livelihoods. The Denésuliné had to fight to protect their rights in this atmosphere. "If I had

not decided to act on the so-called violation,” Vermillion explained, “I probably would not have gotten my permit back.”<sup>270</sup>

In another more recent example of some wardens’ harmful abuses of power, one interviewee reports wardens perpetrating voyeurism:

I'm going to tell you a story. I had to change my shirt because I got strawberry jam all over it. So, I went into my bedroom and I could hear this lowgrade humming sound. And I took off my shirt and I put on another shirt. And then I turned around and, my cabin was right on the river, the curtains were open, and these damn men were in a helicopter right outside my window watching me change. And pointing at me and laughing. They were that close... So, they lowered their helicopter and then I went outside because I was really mad, and I started shaking my fist at them, so they moved off to the next cabin. And here they are with their little binoculars, and everything and they're looking into people's houses. Peeping Tom. And that was just an intimidation tactic. And they would you know, they just insisted on doing things that would harass people. Would make people feel less than. Would make people feel that they were not being listened to.<sup>271</sup>

This participant’s last few comments suggest that she sees her specific experience with warden violence as part of a much bigger problem: a system that empowered officials to intimidate, harass and harm residents and land-users. Specific accounts of warden abuse reflect a much larger picture in which bullying, mistreatment and violence were normalized and tolerated. Garry Flett states, “I don't know if they were empowered or just thought that they had...the same powers that the RCMP had. But they...were bullies out there. I can't think of another word, another term for them other than they threw their weight around quite well.”<sup>272</sup>

*“Well, the warden, you were scared of him, eh.”*

*Elder Rene Bruno, 2021*

This was particularly damaging to those Denésuliné families excluded from the Park throughout the 20<sup>th</sup> century, whose opportunities to access their traditional lands and practice their rights were severely limited by warden surveillance, and a tendency among wardens and Parks officials to assume Dené land-users were doing something wrong. “There was no trust,” Elder Alice Rigney explains. Similarly, an ACFN Elder who requested anonymity explained, “Like they always want to catch somebody, yeah?... You now, look for something wrong. Always looking for dirt, I guess.”<sup>273</sup> As a result, Dené people lived and moved with fear and stress in their own territories. As Keltie Paul indicates, “it really was like living very, very stressfully under a nasty regime.”<sup>274</sup>

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<sup>270</sup> Ibid.

<sup>271</sup> WBNP2021-Keltie Paul-11-25-20.

<sup>272</sup> WBNP2021-Garry Flett-12-03-20.

<sup>273</sup> WBNP2021-Anon02-03-12-21.

<sup>274</sup> WBNP2021-Keltie Paul-11-25-2020.

Some interviewees indicate that historical and current relations with wardens have sometimes varied. A small number ACFN members have been wardens themselves in the past or worked for the Park in some other capacity (e.g., participating in bison slaughters). Others point out that some wardens were more understanding and lenient than others, but also stress that most wardens were “just doing their jobs.” This suggests that the Park administration and a larger system that criminalized Denésuliné treaty rights and dismissed Dené needs is responsible for the violent and unjust behaviour of some individual wardens who were empowered within this system.<sup>275</sup> Others suggest that a newer generation of wardens with more progressive views on Indigenous land rights is slowly replacing the “old guard,” and that hard-won case law has also necessarily changed the way wardens can treat Indigenous peoples.<sup>276</sup>

Even taking these complexities into account, a significant number of participant interviews point to negative and harmful interactions with Park wardens and the larger system that empowered them. Throughout the 20<sup>th</sup> century, permit revocations and evictions, coupled with threats of violence and intimidation, meant the Denésuliné were cut off from their main source of income and lost their homes. Wardens helped enforce these exclusions and displacements, and Denésuliné treaty rights were thus criminalized under this system. With few other options, many could not feed their families and were forced to rely on government relief.<sup>277</sup> In addition to this, families were divided through the strict enforcement of permit laws. This led to “growing divisions and shifting alliances” within the band, with long-term impacts.<sup>278</sup>

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<sup>275</sup> E.g., WBNP2021-Ray Ladouceur-03-18-21; WBNP2021-Big John Marcel-03-18-21.

<sup>276</sup> E.g., WBNP2021-Leslie Wiltzen-01-21-21; WBNP2021-Rene Bruno-03-11-21.

<sup>277</sup> See for example Neil Walker to C.B. Carignan, 11 May 1953, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 2.

<sup>278</sup> Sandlos, *Hunters at the Margin*, p. 63.

## Harvesting and Access Restrictions

*“Yes, it has changed a lot. At first there were none, but now they have enforced many regulations. Whenever some white man comes here, a new regulation in in effect. It is a big change since I came here at first up to now.”*<sup>279</sup> (Louis Boucher, 1974).

*“We were not as free to hunt and trap as we were used to because of these regulations that were made.”*<sup>280</sup> (Magloire Vermillion, 1974).

In addition to the new permitting system, conservation laws governing land-use activity across the Park and province became more severe after 1926. These were accompanied by increased surveillance, enforcement and punishment measures upheld through the warden system described above. By the 1930s, the bison population appeared to be somewhat restored, so preservation policies dedicated to the wood bison were gradually overtaken by a wildlife management structure intent on conserving other game, especially fur-bearing populations within and outside the Park.<sup>281</sup> This shift proved to be especially challenging for Denésuliné people expelled from their lands after the annex, who witnessed their rights to gather, hunt, trap and fish, and move freely throughout their homelands, eroded over time.

Some of the specific new harvesting regulations included bag limits and closed and limited seasons for fur-bearing animals and other large game.<sup>282</sup> Bison hunting remained prohibited. Denésuliné controlled burning practices were outlawed in 1925. One park record indicated that anyone proven responsible for starting a fire in a national park would face fines, imprisonment, or hard labour.<sup>283</sup> The

*“the provinces began enforcing their restrictive game laws and opening up our traditional hunting grounds to outside economic interests, which were in direct conflict with our Denésuliné rights and responsibilities.”*

*Elder Pat Marcel*

Migratory Birds Convention Act in 1916 banned egg collecting, imposed game seasons on some migratory birds and closed hunting of some birds altogether.<sup>284</sup> Within the Park, big game and non-migratory bird hunting was restricted by seasons (and occasionally prohibited for some species).<sup>285</sup> Harvesting timber within the Park for fuel was also restricted. Laws were particularly stringent when it came to fur-bearing animals, especially muskrat and beaver, whose populations

<sup>279</sup> Transcript of interview with Louis Boucher, Treaty and Aboriginal Rights Research.

<sup>280</sup> Transcript of interview with Magloire Vermillion, Treaty and Aboriginal Rights Research.

<sup>281</sup> See for example, Mackay Meikle, “WOOD BUFFALO PARK: Notice to native hunters who have permits for the Wood Buffalo Park,” 15 March, 1939, LAC RG85, v. 1213, file 400-2-3, p. 1.

<sup>282</sup> See “Regulations governing hunting and trapping in Wood Buffalo Park Established under authority of the Order-in-Council of the 14<sup>th</sup> December, 1933, P.C. 2589.” LAC RG10, Vol. 8409, File 191/20-14-1, pt. 1; see also Department of Northern Affairs and National Resources, Northern Administration and Lands Branch, Conservation and Management Services, *Wood Buffalo Park Game Regulations, Office Consolidation*, Ottawa: 1 June 1954, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 2; “Precis for Northwest Territories Council: Representations of single Indians for Wood Buffalo Park beaver permits.” N.d. LAC RG85, v. 1213 file 400-2-3, pt. 2A; see also letter to Hugh Conn, Fur Development, Indian Affairs, 19 July, 1950, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 1.

<sup>283</sup> O.S. Finnie to J.A. McDougal, 6 March, 1925, LAC RG85, Vol. 1213, File 400-2-3, v. 1.

<sup>284</sup> Government of Canada, *Convention for the Protection of Migratory Birds in the United States and Canada*, Ratified 7 December 1916, amended in 1999. <https://www.canada.ca/en/environment-climate-change/corporate/international-affairs/partnerships-countries-regions/north-america/canada-united-states-protecting-migratory-birds.html>

<sup>285</sup> Order in Council P.C. 1955-940, *Amendment to the Wood Buffalo Park Game Regulations*, Ottawa: 23 June, 1955, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 2.

declined steeply in the 1930s and 1940s. Beaver season was closed for several years in these decades, and occasionally marten and muskrat season were closed as well. At one point muskrat season was shortened so much that Headman Benjamin Marcel (Elder Pat Marcel's father) complained to authorities in 1942 that people could barely survive.<sup>286</sup>

Generally, the decades-old assumption that Denésuliné land-users, and Indigenous land-users generally, were dangerous and irresponsible underpinned much of the conservation policy within and outside the Park. Lawmakers also usually claimed new harvesting regulations were being imposed "for their own good."<sup>287</sup> As one official wrote in 1947, "We can not...allow the Indians to hunt and trap indiscriminately if we expect to provide animals for him to hunt and trap now and in the future."<sup>288</sup>

Furthermore, Park officials often took the position that Indigenous harvesters had been granted "privileges" that Whites did not have, claiming that they were favoured over others. For this reason, Gibson wrote to MacInnes in October 1939 dismissing Indigenous leaders' concerns about the restrictive game laws: "We are at a loss to understand," he wrote, "why the Indian chiefs consider the regulations unfair."<sup>289</sup> Yet as the late Elder Pat Marcel indicates, evictions from the Park had "led to immediate problems for our forefathers, because the provinces began enforcing their restrictive game laws and opening up our traditional hunting grounds to outside economic interests, which were in direct conflict with our Denésuliné rights and responsibilities."<sup>290</sup>

The new conservation management arrangement proceeded with little or no communication or consultation with Indigenous leaders and communities. Patricia McCormack observes, "Aboriginal people were never allowed to be managers of the programs that were supposed to protect the resources on which they relied."<sup>291</sup> As Elder Jimmy Deranger explains, "they said that the rules had to be followed...why didn't they come and tell us that they were going to do it? Why didn't they sit down with us and say, 'we're going to do this, what you think? What do you think?' That didn't happen. They just made the rules."<sup>292</sup>

For example, a 1939 dam-building initiative at Murdock Creek and Dempsey Creek to restore muskrat populations went ahead with no consultation of Indigenous leaders and residents.<sup>293</sup> Official notices from 1939 and 1940 demonstrate that the decision to pursue the conservation project was made "by Government men." The new regulations promoting the conservation scheme were distributed in writing (in English, unless translated upon the insistence of Indian

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<sup>286</sup> Melling, Indian Agent, "Diary of Treaty Trip," Athabaska Agency, 4 July, 1942, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 1; see also Hoey to Gibson, 11 May 1946, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 1.

<sup>287</sup> Extract from Act. Sgt. G.T. Makinson's Report – Resolution, N.W.T., "Re – Treaty Indians – Resolution, NWT. Refusal to Accept Treaty Payment," 3 July 1937, LAC RG85 Vol. 1213, File 400-2-3, Vol. 1; See also E.G., Oldham to R.A. Gibson, 15 September, 1947, LAC RG85, Vol. 1214, File 400-2-3, vol 3A.

<sup>288</sup> *Ibid.*, p.3.

<sup>289</sup> Gibson to MacInnes, 4 October 1939, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 1.

<sup>290</sup> Pat Marcel and Arlene Seegerts, "The Rights to Practice Our Treaty Rights," pp. 2.

<sup>291</sup> McCormack, *We like to be free in this country*, p. 234.

<sup>292</sup> WBNP2021-Jimmy Deranger-03-24-21.

<sup>293</sup> Mackay Meikle, "WOOD BUFFALO PARK: Notice to native hunters who have permits for the Wood Buffalo Park," 15 March, 1939, LAC RG85, v. 1213, file 400-2-3, p. 1.

Agents), which caused confusion.<sup>294</sup> Another document indicates that, to expand the same muskrat restoration project into the Athabasca Delta, officials considered closing IR201 to trapping, a move that would displace 28 Dené trappers. Parks officials were aware that the alternative trapping areas outside the park were all taken up, so some recommended these displaced trappers be relocated into the Park for the duration of the project, a suggestion that was declined.<sup>295</sup> When people were banned from trapping where such restoration projects took place, they were not offered compensation for their losses.

Parks administration also often ignored or dismissed Denésuliné leaders' clear and reasonable suggestions for updating regulations – suggestions which were based on their personal and intimate knowledge of the land and water.<sup>296</sup> Instead, decisions about harvesting regulations “were made largely without consultation and enforced...with inconsistency and whimsy.”<sup>297</sup>

*“Aboriginal people were never allowed to be managers of the programs that were supposed to protect the resources on which they relied.”*

*Patricia McCormack, 2010, p. 234.*

Policy that changed frequently over time was often imposed from a distance, generated in offices in Edmonton and Ottawa. The regulations were often communicated through written notices in English, distributed on paper, and rarely translated to Denésuliné and Cree.<sup>298</sup>

Considering that breaking regulations could result in the loss of a Park permit, the failure of the administrators to clearly communicate consistent rules to Indigenous residents could have dire consequences.

A number of land-users have explained that poorly informed and inconsistent rules often did not make sense ecologically. For example, Leslie Wiltzen points out that rules around migratory birds did not make sense:

springtime you have a mass migration of waterfowl that come from southern areas to northern areas to nest, right. But you have both male and female species that come in abundance, great abundance...A cloud of geese lift up, you could hear the thunder from the wind, wings flapping together...

You know, the regulations indicate that you couldn't have a bird in the springtime when they're at their most yet, you have to wait for fall...So when they go up north, they lay their eggs, the females lay

<sup>294</sup> See J.A. Urquhart, “Wood Buffalo Park Notice to all Indians Protect the Muskrats and Beaver,” 15 April, 1940, LAC RG10, Vol. 8409, File 191/20-14-1, pt. 1.; also J.A. Urquhart, “WOOD BUFFALO PARK: Notice to native hunters who have permits for the Wood Buffalo Park,” 15 December, 1939, *Ibid.*; F.C. Dent to J.A. Urquhart, 22 February, 1940, *Ibid.*, Gibson to McGill, 13 March, 1940, *Ibid.*; More on this project can be found in the letter from Skead, Fur Supervisor, to H.R. Conn, Indian Affairs Branch, 21 December 1947, *Ibid.*

<sup>295</sup> McGill to Gibson, 25 October, 1940, LAC RG10, Vol. 8409, File 191/20-14-1, pt. 1.

<sup>296</sup> Elder Pat Marcel spoke extensively about this standard government response in his oral history, “The Rights to Practice Our Treaty Rights.” See, also, for example: R.I. Eklund to Regional Supervisor of Indian Agencies, 4 August, 1954, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 2.

<sup>297</sup> Claudia Notzke, *Aboriginal Peoples and Natural Resources in Canada* (Concord, ON: Captus University Press, 1994), p. 246.

<sup>298</sup> See for example F.C. Dent to J.A. Urquhart, 22 February, 1940, LAC RG10, Vol. 8409, File 191/20-14-1, pt. 1.; also Gibson to McGill, 13 March, 1940, *Ibid.*

their eggs, the young are born, they're all skinny. When they go back south in the fall time, they're in their worst shape. Right? Because they've depleted all that resources that they built up, down south for that long migration flight and then to have their young and then migrate back. So you know, [now] all of a sudden now when you're hunting for food in the springtime and the wardens come along and start taking your birds away and say you can't kill birds, or you have to start hiding your birds for fear of being charged.<sup>299</sup>

Elder Alice Rigney explains the disconnect between imposed policies and longstanding Denésuliné stewardship practices:

The local people here know that when they go hunting, they only take what they need. They do not leave any behind. And there's always that sharing. So that's how it always was, you know, and then [Parks] bring in all this [Wainwright] herd. And they got diseases and whatnot. And then they introduced wolves...and then to get rid of the wolves, they start poisoning them. Well, you poison the wolves, you know...it's just a vicious cycle. In the middle of that vicious cycle, is a big question mark. Like, why? Why did they even bother? I mean, because they're scientists? And because maybe they have these fancy letters behind their names that they think they know more than the local people.<sup>300</sup>

Regulations were sometimes generated or updated ad hoc, with little unified or standardized order, causing confusion for harvesters and administrators alike. In some instances, people struggled to reconcile disparate game laws between the Park and the province.<sup>301</sup> For example, where beaver season might be limited outside the Park it was at times closed altogether within. An extensive series of official correspondence from autumn 1938 indicates single men and widows with permits in the park were not permitted to trap as many beaver as those outside the park could. In these instances, permit-holders often would leave the Park to continue trapping and take advantage of the longer provincial season.<sup>302</sup> This loophole created a double-standard, as the option could not be reciprocated for those who had been evicted or were living outside the Park without a permit: people outside the Park could not enter the Park to harvest if they were unsatisfied with provincial game laws.<sup>303</sup>

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<sup>299</sup> WBNP2021-Leslie Wiltzen-01-21-21.

<sup>300</sup> WBNP2021-Alice Rigney-03-16-21.

<sup>301</sup> See for example: Game Commissioner to J.A. McDougal, 12 December, 1925, LAC RG85, Vol. 1213, File 400-2-3, v. 1; Allan to Gibson, 16 September, 1938, LAC RG85, v. 1213, file 400-2-3, v.1; and R.I. Eklund to Regional Supervisor of Indian Agencies, 4 August, 1954, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 2.

<sup>302</sup> See: MacInnes to Gibson, 1 September, 1938, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 1; Gibson to MacInnes, 27 September, 1938, *Ibid.*; Meikle to Gibson, 25 October, 1938, *Ibid.*; Gibson to McGill, Director of Indian Affairs Branch, 9 November, 1938, *Ibid.*; and MacInnes to Head, 8 December 1938, *Ibid.* See also Knapp to Ostrander, Attn: Hugh R. Conn, 9 July, 1954, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 2.

<sup>303</sup> Dempsey to Cummings, 12 August 1935, LAC RG85, v. 1213, File 400-2-3, pt. 2A.



Harvesters and Indian Agents often complained that inconsistencies were creating frustration for Indigenous residents.<sup>304</sup> In another example of inconsistencies, another Elder explains how many people relied on burning wood for energy, and only a small percentage of people used other sources of fuel. But after the Park was created, Dené people were denied the ability to harvest firewood in the park. Meanwhile, those who could remain in the Park were granted permits for firewood harvesting, and several sawmills existed to provide fuel for the residential school, Indian Affairs and other nearby institutions.<sup>305</sup> Several other community members interviewed for this report reiterated their frustration with this rule. Leslie Laviolette explains that while the Park could draw income from timber operations, Denésuliné residents and land-users were often barred from harvesting wood for their own personal use.<sup>306</sup> Elder Jimmy Deranger relates a story that speaks directly to this inconsistency. The story is quoted at length here:

I remember once this thing that happened to me. Magloire Vermilion and Basil Vermilion were in the parks. You know even though they were Dene, they were recognized as Cree. And I was coming back from Edmonton in January and they were going back to Fort Chip. And they had cut wood for their homes in Fort Chip. And I was passing by when they were cutting wood. And they said ‘why don’t you come and get this wood for us and bring it into Fort Chip.’ I said, ‘okay, as soon as I drive, take my stuff off the truck and I’ll come back.’ it’s only, you know about forty-minute drive, maybe less than that.

So I did, took my stuff back and then I came back and got it, their wood, and then I loaded all their wood into my truck and I drove out. And then drove in the bush across the river and there was this snye, this snye usually freezes right to the ground. Because it’s not very much water, there’s only about three feet of water. And when I was there I guess they heard, somehow they heard that the Natives were cutting wood over there bringing it to Fort Chip. They said they assumed it was for sale. I saw them and I went barreling past them, I wasn’t going very fast but it seems like you’re going fast when the snow is flying, right? And when you have a load and then it sort of blows up more snow and I went past them and they passed me and then I drove it all the way to Basil’s house, unloaded and I was going back to my house, I stopped there and they stopped behind my truck, and they’re looking inside my truck and they saw woodchips. They asked me, ‘where’d you get that from?’ I said ‘Basil told me to bring his wood in, so I brought it in.’

‘Oh we have to charge you, we have to take your truck,’ they said. And then they went over to Basil’s house and took the wood. And

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<sup>304</sup> See for example: Game Commissioner to J.A. McDougal, 12 December, 1925, LAC RG85, Vol. 1213, File 400-2-3, v. 1; Allan to R.A. Gibson, 16 September, 1938, LAC RG85, v. 1213, file 400-2-3, v.1; and R.I. Eklund to Regional Supervisor of Indian Agencies, 4 August, 1954, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 2.

<sup>305</sup> WBNP2021-Anonymous Elder-11-25-20.

<sup>306</sup> WBNP2021-Leslie Laviolette-03-22-21.

then, that pissed me off, eh. And I went back and then they charged me. Said they were going to hold my truck but I went to Calgary and then I went to see a lawyer that was working for Indian Association, TARR. Bob Young. And I told him, he says, 'I'll make a phone call for you,' he said. So he made a phone call and he said, you can go get your truck now, he said they are in Fort Chip. And then they turn around, they said they was trying to say it was my wood, it wasn't even my wood. They were looking for evidence. But they charged me ten dollars, they fined me ten dollars. So now, that means that was just in the [19]70s, so that means that whatever happened with the First Nations people, in their activities on the land at Wood Buffalo, in Wood Buffalo, they were probably charged for something that was ridiculous, like the one that they tried to charge me with.<sup>307</sup>

Another example of regulatory inconsistencies was that, even though bison hunting was prohibited, a limited number of bison were hunted each year to provide for the hospital and residential schools, and eventually, as described below, to sell meat in the south of the Province (to the Province's economic advantage).

While Parks officials continued to express the view that "as long as we allow the Indians to hunt in [the Park], it can never fulfill its full purpose," they did approve of the scheme for a limited number of non-Indigenous hunters to slaughter some bison to distribute meat to the hungry.<sup>308</sup> Frustration with these inconsistencies is articulated by one Elder clearly and simply: "You know, how come a white man can shoot a buffalo and the Dené can never really shoot one? ...I was thinking about that. And how come they have the right to shoot a buffalo and we can't."<sup>309</sup>

*"In the middle of that vicious cycle, is a big question mark. Like, why? Why did they even bother? I mean, because they're scientists? And because maybe they have these fancy letters behind their names that they think they know more than the local people."*

*Alice Rigney, 2021*

#### *A controlled commercial bison slaughter program: 1945-1967*

Another apparent inconsistency in the conservation policy governing Denésuliné land-use was a commercial bison slaughter program post-WWII, that lasted roughly from 1945-1967. Historian Jonathan Sandlos has described the program at length. He notes that, once the bison population appeared to be mostly restored in the 1930s-40s, Park officials shifted their discourses "from an appeal to save an endangered species to a contention that the buffalo must be exposed only to certain kinds of regulated butchery."<sup>310</sup> They set out to commodify bison meat through agriculturalized herd management, partial bison enclosures and a regulated slaughter program. Officials saw this program as a lucrative economic opportunity with a potentially large consumer base to the south.

<sup>307</sup> WBNP2021-Jimmy Deranger-03-24-21.

<sup>308</sup> From ? to Cory, 25 October 1928, LAC RG85, v. 1213 file 400-2-3, pt. 1A.

<sup>309</sup> WBNP2021-Anon05-03-16-21.

<sup>310</sup> Sandlos, *Hunters at the Margin*, p. 101.

Sports hunters from the south were permitted to enter the Park to hunt the bison for this program, and hundreds of bison were slaughtered from 1946-1967; meat was either shipped south for sale or distributed as rations at missions and residential schools. Indigenous harvesters were excluded, and subsistence bison hunting remained illegal. Some Elders recall working on bison round-up and inspection. One Elder explains:

they had a great big laboratory, I think they called it, one at Sweetgrass and one at Hay Camp where they had these big corrals and stuff they used to bring in the buffalo and kind of, they used to check them out for brucellosis and TB and stuff. And then even one time back, what year was that, that was September, because school was, it was maybe [19]73 or something...they'd go pick up a truck and they drove to Sweetgrass and we brought a whole bunch of buffalo meat into town and they gave people buffalo meat, eh?

...Yeah, and they give not just rations like I said...they're trying to sell buffalo meat down, down south, eh? They're trying to sell the beef to stores and stuff. And they had this big operation on Sweetgrass and like I said, corrals all over, and then, I think even one time they used to use these old Bell helicopters and just herd them by helicopter and then they had to stop that because there some buffalo were breaking their legs or something it was kind of cruelty so they had to quit that process.<sup>311</sup>

Numerous other Elders interviewed for this report spoke of the program, questioning why subsistence bison hunting by Indigenous harvesters remained illegal while sports hunters were

*“how come a white man can shoot a buffalo and the Dené can never really shoot one? ...I was thinking about that. And how come they have the right to shoot a buffalo and we can't?”*

*Anonymous Elder, 2021*

actively engaged to slaughter bison to sell in the south, to generate revenue for the Province. The controlled slaughter program is a good example therefore of the fundamentally contradictory and racialized logic that drove conservation policy in and around the Park. While local, longstanding land-use practices were disparaged and prohibited, some economic activity, undertaken typically by White newcomers, was considered an acceptable form of “efficient and controlled exploitation.”<sup>312</sup>

### *Registered traplines*

In the midst of the imposition of harvesting laws governing land-use, new registered trapline systems changed the ways and places Denésuliné people could trap. In an effort to more systematically control the lucrative trapping economy throughout the province, Alberta had established a system (which did not apply in the Park) in 1942, through which trappers applied and paid for permits to trap in designated areas each year. Proponents of the trapline system felt it could protect Indigenous trappers from the growing encroachment of southern White trappers

<sup>311</sup> WBNP2021-Anon06-03-17-21.

<sup>312</sup> Sandlos, *Hunters at the Margin*, pp. 76-77.

in their territories: “Having regard to the welfare of these people we are anxious for a solution of the difficulties with which they must contend,” wrote one official in 1938.<sup>313</sup> Yet many Denésuliné trappers struggled to obtain a trapline under this system and had to compete with White harvesters who often applied for the best trapping areas.<sup>314</sup>

Over time, as Treaty and Aboriginal Rights Researcher Bill Russell writes, “The Indian trapper and hunter was forced...to comply with provincial registered trapline system, which in its early years did not even fend off the itinerant trappers...the majority were left to scramble for placement in a Provincial registration system imposed without their understanding or consent, and indeed without even the full co-operation of the DIA.”<sup>315</sup> Although for many harvesters and

*“These families are destitute or near destitute and it is essential to provide them with relief.”*

*Indian Agent Melling, 1942.*

land-users, traplines to this day remain important means of protecting land-use rights in a wider environment from which Denésuliné land-users have been dispossessed, traplines also presented serious challenges, adding to the harvesting restrictions that were already violating Dené treaty rights to harvest freely through their territories.

Trapline applications were available to non-Treaty people off the reserve, so Dené trappers had to compete with others for the best space. Early on, Fur Supervisor J.L. Grew wrote after travelling through northern Alberta to assess the new trapline system that White trappers probably had the advantage over Dené trappers in identifying trapping areas:

A great deal of work remains to be done in Alberta before the Indians become firmly established on registered lines that are extensive enough to provide them with a sufficient amount of fur with which to support themselves and their families...As previously stated many of the lines now registered should be reviewed in order to ascertain whether the Indian trapper has been provided with his traditional hunting ground or whether this ground has been pre-empted by white trappers.<sup>316</sup>

Furthermore, some trappers and Indian Agents complained that game officials favoured the applications of White trappers, who were more interested in high profits over Dené applicants, who were trapping to subsist. As Fortna (2021) writes, “the provincial government refused to provide any special consideration to Indigenous trappers, who continued to treat trapping as a vocation.”<sup>317</sup> The province also had the power to revoke trapping certificates and redistribute them.<sup>318</sup> Sometimes, lapsed, cancelled or revoked certificates held by Dené trappers were

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<sup>313</sup> N.E. Tanner to M. Christian, Gen. Superintendent of Agencies, Indian Affairs Branch, 15 March 1938, LAC RG10, Vol. 6733, File 420-2-1.

<sup>314</sup> Bill Russell, Treaty and Aboriginal Rights Research (T.A.R.R.), “Report to the Chipewyan Band of Fort Chipewyan,” p. 27.

<sup>315</sup> Russell, “Report to the Chipewyan Band,” p. 27.

<sup>316</sup> J.L. Grew to D.J. Allen, Report on Registered Trap Lines in Alberta, 11 March 1943, p.6. LAC RG 10, Vol. 6733, File 420-2-2 2.

<sup>317</sup> Peter Fortna, *Cadotte Lake Métis: A Genealogical Narrative, 1850-2000*. (Cochrane, AB: Willow Springs Strategic Solutions, 2021), p. 31.

<sup>318</sup> Letter from W.B. Skead, Fur Supervisor. Re: Revision of Indian Registered Traplines and Registered Trapping Areas in Alberta, 20 January 1949, p. 1. LAC RG10, Vol. 6734, File 420-2-2 1.

redistributed to non-Indigenous trappers.<sup>319</sup> Denésuliné people were gravely disappointed with the trapline arrangement. As Indian Agent Head wrote in 1940, “The commencement of a Registered Trapline System in Alberta has led to a lot of controversy and complaints from the Indians in the Delta.”<sup>320</sup> Eventually officials recommended the establishment of larger group trapping areas that protected larger areas and could stay within families.<sup>321</sup> This approach also eventually became the primary trapping management system within the Park.<sup>322</sup>

The provincial trapline system created particular problems for harvesters who lived in the Park but were evicted or else lost their permits temporarily. It magnified divisions within the Denésuliné community, which had already been split through the permitting system between those with and without access to the Park. As Indian Agent Melling wrote to Indian Affairs in June 1942: “before the registered trap-line area and trap-line system was in force in Alberta, these expelled Indians had little difficulty in finding new trapping grounds...But since the institution of the registered traplines it has become impossible for these newly expelled Indians to find lands or lines upon which they might make anything that approaches a living” and the area where they might move has “all the hunters and trappers that it can now support.” As a result of these issues, “These families are destitute or near destitute and it is essential to provide them with relief.”<sup>323</sup> He provided two specific examples: trappers Fred Gibot and William Wakwan.<sup>324</sup> Thus, the fur management system exacerbated growing tensions between residents and land-users within and outside the Park, and created significant difficulties for land-users on both sides.<sup>325</sup> Eventually Parks officials opted to establish group trapping areas within the Park as well – although some had suggested this as early as 1939.<sup>326</sup> Group trapping areas within the Park were not officially established until 1949.

Traplines remain one of the important spaces in which Indigenous families across Northern Alberta maintain their connections to their traditional territories within the framework of restrictive settler governance. But they were also a significant part of an imposed conservation system whereby Denésuliné lives and land-use were brought under the control of the state without their informed consent. Restrictive trapline arrangements that differed between Park and province also presented unique challenges and solidified disconnections between the Denésuliné within the Park and the Denésuliné within the Delta.

*“If this country had been left to us here there would still be fur today and we would not be so poor and miserable today. Thirty years ago it was a fine country because just the Indians lived in it.”*

*Chief Jonas Laviolette, 1927*

<sup>319</sup> “Annual Report – Alberta Fur Supervisor” 1 November 1947-1 October 1948, p. 7. LAC RG10 Vol. 6734, File 420-2 1.

<sup>320</sup> Indian Agent Head to ?, 21 March, 1940. LAC RG10, Vol. 6733, File 420-2 5.

<sup>321</sup> See M. Meikle, J.L. Grew, J. Dewey Soper, and M.J. Dempsey, “Recommendations of Committee Appointed to Enquire into Certain Fur Conservation Problems in Wood Buffalo Park,” 16 July 1945, LAC RG10, Vol. 8409, File 191/20-14-1, pt. 1.

<sup>322</sup> “Annual Report – Alberta Fur Supervisor.” LAC RG10 Vol. 6734, File 420-2 1.

<sup>323</sup> Melling to Secretary of Indian Affairs, 12 June, 1942, LAC RG10 Vol. 8409, File 191/20-14/1, pt. 1.

<sup>324</sup> Basler to Melling, 1 October 1942, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 1; and Melling to Secretary of Indian Affairs, 15 October, 1942, Ibid.

<sup>325</sup> See Indian Agent Head to ?, 21 March, 1940. LAC RG10 Vol. 6733, file 420-2 5.

<sup>326</sup> Memorandum Re: Open season for muskrats and registered trap lines. 12 June, 1939. LAC RG85, vol. 1213, file 400-2-3.

### *Conclusion*

Agent P.W. Head and Park Warden Dempsey both recognized the potential consequences of the inconsistencies and confusion inherent to the conservation regime. Park Warden Dempsey noted in 1935 that “there are doubts as to what the regulations really are, which may be the cause of so much friction.”<sup>327</sup> Head confirmed to Secretary MacInnes in 1938 that harvesting laws were causing harm to people within and outside the Park:

After hearing all the complaints that come from one source and another I would strongly suggest an investigation of the whole trapping situation and a drawing up of a uniform set of laws for both the Park and all of Alberta north of the 27th Base Line. The situation is becoming very acute and I fear that unless something is done in the near future the outlook for the Indians will be very black and we will have to carry a large number on relief.<sup>328</sup>

Although not all of the conservation policies detailed above were directly imposed by the Park, they exacerbated the existing impacts of the Park’s creation, expansion and permitting system throughout the 20<sup>th</sup> century. Combined with the permitting restrictions after the annex, the growing crisis of game population shortages and increased competition with outside trappers, the new suite of conservation laws produced significant problems for Denésuliné residents and land-users. This system had particularly strong impacts on the Dené people who had been evicted from the Park, many of whom suffered hardship and even starvation as a direct result. Chief Jonas Laviolette’s 1927 statement resonated throughout the 20<sup>th</sup> century: “If this country had been left to us here there would still be fur today and we would not be so poor and miserable today. Thirty years ago it was a fine country because just the Indians lived in it.”<sup>329</sup>

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<sup>327</sup> Dempsey to Cummings, 12 August 1935, LAC RG85, v. 1213, File 400-2-3, pt. 2A.

<sup>328</sup> MacInnes to Deputy Commissioner, NWT, 7 June 1938, LAC RG85, v. 1213, file 400-2-3.

<sup>329</sup> Chief Jonas Laviolette to Indian Affairs, 20 February, 1927.

## Membership Transfer from Chipewyan to Cree Band, 1944

*“Elder William Laviolette use[d] to tell me lots of stories; like one day we were in Old Fort just the two of us, everybody else went to Fort Chip for supplies and the old man said nobody here but us. I asked him what he meant and he said one time there use to be lots of people now not anymore, after WBNP we lost many of our people to MCFN.”<sup>330</sup> (Charlie Mercredi).*

*“[T]o have that as your sole lifestyle, to hunt and trap and fish in the Park, it wasn't that for us. I couldn't even dream about it. I wasn't allowed to because of what transpired there. But...my first cousins were, it was easy for them. They just got a park license and described who they were and who they belong to and members of the Cree band...And they were granted those licenses. I would go back and say well, that's my mom's brother's children and that's my first cousins and they just, 'no, not you. You're ACFN. Or your mom was ACFN...you are not entitled.’”<sup>331</sup> (Garry Flett, 2020).*

One of the most profound changes following the annex and the establishment of the permitting system was a membership transfer from the Chipewyan Band to the Cree Band in 1944. Through this transfer, 36 Denésuliné families who had been living in the Park, a total of 123 individuals, were transferred from the Chipewyan Band's treaty payroll list to the Cree Band's list “through the stroke of a pen,” as Leslie Wiltzen describes it. Most of these families had resided and harvested at the Birch River settlement and at Peace Point: areas that had been “their traditional land where they've homesteaded for many years,” according to ACFN Elder Frank Marcel.<sup>332</sup> It seems the majority of 20<sup>th</sup> century evictions from Dené settlements in the Park occurred as a result of this membership transfer.

There is little documentary evidence to be gleaned from the archives to reconstruct why or how the transfer occurred. The few extant archival records show it was quickly and quietly done without the knowledge or consent of most Band members. Indian Agent Jack Stewart's diary entries from June 1944 refer to a meeting in which an unspecified number of Dené leaders requested the transfer and Stewart approved their request: “Had a meeting of the Cree Band in office today. Talked over the Election system and also the reserve they have asked for. Part of the Chipewyan band was also here and they put in an application for a transfer to the Cree Band.”<sup>333</sup> No Band referendum was considered. Stewart updated the band lists, and the transfer occurred on paper between June and December 1944. The 1946 Annuity Paylist listed the number of members who had transferred, and the 1949 Indian Census report showed a total Band population reduction from 259 to 161 between 1944 and 1949.<sup>334</sup>

Elders note the following Dené family names that are now considered Cree; these are confirmed in the 1946 annuity paylist which includes the family names (and number of family members) of

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<sup>330</sup> Charlie Mercredi, written questionnaire, “ACFN Elders on Wood Buffalo National Park,” n.d. (Fort Chipewyan: ACFN Office).

<sup>331</sup> Zoom interview with Garry Flett, interviewed by Sabina Trimble, 3 December, 2020. WBNP2021-Garry Flett-12-03-20.

<sup>332</sup> Frank Marcel, Written questionnaire, “ACFN Elders on Wood Buffalo National Park,” n.d. (Fort Chipewyan: ACFN Office).

<sup>333</sup> Jack Stewart, “Daily Journal, 1944,” PAA, Acc 71.11/2d, as cited in Patricia McCormack, “Chipewyans Turn Cree: Governmental and Structural Factors in Ethnic Processes,” in Kenneth S. Coates and William R. Morrison, *For Purposes of Dominion: Essays in Honour of Morris Zaslow* (North York, On.: Captus University Publications, 1989), p. 135.

<sup>334</sup> See Jacques Whitford, “Treaty Entitlements Research – Update Report,” Tables 1-4 (Fort Chipewyan: ACFN, 2006).

those who transferred: Adams, Baptiste, Baulieu, Bouchier, Cheezie, Dené, Evans, Fortin, Freizie, Gladue, Nadary, Piché, Poitras, Ratfat, Sepp, Shortman, Simpson, Trippe de Roche, Tourangeau, Vermillion, Waquan, Watsarays, William.<sup>335</sup> Many of these names are common and prominent in MCFN now.

Some historians have theorized that the establishment of the registered trapline system outside Park boundaries in 1942 may have driven Denésuliné leaders within the Park to request the transfer. Tensions between harvesters within and outside the Park were rising, and harvesting space outside the Park was becoming scarce.

*“they just moved us to a different band just like that.”*

*MCFN Elder Mary (Cookie) Simpson, 2021.*

The punitive nature of the conservation system – especially its power to expel people from their harvesting areas—put people living within the Park at risk of hardship and hunger. With the registered trapline system in place, trapping outside the Park was now effectively unavailable to Park residents, including those who lost their permits and were expelled for any reason. Furthermore, those living in the Park at the time had little hope of establishing a reserve in the Park to protect their rights (MCFN did not obtain reserve land at Peace Point until 1986). Officials claimed that those living in the Park had special privileges and were adequately provided for, and therefore did not need a reserve: “the park is a wonderful game reserve for them and they have good hunting and trapping privileges,” wrote one official in 1945<sup>336</sup> Because of these unique challenges, McCormack and Sandlos suggest that Dené people living in the Park were forced to “throw in their lot” with the Cree Band. Requesting the transfer was an act of desperation to protect land-users within the Park boundaries. McCormack suggests that given Cree and Dené people within the Park shared common interests, the alliance made sense strategically.<sup>337</sup>

The oral record, however, tells a different story. Elders hold that the transfer was forced by the Parks administration and may have been a deliberate effort to further limit who could access the Park; there was little to no consultation with most residents.<sup>338</sup> Most contend the transfer was intentional, meant to remove Dené people altogether from their rights and territories in the Park. Many Denésuliné people within or outside the Park did not even know the change had even occurred, and to this day do not know what happened. “There’s no documentation that shows that our chiefs negotiated and allowed for that to happen, because they would never have done that,” Leslie Wiltzen states.<sup>339</sup> Chief Allan Adam confirms: “people weren’t consulted about it whatsoever, because my granny said it just happened just like that...she wasn’t told of it, nobody was told of this... All they were told that if you want to stay in a park, you become Cree band. If not, leave. That was her consultation.”<sup>340</sup> Thus, as Elder Horace Adam explains, people were left with no choice but to transfer bands to maintain access to their harvesting spaces: “They told them they could move or they become the Cree band. So, most of them did become Cree band

<sup>335</sup> Written questionnaire, “ACFN Elders on Wood Buffalo National Park,” n.d. (Fort Chipewyan: ACFN Office); see also Whitford, “Treaty Entitlements Research.”

<sup>336</sup> Meikle to Gibson, 27 June 1945, LAC RG85, Vol. 1213, file 400-2-3, pt. 3.

<sup>337</sup> See McCormack, “Chipewyans Turn Cree.”

<sup>338</sup> This perspective was articulated repeatedly across the interviews conducted for this research. Only one Elder took exception, stating rather that the chiefs had requested the transfer because the Dené people in the Park were facing hard times – a position that aligns with McCormack and Sandlos’ theory (WBNP2021-Rene Bruno-03-11-21).

<sup>339</sup> WBNP2021-Leslie Wiltzen-01-21-21.

<sup>340</sup> WBNP2021-Chief Allan Adam-02-02-21.



just to keep their land, their traplines. That’s what happened.”<sup>341</sup> MCFN Elder Mary (Cookie Simpson), whose family was Denésuliné before the transfer summarizes, “they just moved us without our knowledge or without letting us know. That’s what my dad said anyways. He said, ‘they just moved us, they just moved us to a different band just like that,’ he said.”<sup>342</sup>

*“after WBNP we lost many of our people to MCFN.”*

*Charlie Mercredi, n.d.*

Some believe the decision was in part intended to reduce Indian Affairs’ administrative work by consolidating the different groups with claims to the lands in the region.<sup>343</sup> Ray Ladouceur’s oral history suggests it was based on administrative oversight and ignorance about the differences between peoples since many Dené and Cree residents were fluent in both languages:

my understanding is, when the white man came over and took over the park, it was Dené at Birch River... But, they called them Crees. Of course there was, they were mixed with Cree... They didn't know that and cause they spoke Cree and I guess and, ‘oh in the south they’re all Cree in Birch River,’ [so] that part of the country, the area they took for Crees, and Dené was out of there.<sup>344</sup>

Those who did not change their membership in 1944 were told they had to leave the Park and relocate to Big Point, Old Fort, Jackfish Lake, Point Brulé and Poplar Point. Some families who were evicted from the Park had to move around afterward in order to maintain their livelihood; Chief Allan Adam’s granny, for example, moved at least five times with her children after being evicted from Birch River.<sup>345</sup> The transfer thus had strong impacts on Denésuliné people in the region since. As Elder Pat Marcel explained:

When they removed us from Wood Buffalo Nation Park, the federal government knew immediately that they had done a great wrong to the Dené Nation. Not only did they forcibly remove whole families, out of House Lake and into the Old Fort and Jackfish area, but the ones that remained, that chose to stay in the Wood Buffalo Park, had to join the Cree Band. So, what you see here is the government being guilty for forcible removal from the Park, but also reducing our membership, by forcing our members to join the Cree band. The numbers of the Cree band, right now to the present day, I would assume that almost half are of Dené descent and are Dené members.<sup>346</sup>

<sup>341</sup> WBNP2021-Horace Adam-03-19-21.

<sup>342</sup> WBNP2021-Mary (Cookie) Simpson-03-11-21.

<sup>343</sup> WBNP2021-Leslie Wiltzen-01-21-21.

<sup>344</sup> WBNP2021-Ray Ladouceur-03-18-21.

<sup>345</sup> WBNP2021-Chief Allan Adam-02-02-21.

<sup>346</sup> Pat Marcel and Arlene Seegerts, “The Rights to Practice Our Treaty Rights,” pp. 18-19.

A number of interviewees shared specific family stories about the transfer, including Chief Allan Adam and his father Alec Bruno, Elder Alice Rigney, Elder Big John Marcel, the late Elder Pat Marcel, Joe Ratfat, and many members of the Simpson and Flett families. Several of these stories are summarized below.

The late Elder Alec Bruno's mother, Helen Piché, was expelled after marrying someone outside the Park. Before marrying she had lived and grown up at the Dené settlement at Birch River. When she sought to return to her home the Park after her first husband passed away, she was told: "[t]he only way you could go back now is if you promise you have to join the Cree band." Bruno questioned: "But who gives Parks Canada the rights to tell people? Who give them the rights to say 'well you join the Cree Band.' I asked that question many times, you know."<sup>347</sup> When she refused to transfer bands, Bruno's mother was expelled from the Park. Alec Bruno was Chief Allan Adam's father. Chief Adam also shared in detail his granny's oral history of the transfer and eviction. He explains:

*"So, what you see here is the government being guilty for forcible removal from the Park, but also reducing our membership, by forcing our members to join the Cree band. The numbers of the Cree band, right now to the present day, I would assume that almost half are of Dené descent and are Dené members."*

*Elder Pat Marcel*

after [her first husband] perished, my granny did what she had to do, bury him and everything ... then she wanted to go back home. She wanted to literally go back home to Birch ... River and she notified people that 'we're going back to the park,' the warden came there and told her that she's not allowed to go back to the park unless she changes her identity. Meaning that if she goes back...she'll have to become a Cree Band member to give up her identity. My granny said no. But she...insisted to go home because it's the only home she had, a two-story beautiful house and everything that was there. They refused her to go back. And you know she was still determined to get home. And so they just burned her place down and told her that there's nothing there, we burned your house down and everything.

It's one of the richest countries in the world in this area right there. And she lost all that. Not only her but other family members as well that were told to leave the park and never come back, you know and she never went back. We were told after from finding out from history and everything that if my granny had went back they were going to kill her because they were ordered to kill anybody if they resisted to leave and that mainly meant ACFN members, Athabasca Chipewyan First Nation known as Chip Band 201 back then.<sup>348</sup>

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<sup>347</sup> Transcript of interview with Alec Bruno, Dené Laws Project.

<sup>348</sup> WBNP2021-Chief Allan Adam-02-02-21.

Alice Rigney and several other Marcel family members shared a similar story about their granny, Esther Piché, who also had grown up at the Dené settlement at Birch River. She explains her granny's deep connection the land in the Park:

wherever you live you utilize the natural resources you know, to sustain you for the year so you may pick your medicines...towards Fall, you know, all your berries... and then if you have a garden because my parents always gardened and I'm sure my granny [Esther Piché] was like that too.

The family had a house at Birch River, and they harvested and gardened there. "I'll think about my granny living at House [Lake]," she says, "probably the most beautiful forests...and then [being] told to move." After refusing to transfer Bands, Esther Piché was required to leave the Park. As Alice Rigney explains, her granny faced challenges after being forced to leave:

once you're evicted from your home...I mean, for what reasons? I mean, these guys...with the papers in their hand to say that the government is creating a park and you have a choice, you either can stay and join the Mikisew Cree First Nation, or you have to leave. [My Granny] left, I mean, she's Dené... if in this day and age, you tried that...there'd be you know, riots and whatnot.

...and I just kind of think you know, sometimes how did those people just do that to them? You know that 'well we're gonna save the buffalo so we're bringing this in so you have to move, you have a choice to stay here or go.'<sup>349</sup>

A number of Flett and Simpson family members, who are historically connected by marriage, share a similar story. MCFN Elder Mary (Cookie) Simpson explains that the Simpson family, who were Dené, had previously migrated north from Fort McKay to take advantage of better trapping opportunities in the Delta, some time before the 1920s. When they moved there, Indian Affairs transferred them to the Chipewyan Band in Fort Chipewyan. Other Simpson and Flett family members corroborate this story. After this initial transfer, she states:

when they made the Wood Buffalo National Park or whatever, the Indian Affairs decided it was so good for their books to move all, everybody, all the trappers living in the park area to the Cree band, they just moved them without their consent. So we got moved again to the Cree band...like we were moved first to the Chip Band then we're moved to the Cree band. They just did that on their own without consent, consenting of the people. And I know that like the Trippe de Roche too were moved and...there was a lot of families that were just moved from different bands into the Cree Band because of the park. Everybody trapping in the park would be moved to the Cree Band

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<sup>349</sup> WBNP2021-Alice Rigney-03-16-21; WBNP2021-Alice Rigney-03-17-21.

according to the Indian Affairs. Which is not right I don't think. They shouldn't be screwing around with people's livelihood.

...if they refused to transfer then... their park license and hunting and trappers' license would be taken away...And so they had no choice. People had no choice. They were just moved...And which is not right. I don't agree with that...But after I learned about the history, I thought, holy, that's really wicked.<sup>350</sup>

ACDEN CEO Garry Flett's mother, Elizabeth Flett (née Simpson), shared her oral history of the transfer with her son. She was born the same year that the Park was established, 1922. Her grandfather, Edouard Shortman and his son (Elizabeth Flett's father) Isidore Simpson were Dené. They had been granted permission to live in the Park in 1925 and built a cabin at Peace Point the following year. Elizabeth grew up there, and all her brothers hunted and trapped in that area. After attending residential school at Holy Angels, she married a non-status man and, under the rules of the *Indian Act*, lost her status and left the Park to live elsewhere. At some point after her marriage, the Parks administration gave the Chipewyan Band members who were in the Park an ultimatum. "It was either/or," Garry says, "You could leave ...that area, because you were Chipewyan or, you could join the Mikisew Cree group to stay."<sup>351</sup> His grandfather, uncles and cousins chose to remain in the Park by transferring bands. "All of my relatives that were in the Cree band and the Mikisew Band then...were able to hunt and trap on that line because that is culturally and historically that line had belonged to my grandfather."<sup>352</sup>

Elizabeth Flett's situation proved to be doubly challenging. After Bill C-31 was passed in 1985,

*"How much of Mikisew members suffered the burden that I suffer when our people got ripped apart? My heart just got torn. I still feel it today. You know, I look at them and I feel for them and I see the hardship that they go through. You know, the struggle of being Mikisew Cree First Nation when their heart belongs to Dené."*

*Chief Allan Adam, 2021*

changing the *Indian Act* provision that had stripped Indigenous women of their status, she applied to regain her status. The Department of Indian Affairs reinstated her to ACFN, where she had been a member at the time of her marriage, rather than to MCFN, to which all of her family had transferred. Because of this, Garry has been barred from entering the Park to harvest as an ACFN

member: "[s]o, I spent my years if you were going to hunt in the Park, I couldn't go with you. Even if they were my first cousins. They can all go but I couldn't. And members of my family could."<sup>353</sup> His application to Parks Canada for a hunting permit in 1980s was denied; the Park recommended Garry apply as a Métis harvester instead. Thus, he and his siblings, children, nieces and nephews are excluded from the Park, even though his grandfather's cabin, still standing, is a physical symbol of his family's claim to the live there.

<sup>350</sup> WBNP2021-Mary (Cookie) Simpson-03-11-21.

<sup>351</sup> WBNP2021-Garry Flett-12-03-20.

<sup>352</sup> Ibid.

<sup>353</sup> Ibid.

For those who had to transfer bands because they refused to move, the forcible identity change has had long-lasting harmful effects. Alice Rigney explains that some MCFN members are aware of their Denésuliné heritage: “the families here in Fort Chip are aware, you know, the Simpsons know they’re Dené, the Tourangeau, the Grandjambes, the Pichés, the Ratfats, you know, they know, but it was the government that made them that. And I find that really disturbing.”<sup>354</sup> Chief Allan Adam states that this knowledge is painful:

I still talk to all the Mikisew First Nation members who were supposed to be ACFN, they tell me that today, ‘you’re my chief, you’re supposed to be my chief.’ How much of Mikisew members suffered the burden that I suffer when our people got ripped apart? My heart just got torn. I still feel it today. You know, I look at them and I feel for them and I see the hardship that they go through. You know, the struggle of being Mikisew Cree First Nation when their heart belongs to Dené.<sup>355</sup>

The story shared by Elder Joe Ratfat, who is a member of MCFN but whose family is Dené, perhaps most poignantly expresses the trauma the forced transfer caused not only to those who had to move out of the Park, but also to those Dené people who had to become Cree in order to stay. “Well I’m with the Mikisew Cree,” he says, “But I am Dené...Kind of messed me up all my life...those people changed my life without even asking... Yeah. My dad always, always told me I was Dené...but on paper it says Mikisew Cree.”<sup>356</sup>

The Ratfats, a Dené family, lived at Birch River and Peace Point but were transferred to the Cree Band in 1944. Despite the transfer, Joe Ratfat was raised speaking Dené and not Cree in his childhood home. “My dad [Peter Ratfat] was always proud man, you know. He always said ‘we’re not Cree, we’re Dené,’” he explains. The transfer had longstanding impacts on Joe and many other Ratfat family members, some of whom faced serious mental health struggles, alcoholism, and general feelings of displacement and loss of cultural identity. The impact of the transfer combined with the intergenerational trauma of residential school that took Joe away from his family and homelands for all of his adolescent and adult life. Because of these combined forces, “I had no land base. It really hurt. It hurts me.” He expands:

*“But my soul is Dené, and it will always be that way.”*

*MCFN Elder Joe Ratfat, 2021*

So I’ve lost a lot of things, you know, as far as my pride and things like that, you know...I didn’t know who I was, you know, like I couldn’t speak Cree and I was supposed to be a Cree member, you know. And, I was too brown to be white. So, I didn’t fit in anywheres, you know...I ended up on the street, you know...And that’s all

<sup>354</sup> WBNP2021-Alice Rigney-03-16-21.

<sup>355</sup> WBNP2021-Chief Allan Adam-01-21-21.

<sup>356</sup> WBNP2021-Ernie (Joe) Ratfat-03-19-21.

coming from being displaced...and don't know who you are, you know. It's all from that...they really wrecked a lot of families.

Joe Ratfat found healing later in life by reconnecting with cultural ceremonies, but many of his family members did not. He explains that some of his uncles and cousins lived difficult lives and died “a really rough death.” Joe is the only Ratfat family member remaining. He connects the hardship and trauma his family faced directly to the forced membership transfer and the physical dislocations the Ratfats and many other Denésuliné families endured. To this day, he maintains that he is Dené at heart, even if he is MCFN on paper. He hopes to have the opportunity to transfer back to ACFN in future, something he has previously attempted to no avail. He explains, “I just kind of gave up. I gave up and you know, accepted the fact that...on paper I am Cree. But my soul is Dené, and it will always be that way.”

As one interviewee who requested to remain anonymous for this report summarizes: “If you're born a Dené, you'll always be a Dené.”<sup>357</sup>

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<sup>357</sup> Interview with anonymous ACFN member, interviewed by Sabina Trimble, 11 March, 2021. WBNP2021-Anon01-03-11-21.

## After the Annex: Hardship, Starvation and Dené Resistance and Activism

*“it’s in those oral histories... the years that followed, after they were forced to leave the Park were very, very trying times for the people, the Chipewyan people of that area because food was scarce, furs were scarce and just...being able to provide food for your family was difficult” (Leslie Wiltzen, 2021)<sup>358</sup>*

Exclusion from Denésuliné territories encompassed by the Park, combined with the increasingly strict system of game laws enforced by the warden system, created serious problems for those families outside the Park. Many people faced periods of severe hardship, even to the point of starvation. Meanwhile, those who could remain in the Park fared relatively better because competition was limited. Dené people in the Delta, however, did not benefit from the protections afforded to Park residents, and therefore faced serious challenges throughout the 20<sup>th</sup> century.

### *Starvation and Economic Hardship*

Starvation and economic hardship became a reality that Denésuliné people in the Delta, especially those who were evicted from the Park, faced throughout the 20<sup>th</sup> century. It was a vicious cycle: hunger, competition for furs, and a lack of alternative economic opportunities made Dené people outside the Park more vulnerable to disease, and in turn the heavy death tolls of epidemics reduced their capacity to harvest and live as they had always done. Many were forced to take government relief, whereas only a few decades before the Park, they could provide for themselves from the land and in fact had thrived. Chief Lavolette’s letters emphasized the challenges people were facing. “There are lots of men here looking after the buffalo, no one looking after us...No one seems to care if we starve or not,” Chief Lavolette wrote. His letter continued, “sometimes the Police give us a little rations if we go for a [?] but we cannot live on that all the time. Since the fur has left the country you don’t know how poor we are, not only in food but clothing and blankets too.”<sup>359</sup>

*“There are lots of men here looking after the buffalo, no one looking after us...No one seems to care if we starve or not.”*

*Chief Jonas Lavolette, 1927.*

The tension between the health of Denésuliné residents and the conservation was well summarized in a 1931 *Edmonton Journal* editorial: “It is difficult to understand in effect how these Indians are permitted to suffer from hunger in the midst of thousands of buffalo.”<sup>360</sup> As Indian Affairs officials had feared from the start, Dené families were forced to rely on government assistance, as they were unable to freely subsist as they had always done. Elders draw direct connections between the creation of the Park and evictions that followed it, and the severe hardship people faced. As Elder Charlie Mercredi summarized: “If WBNP was not created many of these people would still have access to their traditional land; because of WBNP these people were denied access to their home land, this to me is not right, people should come first before the bison.”<sup>361</sup>

<sup>358</sup> WBNP2021-Leslie Wiltzen-01-21-21.

<sup>359</sup> Chief Lavolette to Indian Affairs, 20 February, 1927.

<sup>360</sup> Cited in McCormack, “How the (North)West was won,” p. 223.

<sup>361</sup> Charlie Mercredi, Written questionnaire.

Throughout the 1920s-1950s, Dené leaders as well as missionaries and Indian Agents, repeatedly urged the government to change the rules in order to reduce the likelihood of starvation and decrease reliance on government support. Bishop Breynat urged the province to open muskrat season early at the end of 1937, in response to the scarcity of furs in the area.<sup>362</sup> Indian Agent P.W. Head wrote to the administration in March 1938 indicating that trapping regulations were particularly challenging for people without access to the park; because the province prohibited muskrat shooting in some areas, Denésuliné people in the Delta were forced to take government relief.<sup>363</sup> “The situation is becoming very acute,” wrote Head, “and I fear that unless something is done in the near future the outlook for the Indians will be very black and we will have to carry a large number on relief.”<sup>364</sup> One anonymous ACFN Elder interviewed for this report heard similar stories from his Elders:

*“The situation is becoming very acute and I fear that unless something is done in the near future the outlook for the Indians will be very black and we will have to carry a large number on relief.”*

*Indian Agent P.W. Head, 1938.*

I heard some stories about...they had to come back into town here and go to Indian Affairs and try to get some food and stuff eh? Some flour I guess...I don't know if they had meat or something to give away or some rations I guess from the stores and stuff...I don't know if they starved to death you know, [but] I know there's a place in Birch River...and they call it ‘starving sloughs’ or something eh? Maybe there was people were starving back in the day, why they called it that.<sup>365</sup>

Despite substantive evidence of the starvation and economic hardship so many people were facing, Park officials and policy remained obstinate. When missionaries and Indian Agents petitioned on behalf of those facing starvation, officials flippantly retorted that “Every Indian who is not entitled to trap in this area is always ready to give advise [sic] and criticize Wood Buffalo Park management.”<sup>366</sup> Some administrators outright dismissed complaints of starvation. One Parks official claimed that “With regard to an Indian starving, the word ‘starving’ with the Indians here, does not necessarily mean total hunger.”<sup>367</sup> When in 1937 some hunters requested permission to kill one bison in the case of very serious need, they were refused because the officials people would start to fake “a starving condition very quickly” if given the opportunity.<sup>368</sup>

<sup>362</sup> A.L. Cumming to Gibson, 11 January 1937, LAC RG85 v. 1213 file 400-2-3, pt. 2A.

<sup>363</sup> Secretary MacInnes to Deputy Commissioner Northwest Territories, 7 June, 1938, LAC RG85, vol. 1213 File 400-2-3, p. 1.

<sup>364</sup> *Ibid.*, p. 2.

<sup>365</sup> WBNP2021-Anon06-03-17-21.

<sup>366</sup> A.L. Cumming to Gibson, 29 November 1940, LAC RG85, v. 1214, file 400-2-3, pt. 3, as cited in McCormack, “How the (North)West was won,” p. 232.

<sup>367</sup> Secretary MacInnes to Deputy Commissioner Northwest Territories, 7 June, 1938, LAC RG85, v. 1213 File 400-2-3, p. 1.

<sup>368</sup> Extract from report of Act. Sgt. G.T. Makinson, “Re- Treaty Indians – Resolution, N.W.T. Refusal to accept Treaty Payment,” 3 July 1937, LAC RG85, v. 1213 file 400-2-3, v. 1.



Rather than taking suggestions to revise policy, Park administration passed off responsibility for local people’s welfare to Indian Affairs, which eventually negotiated a relief program through small-scale yearly bison slaughter starting in 1929. Through this program, which lasted several decades, a small number of bison was slaughtered annually by the chief warden and distributed to residential schools, missions and the hospital.<sup>369</sup> Park wardens managed the slaughter, while the meat was channeled through the missionaries and Indian Agents; those who received meat were not allowed to be part of the process, as the administration persisted in their belief that Indigenous hunters could not be trusted to responsibly hunt. “It would be extremely unwise to permit the Indian families to visit the Park and shoot buffalo,” wrote one official.<sup>370</sup> In this way, the prevalent, racialized assumptions about Indigenous harvesters that had spurred the creation of the Park in the first place remained embedded in policies long afterward. The administration concluded that all responsibility for harvesting and distributing bison meat should remain within its own hands. Policy contributed to their destitution and solidified government control over Denésuliné lands and lives.

*Dené Activism: Protest, Resistance, Pleas for Help*

*“how you could word that is, you know it was always yours and then somebody else comes out and takes it away from you...but still it’s yours and you know, you’re a part of it.” (Anonymous ACFN member, 2021)<sup>371</sup>*

Faced with these extreme challenges, Dené leaders and community members frequently and clearly asserted their concerns through protest, petition and requests for government support. They indicated that the new state-imposed regulations and evictions from the Park not only interfered with their livelihood, but also were violations of their treaty and hereditary rights. As historian Jonathan Sandlos explains, through letter writing campaigns, political delegations, protests and subversions of the harvesting regulations, they articulated “a set of cultural and political values rooted in the notion of customary use rights, hereditary land title, and...a treaty guarantee of the right to hunt and trap.”<sup>372</sup> The hunger and hardship people faced in the 20<sup>th</sup>

century, they suggested, were direct results of the violations of their treaty rights.

*“it’s in those oral histories... the years that followed, after they were forced to leave the Park were very, very trying times for the people.”*

*Leslie Wiltzen*

Extensive letter-writing campaigns became a significant means of Dené activism. Many of these letters demonstrated that the Denésuliné were not necessarily opposed to conservation per se (indeed, they had upheld responsible conservation practices since time immemorial),

but that they opposed laws imposed from afar and without their consent, and without regard to their needs and rights. One 1927 letter co-written by Dené and Cree protestors stated:

<sup>369</sup> See Deputy Commissioner to Meikle, “Re: Slaughter of Buffalo – Wood Buffalo Park, 1948,” 29 July 1948, LAC RG85, Vol. 1097, File 472-3, pt. 2. See also, Letter from ? to Cory, 25 October 1928, LAC RG85, v. 1213 file 400-2-3, pt. 1A, as cited in McCormack, “How the (North)West was won,” p. 152

<sup>370</sup> Rowatt to Hume, 8 February 1932, LAC RG85, vol. 768, file 5164, pt. 3, as cited in Sandlos, *Hunters at the Margin*, p. 75.

<sup>371</sup> WBNP2021-Anon06-03-17-21.

<sup>372</sup> Sandlos, *Hunters at the Margin*, p. 74.

During the winter months our people who live in this flat country around Fort Chipewyan have always depended upon the rat hunt with which to trade food and clothing for their families. The whitemans' laws have now put a stop to this and now we can only kill rats in the spring of the year. At first we did not seriously complain about this matter, as the law was made at a time when the rats were not plentiful, and we were content to leave the rats alone until they increased in numbers, and instead of hunting rats we were able to hunt the beaver. Now, however, the whitemans' laws say you must not hunt beaver for the next three years, possibly more. Where then are we to obtain the necessities of life to keep our families alive...

When we think of all these happenings it makes us look back upon the promises made to us when the Treaty was signed, and we feel that we are not complaining without just cause. If we live up to these laws, starvation stares us in the face; for the yearly payment of 5.00 to each of one [sic] us, and the small ration...are but as nothing when our hunting rights are interfered with as they have been in the past.<sup>373</sup>

Letter writers repeatedly stated the concern that their treaty rights were being violated and that this was generating extreme difficulty. A 1926 petition of the park annex stated: "As you are doubtless aware, when the Treaty was first made...the members...were given the solemn assurance 'That they would be as free to hunt and fish after the signing of the Treaty, as if they had never entered upon it.'" <sup>374</sup> They argued, "So unnecessary is any such establishment in the area in question, and so harmful would it ultimately prove to be to those now resident in that area and vicinity that we pray that the above-described terrain shall under no circumstances be set apart as a Buffalo Park, or as an annex."<sup>375</sup> A 1927 letter from Chief Jonas Laviolette called on officials to respond to his repeated attempts to establish reserves promised in Treaty 8 in order to protect his people from growing trapping competition and starvation.<sup>376</sup> Another letter from Chief Jonas to Jim Cornwall in 1928 stated "I would like my brother Indian on the outside to know how the Treaty is being cheated with us...I want everyone to know that the White man has gone back on us, with his bargain with us."<sup>377</sup> Numerous other letters throughout the period expressed people's frustrations with the regulations and with encroaching white trappers, as well as their fears of starvation and concerns for their families' health and well-being.<sup>378</sup>

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<sup>373</sup> Letter from Eustane Martin and William Whitehead, Cree Chiefs, to D.C. Scott, 5 July 1927, p. 2. LAC RG10, Vol. 6732, File 420-2B.

<sup>374</sup> Memo to Charles Cross, 16 April, 1926, LAC RG85, v.1213, file 400-2-3, pt. 1A.

<sup>375</sup> Ibid.

<sup>376</sup> Chief Laviolette to Indian Affairs, 20 February, 1927, p. 3. For other examples of letter-writing, see St. Cyr to Urquhart, 29 December 1939, LAC RG85, vol. 845, file 7744, pt. 2, noted in Sandlos, *Hunters at the Margin*, p. 72, FN 106; Boucher to "Wood Buffalo Head," 8 January 1937, LAC RG85, vol. 845, file 7744, pt. 2, noted in Sandlos, *Hunters at the Margin*, p. 72, FN 109; Mrs. Adam Boucher [Nee Ratfat] to Fort Smith, 27 February 1936, Sandlos, *Hunters at the Margin*, p. 72, FN 109.

<sup>377</sup> RCMAFS, file: Cornwall, Laviolette to Cornwall, February 1928, as cited in Fumoleau, *As Long as this Land Shall Live*, pp. 339-40, FN. 104.

<sup>378</sup> For example, St. Cyr to Urquhart, 29 December 1939, LAC RG85, vol. 845, file 7744, pt. 2, as noted in Sandlos, *Hunters at the Margin*, p. 72, FN 106; Boucher to "Wood Buffalo Head," 8 January 1937, LAC RG85, vol. 845, file 7744, pt. 2, noted in Sandlos, *Hunters at the Margin*, p. 72, FN 109; Mrs. Adam Boucher [Nee Ratfat] to Fort Smith, 27 February 1936. Ibid.

Delegations of leaders also asserted Dené rights and concerns. Chief Jonas Laviolette travelled to Edmonton more than once to state his concerns directly to officials, sometimes taking a delegation of other leaders with him to express the issues at hand. One delegation of Cree and Dené chiefs in 1935 stated their view to Austin L. Cumming, District Agent and Park Superintendent, that revised permitting regulations that year were infringing on their treaty rights.<sup>379</sup> At Treaty Days, leaders repeated their concerns to Indian Agents on a yearly basis.<sup>380</sup> Some refused treaty payments to protest the Park and game laws.<sup>381</sup>

Another common form of resistance was to ignore or break state-imposed game laws. Garry Flett explained that some “people did it to survive... for sustenance. They had to feed their families.”<sup>382</sup>

*“I would like my brother Indian on the outside to know how the Treaty is being cheated with us...I want everyone to know that the White man has gone back on us, with his bargain with us.”*

*Chief Jonas Laviolette, 1928*

Poaching, however, may also have been a political act, “an attempt to return to the time before an arbitrary and largely impersonal state bureaucracy” dispossessed them of their lands and restricted their land-use.<sup>383</sup> By poaching bison, ignoring other regulations and refusing to share information with wardens, Dené harvesters expressed “collective dissent against the arbitrary application of state power over traditional hunting rights in the region.”<sup>384</sup>

The archive record relates numerous instances of Indigenous hunters poaching or trespassing in the Park. For example, at one heavily attended trial in 1930, several Cree hunters were charged with killing bison. The chief defended them by stating that they did so because they were hungry: “if the government would supply enough rations...they would not need to kill buffalo.”<sup>385</sup> They also argued from a treaty rights perspective. Park Warden Dempsey indicated “they were not advised when treaty was made that the Buffalo from Wainwright Park would be imported.”<sup>386</sup> Warden Dempsey also reported some people trespassing in the Birch River area in 1937.<sup>387</sup> This instance of trespassing may have been an assertion of Denésuliné harvesting rights in the area from which they had been removed, in addition to an attempt to return to the homes from which they had been evicted.

Elders and community members shared specific examples of Dené harvesters entering the Park to harvest despite the rules. These narratives are anonymized and generalized in this report to protect narrators and the people of whom they spoke from possible repercussions of sharing their stories. Some Dené harvesters might enter the Park with a Métis or Cree trapper. Others recall that some harvesters would wait until dark to enter the Park and harvest a bison, and then store the meat throughout the Park (such as in rat houses or in residents’ freezers, under a pile of

<sup>379</sup> Cumming to Turner, 13 August 1935, LAC RG85, v. 1213, file 400-2-3, pt. 2A, as cited in McCormack, “How the (North)West was Won,” p. 197.

<sup>380</sup> See for example, Melling, Diary of Treaty Trip, Athabaska Agency, 4 July, 1942, LAC RG10 Vol. 8409.

<sup>381</sup> Extract from Act. Sgt. G.T. Makinson’s Report” – 3 July, 1937, Resolution, NWT, LAC RG85, Vol. 1213, File 400-2-3, v. 1.

<sup>382</sup> WBNP2021-Garry Flett-12-06-21..

<sup>383</sup> Sandlos, *Hunters at the Margin*, p. 75.

<sup>384</sup> *Ibid.*, p. 67.

<sup>385</sup> Dempsey to McDougal, 15 July 1930, LAC RG85 Vol. 152, File 420-2.

<sup>386</sup> O.S. Finnie to Cory, 7 August, 1930, LAC RG85, Vol. 152, File 420-2.

<sup>387</sup> Meikle to Gibson, 23 December 1937, LAC RG85 Vol.1213 file 400-2-3 pt. 2A.

moose meat) to avoid being caught. “They made sure it was all hidden,” says one Elder. Other times, harvesters found that wardens did not know the difference between moose meat and bison meat and would capitalize on their ignorance. Two Elders shared accounts from the 1980s-early 2000s in which they deliberately entered the Park to hunt or fish with the explicit aim of initiating legal action. They notified Parks officials of their plans to harvest in the Park, including specific details of when and where with the intention of getting arrested, in order to initiate a lawsuit. While wardens met them there and required them to return home, they did not arrest the land-users at the time. Nonetheless, this is an important example of the longevity of Denésuliné struggles assert their rights freely throughout their territories and protest and assert agency within a management regime that infringed on their treaty rights and ignored their concerns.

In general, these assertions of Denésuliné rights and concerns were usually ignored and dismissed by provincial and federal authorities. The Park sometimes responded to Dené activism that took the form of poaching by increasing warden surveillance. One official wrote in 1937, “I am asking Park Warden Dempsey to have wardens patrol this area as much as possible this winter to try and prevent any trespassing by unwarranted persons.”<sup>388</sup> Thus people risked arrest and punishment (including permit revocations) to be able to feed their families and also to assert their rights.

The 1935 Edmonton delegation of chiefs protesting changes to the harvesting restrictions was dismissed by officials who told them that “there were no drastic changes in the Wood Buffalo Park regulations,” even while they watched their harvesting rights cut off by the permit and warden systems.<sup>389</sup> When residents suggested reasonable solutions or compromises, they were often denied. For example, in 1937 leaders in the Northwest Territories requested permission for heads of families to kill a bison if their families were starving. They were refused on the basis that “the privilege would be abused...the Government was preserving the buffalo for the Indians’ own good.”<sup>390</sup> Although this case involved hunters on the Northwest Territories side, it is reflective of the general attitude of the Park administration. Chief Jonas Laviolette’s letters went unanswered for years. He wrote directly of the general attitude of dismissal characterizing the federal administration’s typical response:

I have been waiting long to hear from you that I think you have forgotten all about me and my people from Fort Chipewyan Four years ago I went to Edmonton on purpose to see you about my people and my country. Times were hard then but now they are worse. My people are very miserable...<sup>391</sup>

### *Establishing Reserves: Delays and Denials*

In addition to these refusals and dismissals, it took decades to officially secure reserves where Dené people evicted from the Park could safely reside and practice their harvesting rights. Although the Park administration itself was not solely or directly responsible for the long delays, Park restrictions and evictions were a central reason Denésuliné leaders fought for decades to

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<sup>388</sup> Ibid.

<sup>389</sup> Cumming to Turner, 13 August 1935, LAC RG85, v. 1213, file 400-2-3, pt. 2A, as cited in McCormack, “How the (North)West was Won,” p. 197.

<sup>390</sup> “Extract from Act. Sgt. G.T. Makinson’s Report” – 3 July, 1937, Resolution, NWT, LAC RG85, Vol. 1213, File 400-2-3, v. 1.

<sup>391</sup> Chief Jonas Laviolette to Indian Affairs, 20 February, 1927, p. 1.

secure reserves in the first place. They saw reserves as a key way for the people to survive physical displacements, restrictive game laws and erosions of their rights.

The lengthy and complicated process of securing a reserve has been detailed by Bill Russell in the Treaty and Aboriginal Rights Research (TARR) report, “Report to the Chipewyan Band.”<sup>392</sup> With the influx of outsiders and newly imposed restrictions on land-use and mobility, McCormack notes, people found themselves living “in a condition of total insecurity, at the mercy of the Park administration, which they distrusted.”<sup>393</sup> Chiefs Alexandre and Jonas Laviolette lobbied the government for reserves since the time of Treaty 8 to mitigate these issues. But as Russell’s report summarizes, “Repeated Indian demands for protection from unregulated, irresponsible and sometimes illegal outside competitions – by the establishment of preserves – had been fruitless” for many decades<sup>394</sup>

Indian Affairs finally acted on urgent and repeated requests for a reserve by 1931, 32 years after Treaty 8 and nearly a decade after the Park’s creation. However, the province of Alberta challenged the proposed allotment size, which was 13.1 sq. mi. larger than treaty entitlement called for; it was particularly reluctant to transfer control over prime muskrat trapping terrain in one section of the proposed reserve. It was not until 1937 that Order-in-Council 1399/27 granted certificates of title for the surface rights to 49,600 acres of land for the Chipewyan Band (now ACFN) reserves in the Athabasca Delta. The province retained control over waterways, mines and minerals and fishing in the Band’s IR 201A-G reserves. Surface rights were not officially transferred to the federal government until 1954.<sup>395</sup>

The negotiation of the allotments occurred largely without the input or consultation of Denésuliné leaders and land-users. The original, larger allotments that leaders had previously negotiated were ultimately cut down and re-negotiated by the provincial and federal governments without consultation. As one Elder explained, “when the Dené were kicked out of the park, the government gave the Dené a piece of land over here...we didn't have a choice on where we wanted to be, you know. They, put us over here by Jackfish Lake, Old Fort you know and up the river a couple of other places...So, I was telling the chief we should pick some reserves or a piece of land or lands somewhere where we want to live, not where they want us to live... we want to decide rather than the[m] telling us where to live.” While governments “pondered their various courses of action” over the course of three decades, Dené people removed from the Park continued to face hard times with little recourse or help.<sup>396</sup>

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<sup>392</sup> Russell, “Report to the Chipewyan Band.”

<sup>393</sup> McCormack, “Chipewyans Turn Cree,” p. 133.

<sup>394</sup> Russell, “Report to the Chipewyan Band,” p. 27.

<sup>395</sup> Through Orders-in-Council P.C. 1954-817 and P.C. 1954-900

<sup>396</sup> McCormack, “How the (North)West was Won,” p. 227.

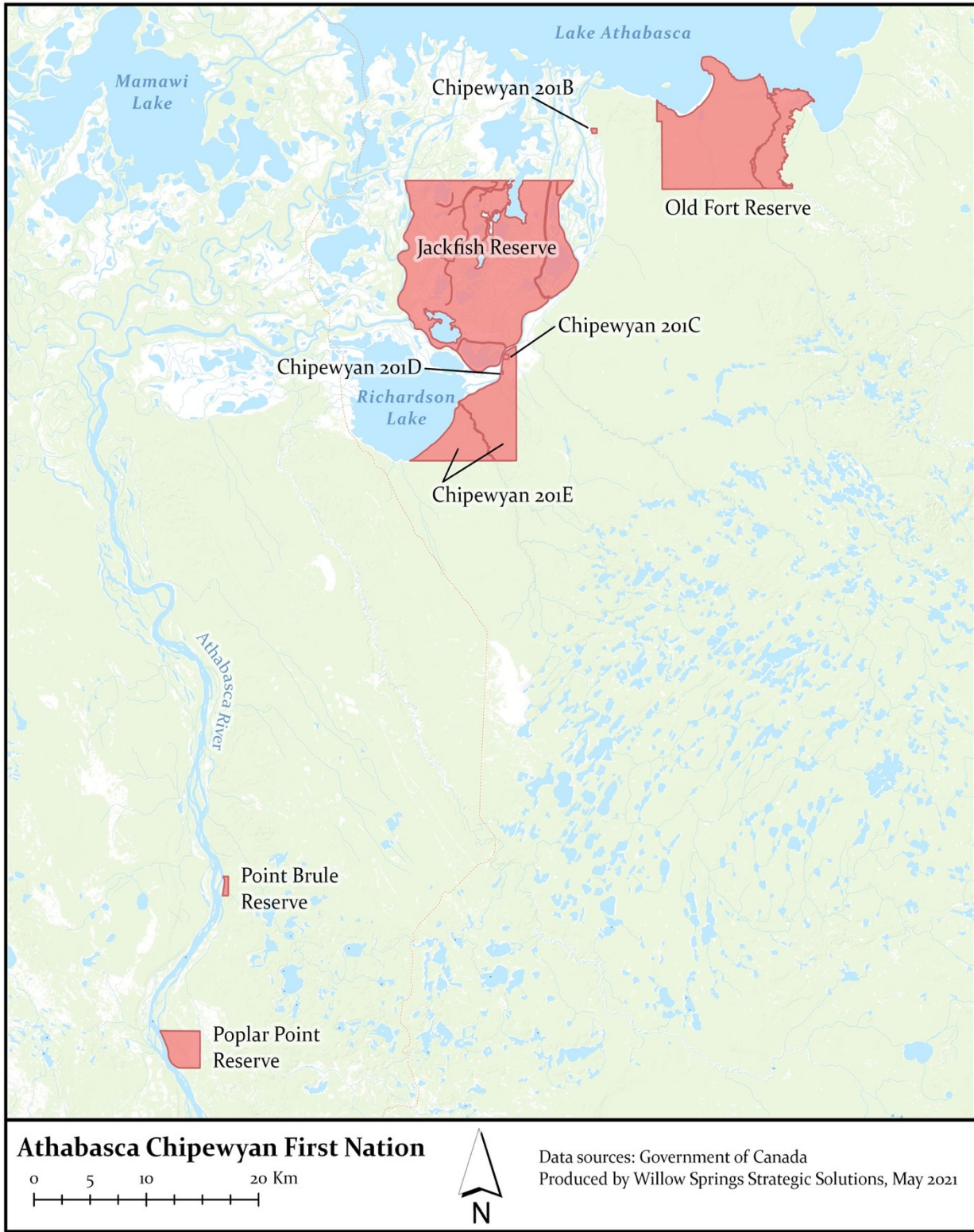


Figure 23: Map of IR201 Reserves

*The 1935 Order-in-Council to protect Dené Harvesting Rights: Another Broken Promise*

*“The Alberta government was not doing this – giving us land – from the goodness of their hearts. They were doing that because they knew that they had disrupted all family life at House Lake, by removing us from the park. So when we were given this piece of land to practise our Treaty Rights on, it was for us to pass the test of time - for our use - that Chief Jonas Laviolette made sure that this land would be able to be there for us. To pass the test of time. It would still be there for one hundred or two hundred years, into the future. That there would be somebody to speak for it, and that the government would support ACFN, to have this land that was set aside.*

*The fact that Chief Jonas Laviolette and my dad would always go back and talk about this land was to make sure that the future generation knew about it. And that we could still pressure the Alberta government, to make sure that this land was always there for us, for our use. Chief Jonas Laviolette was my grandfather, and he would come to my house and talk to my father and tell him, ‘That knowledge cannot be lost.’ (Elder Pat Marcel)<sup>397</sup>*

Elder Pat Marcel related the oral history of another attempt by Denésuliné leaders to mitigate the impacts of the Park and conservation restrictions of the 20<sup>th</sup> century. As the IR 201 reserves were being negotiated, Chiefs Alexandre and Jonas Laviolette knew “that the land was too small for ACFN to survive on. Negotiations continued...for a bigger area in Alberta, where we could practice treaty rights and use the land for conservation.”<sup>398</sup> They lobbied the government for the establishment of protected harvesting reserves outside the park and *in addition to* IR201 reserves. Indian Agent Card wrote to Indian Affairs officials in 1927:

On behalf of the Chipewyan Indians, under Chief Jonas Laviolette, Jackfish Lake, Ft. Chipewyan, I would call the attention of the Department to the wishes of the band...to have, independently of these special reserves, the survey, in the coming spring of the reserve, for the band, guaranteed by Treaty, June 21st, 1899. I might add that they are very urgent on this matter, as there is a prospect of rats coming back and they wish to protect the marsh grounds surrounding their homes.<sup>399</sup>

By 1931, officials were still discussing the same requests: “For many years the Indians of the Chippewyan [sic] band at Fort McMurray have been pressing to have a game reserve set aside for them,” wrote one official.<sup>400</sup> As Elder Pat Marcel explained, Dené leaders and land-users were determined, despite the delays and dismissals of government officials, because they knew that:

most of the better lands [outside the park] would be taken up by the Métis and White people. He wanted to make sure that there would be game and fur bearing animals, because he was already preaching

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<sup>397</sup> The Rights to Practice Our Treaty Rights & The Importance of Co-Management with the Province of Alberta, p. 13.

<sup>398</sup> Pat Marcel, in Marcel and Arlene Seegerts, “The Rights to Practice our Treaty Rights,” p. 15.

<sup>399</sup> Card to J.D. McLean, 6 December 1927, LAC RG10 Volume 6732, File 420-2B

<sup>400</sup> Robertson to MacInnes, 11 February 1931, LAC RG10 Vol. 6732, File 420-2B.

conservation, back then...He did not see ACFN surviving on agriculture. He did not see ACFN surviving on commercial fishing...So that is why he wanted to protect land – for the sole use of ACFN, into the future.<sup>401</sup>

As a result of their tireless lobbying, a 1935 Order-in-Council set aside a large protected area in addition to the IR201 reserves (see map in Appendix 1). As Pat Marcel's oral history relate Chief Jonas Laviolette and Headman Benjamin Marcel eventually

were able to negotiate with the province, with the help of the federal government. It was through legislation, with the Alberta government, that this land was set aside for ACFN to practise our Treaty Rights and conservation. And [it] was set up as[a] huge tract of land, right up to the NWT... This land, they talked about for many years. They called, time and time again, the importance of keeping this land, and to be sure that we would never lose this land, for as long as ACFN needs the land to practise our Treaty rights and conservation.<sup>402</sup>

The 1935 Order-in-Council closed trapping to anyone but residents of the large area, which encompassed the following boundaries:

Beginning at a point where the Inter-Provincial boundary between Alberta and Saskatchewan joins the south boundary of the North West Territories, thence southward along the Inter-Provincial boundary to the 27th Base Line, thence west along the said 27th Base Line to the Athabasca River; thence north along the eastern boundary of the Wood Buffalo Park to a point where it joins the southern boundary of the North West Territories, thence east along the southern boundary of the North West Territories to the point of intersection of the Inter-Provincial boundary.<sup>403</sup>

The oral history indicates that this land was exclusively intended for Indigenous residents. It was a key strategy to protect Denésuliné people who had been expelled from the Park. As Elder Pat Marcel stated, "I am sure that Chief Jonas Laviolette convinced the government that if we didn't have that agreement, then the white population would run rampant and kill everything off, and we would not have anything to survive. So this is what happened with the 27th baseline and our land."<sup>404</sup>

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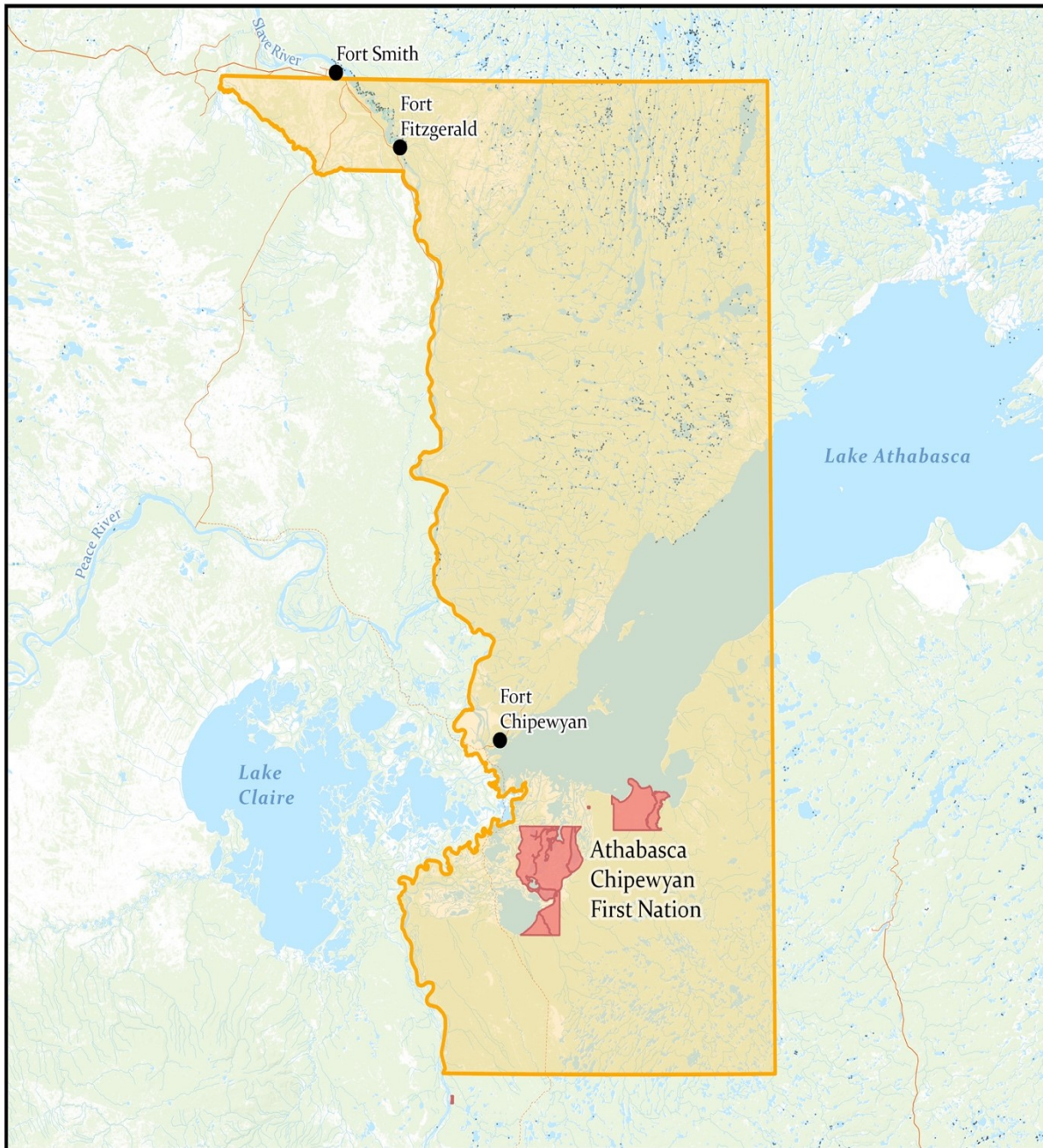
<sup>401</sup> Pat Marcel, in Marcel and Seegerts, "The Rights to Practice our Treaty Rights," p. 12.

<sup>402</sup> Ibid.

<sup>403</sup> Order-in-Council 298-35, 6 March 1935, with Report from the Minister of Agriculture, Provincial Archives of Alberta, as cited in Marcel and ?, "The Rights to Practice our Treaty Rights," p. 24. See also S.H. Clark (Game Commissioner) to M. Christianson (Inspector of Indian Agencies), 12 March, 1935, LAC RG10 Vol. 6733, file 420-2C.

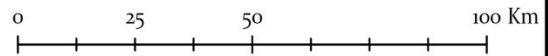
<sup>404</sup> Pat Marcel, in Marcel and Seegerts, "The Rights to Practice our Treaty Rights," p. 14.





**Boundaries of 1935 order in council protecting Dené harvesting rights north of the 27th baseline**

- 1935 Order in Council
- ACFN Reserves



Data sources: Government of Canada, ESRI  
 Produced by Willow Springs Strategic Solutions, May 2021

*Figure 25: Map of Protected Preserve under 1935 Order-in-Council (O.C. 298-35)*

However, it seems the province abandoned this Order-in-Council once the registered trapline system came into effect in 1942. A series of letters among government officials from 1935-1942 suggests the administration was struggling to manage the complex and sometimes contradictory trapping arrangements within and outside the Park, and that the 1935 Order-in-Council had added further controversy by excluding non-residents from harvesting in the large preserve.<sup>405</sup> After 1942, the Order-in-Council was no longer upheld; presumably the government determined that trapping throughout the area could thenceforth be managed through traplines like the rest of the province was.<sup>406</sup> In this way, another attempt by the Denésuliné to protect themselves and their rights after being expelled from the Park was thwarted by government authorities.

Thus, especially after the 1926 annex, it appears federal and provincial administrations were more concerned about managing game and developing the northern economy than ensuring Indigenous people could survive the drastic changes they faced. Indeed, a central component of the history of the Park's relation to ACFN is that Denésuliné lives and rights were "dismissed by those with power over them."<sup>407</sup> Dené protest and petition, as well as the intimate knowledge that they had of the land and water, were mostly ignored, and the struggles resulting from physical displacements went unnoticed and uncompensated by the government.

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<sup>405</sup> See for example, letters between Indian Agent Harry Lewis, M. Christianson, and A.F. MacKenzie during April 1936, LAC RG10 Vol. 6733, File 420-2C,

<sup>406</sup> Pat Marcel, in Marcel and ?, "The Rights to Practice our Treaty Rights," p. 14.

<sup>407</sup> McCormack, *We like to be free in this country*, p. 271-72.

## The New Management Era, 1960s-Present

*“Reconciliation has to first pass through truth. And we still have not had enough of that from this government or from Canada as a whole.”*<sup>408</sup> (Arthur Manuel Ronald Derrickson, 2017, *The Reconciliation Manifesto*).

In the 1960s, the Park’s administration structure changed again. By this time, it was largely being administered by the Northern Affairs arm of the Department of Indian Affairs and Northern Development. From 1964-1969, full administrative responsibility for the Park was transferred to the National and Historic Parks Branch. It was during this time Wood Buffalo Park became Wood Buffalo National Park, as it is known today (WBNP). After this, the administration entered a new era of reorganization, community consultation and management planning.

In part due to the formal recognition of Aboriginal and treaty rights in the Canadian courts and constitution, administrators began discussing the concept of “co-management” toward the end of the millennium. This concept appeared for the first time in the 1984 WBNP Management Plan, the Park’s first long-range management plan, the result of efforts to conform WBNP policy and management with management structures common across other National Parks. A Northern

*“the Denésuliné have always had the responsibility of living in balance with the natural environment, and there is much that both provincial and federal environmental resource managers can learn from him, if they take the time to listen.”*

*Elder Pat Macel, n.d.*

Buffalo Management Board was established in 1991, conceived as a multistakeholder committee for community-based planning, and it included nine local Indigenous representatives. This management plan was never approved. Management plans have since been reviewed several times. A “Renewing the Relationship” meeting in 2004 sought to re-frame the relation between Aboriginal Authorities and Parks Canada as “inter-governmental.” In 2006, the Games Regulation consultation process was undertaken in consultation with local Indigenous communities.

The 2010 Management Plan has incorporated commitments to reconciliation and co-management with Indigenous communities in the area. Parks officials meet throughout the year at a cooperative management board that includes representatives from ACFN and all other local Indigenous communities and governments.<sup>409</sup> The 2010 Management Plan indicates the stated commitment of the Park to collaboratively revise Game Regulations and work toward resolution of various park-related issues through more Indigenous engagement. It states, “[e]fforts are underway to expand working relationships given the impact of the park on the region and there is great potential to coordinate park activities with neighbouring provincial, territorial and Aboriginal governments.”<sup>410</sup>

The long history of the Park described above has been characterized by systemic exclusions and displacements of Denésuliné people, as well as dismissals of their treaty rights, land-use practices, needs and well-being – even when it was clear that people were suffering because of

<sup>408</sup> Arthur Manuel and Grand Chief Ron Derrickson, *The Reconciliation Manifesto* (Toronto: Lorimer and Company Publishers, 2017).

<sup>409</sup> Peterson, “Exploring the Egg Lake,” p. 6.

<sup>410</sup> Wood Buffalo National Park of Canada, “Management Plan” (Fort Smith: Parks Canada, June 2010).

Park policy. This history has led to intergenerational impacts, discussed in detail in Section 3, and also long-term feelings of distrust, disconnection, fear, stress and frustration. As Parks Canada moved toward a co-management arrangement in 1980s and 1990s, more recently making commitments to reconciliation, they have invited ACFN representatives to the co-management table. However, Band members contend that this new co-management arrangement does not adequately acknowledge or address the history of displacements and exclusions of the past 100 years. As noted in the interpretations section below, they suggest the new co-management and reconciliation agendas must do more to acknowledge and amend the past, and move toward genuine, transformative collaborations.

To date, ACFN members still feel unrepresented and excluded. Indigenous participation remains advisory in nature, and, as Sandlos notes, “the absolute power of the state to regulate the Native harvest remains intact.”<sup>411</sup> Some community members have indicated that advisory boards and consultative co-management arrangements are inadequate, and stress instead the intergovernmental (nation-to-nation) nature of the relation between First Nations and Parks Canada. Elder Pat Marcel urged governments to consider a more empowering relationship “because the Denésuliné have always had the responsibility of living in balance with the natural environment, and there is much that both provincial and federal environmental resource managers can learn from him, if they take the time to listen.”<sup>412</sup> He noted in 2010 that, by and large, his efforts had been denied.<sup>413</sup> Parks Canada and provincial government alike maintain that the co-management systems they established are working well, dismissing and sidelining the more rigorous and meaningful nation-to-nation arrangement Denésuliné leaders desire. Although since 2005, the Park has conceded that all Treaty 8 members have the right to enter and hunt in the Park, among ACFN members, feelings of disconnection and experiences of exclusion remain.

Leslie Wiltzen, who has been involved in co-management and advisory roles for many years, explains his experience, which presents a strong example of the inadequacy of the Park’s co-management and reconciliatory frameworks. He says:

the federal government did what they wanted to do. Right from the get-go. And you know what, even today I'm heavily involved with the events of Wood Buffalo National Park. I represent ACFN on anything that has to do with the UNESCO recommendations. I mean, whether it be with, where we're dealing with hydrology...and science and monitoring, or anything, or cooperative management committees. I still get discouraged. I am discouraged with the federal government's inability to adjust to accommodate what First Nations wish for. All we want is an opportunity to sit equally at a table and to have input that will benefit our people in a proper way. But time and time again, the federal government has an ability to overlook that and do exactly what they want, even though we can be sitting at the table...

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<sup>411</sup> Sandlos, *Hunters at the Margin*, p. 107.

<sup>412</sup> Marcel and Seegerts, “The Rights to Practice our Treaty Rights,” pp. 20-22.

<sup>413</sup> *Ibid.*, p. 18.

He continues:

I'll tell you a good example... I sit on the Cooperative Management Committee of Wood Buffalo National Park. That committee is made up of 11 First Nations that utilize Wood Buffalo National Park, right? So it's the Mikisew Cree, the Athabasca, Métis from Fort Chip, you have the Little Red First Nation from Garden River, you have Smith Landing, Salt River, the Métis from Fort Smith, you have the K'atl'odeeche and so on so forth from Fort Res from Hay river.

So, at this table now, for years we've been talking about trying to implement something in Wood Buffalo National Park from an employment HR perspective, would benefit and hire local... We aimed for years on entry level jobs with Wood Buffalo National Park, to a place where local indigenous people, whether it be from Fort Chip, Fort Smith, Garden River, Hay River, Fort Res, it doesn't matter, as long as their traditional territory's in the park, they'd have a first chance at these entry-level jobs.

Do you know what? Time and time again we told that to Parks. And they say 'yes and yes, yes.' It's so hard. It's like pulling teeth. It's just a process that they say yes, turn around and say one thing and the next day turn around and do another and you say, 'why did you just do that? Why did we just all discuss this whole thing and agree to do this, and you turn around do this.' So...when they negotiated treaty in 1899. Again, same thing, you sign one agreement, and then 15 years later, you'll say, 'nope, sorry. Even though we faithfully negotiated this treaty and we agreed on these terms, but now they're no good. Get out of the park.' ...I mean, we say we want local employment, but you know, they'll bring in people from southern Canada and eastern Canada to fill these entry level jobs. Why? Why? Because they do what they want to do, when they want to do it, and to whom they want to do it.<sup>414</sup>

As this narrative demonstrates, while co-management and reconciliation are promising approaches to Parks management in theory, they have been challenging and often insufficient to address issues and engage Indigenous leadership meaningfully in practice. Leslie's shared experience compares Parks Canada's broken promises and inadequate cooperation attempts to the broken treaty promises that have characterized the history of Denésuliné-settler relations since 1899.

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<sup>414</sup> WBNP2021-Leslie Wiltzen-01-21-21.

## Conclusion

From the time of the Park's creation in 1922, through its 1926 expansion and management throughout the 20<sup>th</sup> century, relations between the Park and the Denésuliné people whose lands and waterways it takes up have been troubled. The Park was created and expanded with little to no direct consultation with Denésuliné residents, whom the administration assumed were incapable of responsibly managing the land. Oral history indicates officials led some leaders to believe the land would be returned to the people. Its administration often contended that they were working in the "best interests" of the local people, even while individuals and families faced periods of extreme hardship as a direct result of the Park policies.

After the 1926 annex, a new permitting system restricted and governed access to the Park; this system was particularly detrimental to Dené residents and land-users, who faced greater challenges to gaining permits than Cree residents did. Many Dené land users were denied permits or lost their permits throughout the years. A 1944 membership transfer from the Chipewyan Band to the Cree Band cut the Denésuliné population in half and resulted in numerous evictions from the Park, especially from the settlement sites at Peace Point and Birch River. A suite of conservation laws regulated Denésuliné land-use and access to their homes and harvesting areas throughout the Park and province, and this was upheld by a strong warden system that often overlooked and indeed normalized bullying, intimidation and violence by wardens against Indigenous locals. Persistent attempts by Denésuliné residents and leaders to assert their rights, challenge unjust and contradictory policy, and attain some form of protection from the drastic changes they faced usually went ignored. Many people faced years of hardship and increasingly found themselves reliant on government support – the very thing Indian Affairs wished to avoid from the time Park was first proposed.

Despite good intentions, the new co-management regime continues to push Dené concerns to the sidelines. Government officials continue to make decisions that affect Dené harvesters, and this style of management has "fostered a climate of distrust and cynicism which continues to this day."<sup>415</sup> Historical distrust and a structure that tends to relegate Indigenous leaders to a consulting or advisory position (rather than to meaningful decision-making positions) has limited the potential of these approaches and left Denésuliné participants feeling sidelined and dismissed, as has been the case in the administration of WBNP since its creation.<sup>416</sup>

In many ways, therefore, the Park played a key role in the history of colonization, elimination and cultural genocide perpetrated against the Denésuliné peoples whose lands and waterways WBNP takes up. This long history of fraught relations with the Denésuliné resulted in a number of harmful intergenerational impacts, both direct and cumulative, for individuals, families and the community as a whole. These are detailed in the section that follows.

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<sup>415</sup> Notzke, *Aboriginal Peoples and Natural Resources*, p. 246.

<sup>416</sup> Historians have also demonstrated the challenges related to Parks Canada's co-management and Indigenous consultation in recent decades across the country. See for example, Megan Youdelis, "'They could Take You out for Coffee and Call it Consultation!': The Colonial Antipolitics of Indigenous Consultation in Jasper National Park," *Environment and Planning: Economy and Space* 48, no. 7: 1374-92; Megan Youdelis, Roberta Nakoochee, Colin O'Neil, Elizabeth Lunstrum and Robin Roth, "'Wilderness' revisited: Is Canadian park management moving beyond the 'wilderness' ethic?" *The Canadian Geographer* (2019): 1-18.

## Section 3 - Understanding the Impacts

In the context of the devastating changes of the 19<sup>th</sup> and 20<sup>th</sup> centuries, the impacts of Wood Buffalo National Park's creation, expansion and management have been severe and long-lasting. Even though it was one of the very few National Parks in Canada that did allow some Indigenous access, WBNP's policies ultimately did more to harm than good for Denésuliné residents and land-users. The impacts of the Park touched on many areas of Dené lives and well-being, with demonstrable long-term effects on land-use and connections to territory, sovereignty, community dynamics, family connections, identity and overall health - physical, spiritual and mental.

To this day, ACFN members experience the intergenerational impacts of evictions from their homes, lands and waterways in the Park, and of separations from family due to these evictions, restrictive Park permitting system and other specific policies and events such as the forced membership transfer of 1944. All individuals interviewed for this report explain various direct and cumulative impacts of the Park's creation, expansion and management, past and present. ACFN social worker Lori Stevens confirms that the impacts of the Park's history are intergenerational and widely felt, and that she witnesses them in her daily work as a social worker and development manager employed by the Band. As Chief Allan Adam states, "the hardship of what my granny went through, still touches me, even though I wasn't there... The effects still carry on today on the young people that don't even know what the hell happened."<sup>417</sup>

It should be noted that throughout this history Denésuliné people have remained strong and resilient, even in the face of harm and suffering. They did everything they could to survive and thrive, to mitigate the impacts of the Park and to protest infringements on their hereditary and treaty rights. Furthermore, as many Elders indicated during interviews, Denésuliné people shared with one another in times of need. This principle helped them survive the drastic changes of the 20<sup>th</sup> century. Many interviewees confirmed that if a Dené land-user knew someone else was suffering or going hungry, they shared their harvests to help. ACFN's survival, Chief Allan Adam concludes, "is because of determination and hard work... The memory embedded in the heart gives us the determination of the fight of who we are here today."<sup>418</sup>

While the resilience and survival of the Denésuliné should not be understated, the impacts of this history on the community must also be emphasized. These are detailed below.

### Impact 1

**Displaced from their homes at the Birch River and Peace Point settlements and from other land-use areas and sites throughout the Park, such as at Moose Island, Lake Dene and Lake Mamawi, along the Birch Mountains and along all the rivers noted in Treaty 8, Denésuliné people lost the freedom to practice their deeply rooted land-based ways of living.**

The creation of the Park in 1922, its expansion in 1926 and the subsequent establishment and enforcement of a strict permitting system that widely excluded Denésuliné residents and land-users, along with an accompanying suite of strict harvesting regulations, led directly to Impact 1.

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<sup>417</sup> WBNP2021-Chief Allan Adam-02-02-21.

<sup>418</sup> Ibid.

The ACFN Elders' "Declaration of Rights to Land Use" clearly articulates the importance of maintaining land-based practices throughout Denésuliné traditional territories: "The Traditional Lands, and our rights to use of the lands, are central to our Dené culture, identity and well-being. They are essential to the well-being of our future generations and their ability to sustain our culture in a changing world. The meaningful practice of our treaty rights depends on having sufficient lands and resources to exercise those rights. Sufficient refers to not only quantity but quality, including what is required to fulfill our cultural and spiritual needs."<sup>419</sup> The impacts of displacement, and of the loss of the treaty-enshrined right to freely use, occupy and move across the land, are communal, familial and individual. "The impact that happened was, you know, our people were displaced," states Chief Allan Adam.<sup>420</sup>

And as Elder Joe Ratfat's personal testimony eloquently expresses, "And myself, I had no land base. It really hurt. It hurts me."<sup>421</sup>

*"The meaningful practice of our treaty rights depends on having sufficient lands and resources to exercise those rights."*

*ACFN Elders, 2010*

Not only were many Denésuliné people forced to leave their homes in the Park as a direct result of its creation, expansion and management; they were also refused access to their hereditary fishing, gathering, hunting and trapping areas and cultural and spiritual sites there. Many were not permitted to return to the Park even to visit family and friends in some cases. Some lost their cabins and belongings when the Park wardens burned them down after eviction. As Charlie Mercredi explained, "If WBNP was not created many of these people would still have access to their traditional land; because of WBNP these people were denied access to their home land, this to me is not right, people should come first before the bison."<sup>422</sup> Being cut off from the wider traditional territory and from specific places in the Park throughout the 20<sup>th</sup> century caused harm on multiple levels. One ACFN member who requested anonymity recalls being told by his Elders:

The Park formation wasn't good...way back in those days, the members, they wanted to go back there and they wanted to live in the Park back then. It was our Elders and that's how they talk about it when they would sit around having coffee. Yeah, they talk about the bush, you know, and a lot of them...that's where they wanted to be in the Park back then.<sup>423</sup>

Leslie Laviolette describes how Denésuliné people watched over time as their land-base diminished, along with their ability to move freely across the territory, using it and living from it as they had always done:

It's all bush and different country that you see and you know, you can start on the east side of the lake and end up at the west side in the park, like we used to travel. And all that was taken away. Once the park came up, that was shut down for us. And then we moved to

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<sup>419</sup> "Elders Declaration on Rights to Land Use," 2010.

<sup>420</sup> WBNP2021-Chief Allan Adam-02-02-21.

<sup>421</sup> WBNP2021-Ernie (Joe) Ratfat-03-19-21.

<sup>422</sup> Charlie Mercredi, Written questionnaire, "ACFN Elders on Wood Buffalo National Park."

<sup>423</sup> WBNP2021-Anon07-03-18-21.



Richardson area, Jackfish Lake area, Old Fort area. And then we had Point Brulé and Poplar Point...if you are off to reserve like you had a watch because if it wasn't Fish and Wildlife, it was parks down on your back...now we're just in the corner now. And the government made more profit off our land than we did. We're still struggling today and the park doesn't want to acknowledge that they did wrong to us because compensation-wise they would have to pay lots and we still do whenever they admit it that they did wrong to us.<sup>424</sup>

Leslie Wiltzen confirms:

that's a hardship...being disconnected from the land. That's a big thing... it's hard to describe...I mean, all your life, you grew up knowing that...you're not allowed in a certain area where traditionally, for 1000s of years, the generation before you lived there, then all of a sudden now you're not allowed...then you become a criminal by even thinking about it. So now I mean...how do you describe that in words?<sup>425</sup>

The damage of this impact is multidimensional, involving several layers, including:

- **Erosions of sovereignty and land-based governance systems.**

Through their sophisticated systems of governance and stewardship, Denésuliné people have always expressed and maintained their sovereignty over their expansive territory and homeland. As discussed in Section 1 of this report, free access to the wider traditional territory, and the land-use practices, kinship networks and seasonal movements it supported, were critical to the maintenance of Denésuliné social, political and economic structures.

Evictions from the Park after 1926, as well as the permitting and warden systems, harvesting regulations, and trapline arrangements in the years that followed, worked together to limit and control Dené sovereignty over, and use of, a substantial portion of their traditional territories. This ultimately diminished their longstanding authority over land-based decision-making, sustainability practices, subsistence harvesting, seasonal mobility and wildlife management. As Sandlos writes, “[d]ecisions that had previously been made locally about what species to hunt and the best time of year to take particular game animals were now at least partly circumscribed by a formal legislative and regulatory framework that emanated from Ottawa.”<sup>426</sup>

Chief Allan Adam confirms, “Ever since Wood Buffalo National Park kicked us out of the Park, out of our homeland, it just seemed like anybody else that just came along and seen our people just pushed us around.”<sup>427</sup> One Elder, who requested anonymity for this report, suggests that by forcing Denésuliné land-users to move off the land and into town, government and industry had

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<sup>424</sup> WBNP2021-Leslie Laviolette-03-22-21.

<sup>425</sup> WBNP2021-Leslie Wiltzen-01-21-21.

<sup>426</sup> Sandlos, *Hunters at the Margin*, p. 25.

<sup>427</sup> Zoom interview with Chief Allan Adam, 2 February, 2021.

opportunities to “sneak around” without local surveillance and damage the land through resource extraction, without the knowledge and consent of Denésuliné people.<sup>428</sup> Elder Alice Rigney also describes the prevalent, racist perspective that white people knew better than Denésuliné – who had been there since time immemorial – how to manage lands, waters and resources. This led not only to destruction of the environment but also a loss of power over how the land is managed. “Why couldn’t they just leave it alone?” she asks. “Let Mother Nature look after Mother Nature... [T]here's that concept that white people think different than the land users, you know? We protect the land...we were taught to protect the land and save it, so that our children and grandchildren can use it as they have. It's destroyed now...So we're trying to fight back.”<sup>429</sup> Ultimately, a loss of access to the land through evictions, permitting systems and harvesting regulations led to erosions of Denésuliné sovereignty and self-governance over and within their traditional territories.

*“Ever since Wood Buffalo National Park kicked us out of the Park, out of our homeland, it just seemed like anybody else that just came along and seen our people just pushed us around.”*

*Chief Allan Adam, 2021*

One Elder’s rhetorical question about the power of the Park clearly summarizes the transfer of power from the Denésuliné people who had been there since time immemorial to the Parks administration: “I’m baffled. Who’s the Park? And how come they got to own Dené Nation land? And this control?...And they’re in control, I’ll tell you that much.”<sup>430</sup>

- **Loss of homes and belongings.**

Numerous oral histories demonstrate that families and individuals who were forced to leave their homes throughout the Park lost their houses and belongings. Some saw their cabins burned down by Parks Canada after they left. Archaeological studies at Birch River in 2011 uncovered evidence of cabins and belongings, which were left in place when the evictions took place.<sup>431</sup>

As one Elder recounts: “Once you leave, you can’t come back. And the people that left their homes were burnt down, they went back [to] get some furniture or whatever they had and they come back to burnt home.”<sup>432</sup> Another anonymous Elder confirms that after eviction, some people’s homes were burned down by the Park, and he even heard from one Elder that some people’s dogs were shot.<sup>433</sup> Elder Big John Marcel states: “as far as I know...when parks took over and then...when everybody had to get out of there, if you don’t belong to the park, you know, they were burning houses and everything...parks did that.”<sup>434</sup> Others recall hearing from Elders that Denésuliné residents were threatened by law enforcement officers if they tried to enter the Park after eviction.<sup>435</sup> Through threats and intimidation, Parks officials kept

<sup>428</sup> WBNP2021-Anon04-03-16-21.

<sup>429</sup> WBNP2021-Alice Rigney-03-16-21.

<sup>430</sup> WBNP2021-Anon05-03-16-21.

<sup>431</sup> Duck, “Archaeological House Lake Project, 2011.

<sup>432</sup> WBNP2021-Keltie Paul and Anonymous Elder-11-25-20.

<sup>433</sup> WBNP2021-Anon04-03-16-21.

<sup>434</sup> WBNP2021-Big John Marcel-03-18-21.

<sup>435</sup> WBNP2021-Chief Allan Adam-02-02-21.

Denésuliné residents from returning to their physical homes and belongings in the Park after evictions.

- **Periods of starvation, deprivation and economic hardship.**

The archival and oral records present extensive evidence that families displaced from their homes and harvesting areas in the Park after 1926 experienced hunger and intense economic hardship, especially from 1930-1970. This is directly linked to the creation, expansion and management of the Park and the imposition of strict harvesting and permitting regulations without meaningful local consultation. This history of hardship is discussed in detail in Section 2 of this report. Elders in *Footprints on the Land* confirm that for those who were denied access to the Park due to the strict permitting and warden system, “The park eventually became a major contributor to hardship.”<sup>436</sup> After losing their physical homes and being refused access to their wider harvesting grounds, Denésuliné people suffered in particular they also had to compete for land with trappers and settlers outside the Park, faced new conservation policies that became increasingly

*“over the park boundary, which we had used for hundreds of years we're no longer allowed to use that area of land. And because of that, there was some degree of scarcity on our side regarding animals for food. And the use of the resources for ourselves.”*

*Jimmy Deranger, 2021.*

stringent, and eventually watched the ecological degradation that followed from decades of industrial activity. Many struggled to harvest enough food to survive. Chief Jonas Laviolette saw his community suffering intensely, and wrote to the government in 1927:

I guess you thought the Buffalo Reserve would help us but it makes it harder for us, because all the [white] trappers that come down the river now can't get into the East to trap – and it is hard for them to get past Fort Smith, so they stop in my country and try to crowd my people my people out. It is no good [to] me and my people going into the Buffalo Park... there are enough Indians in there now – lots of them are starving, too... If this country had been left to us here there would still be fur today and we would not be so poor and miserable today.<sup>437</sup>

Anyone whose Park harvesting permits were revoked or whose permit applications denied from 1926 onward experienced acute hardship. Elder Horace Adam explains the deep and widespread impacts: “oh yes it was hard for them, because like the Fort Chip people, it used to be there was no park... [but then] they can't go out the way they usually go on the west side of the river. Both sides, the west side of the Athabasca river. And then... Peace River and the Slave River all those were in the park. Our people used to go all the way up, far way to our territory... It was pretty hard for us First Nations to go.”<sup>438</sup> Lori Stevens confirms that she has heard this from Elders too:

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<sup>436</sup> ACFN, *Footprints on the Land*, p. 64.

<sup>437</sup> Chief Jonas Laviolette to Indian Affairs.

<sup>438</sup> WBNP2021-Horace Adam-03-19-21.

“it interrupted the flow that they used to follow the animals, because that border was there now, they weren't allowed to use it anymore.”<sup>439</sup> Reduced access and mobility throughout the territory resulting from park restrictions led to hardship. She recollects specific oral histories about the hunger her family faced: “they often talked about, like my aunt talking about there was no food. And my grandmother would often take in the residential school children during the summer, so that she could get flour and rice and she would feed all these kids, but it was also to feed her own kids and to feed her siblings.”<sup>440</sup>

Those who were evicted rarely were offered alternative sources of income. Some had to move around from one home to another to survive. “[T]hey had to find other areas where their main source like beavers and muskrats and fishing in the summer...where they can get that from,” states Lori Stevens.<sup>441</sup> For example, Chief Allan explains: “my granny had everything and then she struggled for a while, moved five times, five locations back until 1958. She struggled to maintain and everything.” This experience was not unique to Chief Adam’s grandmother, Helen Piché; many evicted families faced similar struggles. “The impacts were hard on everybody,” he explains, “The ones that were affected deeply. They had to move, to go places....Ever since Wood Buffalo National Park kicked us out of the park, out of our homeland.”<sup>442</sup> Lori Stevens points to the implications of “trying to relocate their families.” She asks, “So these are a lot of families who had multiple children, what did that look like for them to move? And did they even know where to move?” Numerous Elders describe memories of their parents and grandparents moving from one place to another for work. Meanwhile, individuals who were allowed to remain in the Park were in some ways shielded from these difficulties.

*“And myself, I had no land base. It really hurt. It hurts me.”*

*Elder Joe Ratfat, 2021*

Facing such challenges, many had to rely on social assistance from Indian Affairs and the local missionaries. One interviewee heard stories from his Elders of people having to move into town to receive rations: “I heard some stories about...they had to come back into town here and go to Indian Affairs and try to get some food and stuff eh? Some flour I guess...I don't know if they had meat or something to give away or some rations, I guess from the stores and stuff.”<sup>443</sup> The very outcome that Indian Affairs had wished to avoid from before the creation of the Park – an increased need for social assistance by displaced Indigenous harvesters – was a direct legacy of the Park’s creation, expansion and management, and especially of evictions, restrictive permitting system and the wider system of harvesting laws in the Province.

Numerous participants point to the powerful effects of the Park displacement, and resultant reliance on inadequate social assistance, on nutrition and overall health. Alice Rigney explains:

many of those trappers were the best, you know, we used to call them the rifleman, because they were such sharpshooters and, you know,

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<sup>439</sup> WBNP2021-Lori Stevens-05-25-21

<sup>440</sup> Ibid.

<sup>441</sup> Ibid.

<sup>442</sup> WBNP2021-Chief Allan Adam-02-02-21.

<sup>443</sup> WBNP2021-Anon04-03-17-21.

they were, their families were well off, you know, living off the land. And then to have that taken away and forced to move into matchbox houses and our way of life that was on the land, diminished over time. People start eating less and less traditional foods and going with fast foods. Of course, diabetes is on the rise. We have a community of 1200, I think we have about 200 diabetic people.<sup>444</sup>

Just so, Keltie Paul notes, “Nutrition is...according to the World Health Organization, a determination of health. And if you take that away and then replace it with things like store bought foods or potato chips, whatever, then you have a population that is not thriving, and then you take away on top of that the pharmaceuticals...it's like taking the legs off people.”<sup>445</sup>

As Chief Allan Adam summarizes, Dené lands taken up by the Park were “one of the richest prime lands of hunting, trapping and fishing. You know, everybody that lived in a park benefited from it. But ACFN we plummeted, we lived in poverty, our people struggled.”<sup>446</sup> The Denésuliné people, who once had thrived throughout their territories, faced hardship and destitution and were forced to rely on government relief throughout the 20<sup>th</sup> century. This was a direct result of the Park’s creation and expansion, its permitting system and harvesting regulations, and the powerful warden system that enforced them.

- **Restrictions on access to Denésuliné cultural and spiritual places and resources, including medicines and spiritual sites, within the Park.**

The creation and expansion of the Park, along with the establishment and enforcement of a strict permitting system that widely excluded Denésuliné residents and land-users, not only cut harvesters off from trapping, hunting, gathering and fishing areas within the Park that were key to Denésuliné lives and subsistence. It also cut them off from medicinal harvesting areas and cultural and spiritual sites of importance within the Park. This impact clearly affected Denésuliné residents’ physical and mental health and overall well-being and continues to do so to this day.<sup>447</sup>

Being able to gather medicines, carry out cultural practices and access spiritual sites, as noted in *Footprints on the Land*, is a key part of Dené relations to the land and water, and to overall health and well-being.<sup>448</sup> As ACFN social worker Lori Stevens explains, “A lot of it grows in the park, right? That people would pick and when you're not allowed to go and harvest it, if you don't know where else to look, like where are you going to get those? That sage and that sweetgrass and those medicines, muskeg tea, and all that stuff that they would use. So definitely would have an implication because...where would you get it from now? Right?”<sup>449</sup> Elder Jimmy Deranger describes the holistic importance of the lands and waters that were taken up by the Park after 1922:

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<sup>444</sup> WBNP2021-Alice Rigney-03-17-21.

<sup>445</sup> WBNP2021-Keltie Paul and Anonymous Elder-11-25-21

<sup>446</sup> WBNP2021-Chief Allan Adam-02-02-21.

<sup>447</sup> Peterson, “Exploring the Egg Lake,” pp. 140-141.

<sup>448</sup> ACFN, *Footprints on the Land*, p. 13.

<sup>449</sup> WBNP2021-Lori Stevens-05-25-21.

over the park boundary, which we had used for hundreds of years we're no longer allowed to use that area of land. And because of that, there was some degree of scarcity on our side regarding animals for food. And the use of the resources for ourselves. When I say resource, I mean that the living resources, not the mineral resources. The living resources like the different animals and also the berries and the vegetables the natural vegetables, and also more importantly, the medicines of the land.

The loss of access to medicines and spiritual sites and resources has clear impacts on mental and emotional health. Keltie Paul explains the deep significance of being cut off from the cultural and spiritual value and resources of the land and water within the Park: “you can't put a price on that. So where do these people...who get thrown out [go]? Well, where would you go for that? It's like...it's not just a pharmacy, it's a hospital. It's a spa.”<sup>450</sup>

- **Limits on the intergenerational transmission of land-based knowledge.**

Elders in *Footprints in the Land* have shown how Park policies and the broader system of harvesting regulations also reduced the ability for Dené peoples to transmit knowledge through land-use and mobility throughout their territories.<sup>451</sup> As historian Patricia McCormack explains:

the very government regulatory systems that alienated Chipewyans from much of their traditional territory have over time contributed to a diminished ability...to learn about new lands by personal experience, the most important source of this knowledge... on-going land use is critical to the transmission of the historic stories, to understanding the relationship of these stories to specific places, and to maintaining the spiritual relationships between people and land.<sup>452</sup>

A number of interviewees noted that being forced to move off the land within the Park and then into town for survival led to disconnection from “the old ways.” In *Footprints on the Land*, ACFN Elders explained how a number of specific traditional ways of living were replaced or transformed over time because of displacements, harvesting regulations, industry activity and other colonial changes, especially after the Park was formed.<sup>453</sup> Similarly, Victor Mercredi described in 1960 how Denésuliné ways of living and being were being eroded: “Many years have pulled by. Time passed. Old Fort Chipewyan was affected by the tide that swept past it... Nowadays Crees and Chipewyans keep more around the Fort and they give up the ways of their fathers.”<sup>454</sup>

One Elder, who requested anonymity for this report, explains that her parents were forced to move into town over time, largely because they could no longer survive strictly on the land after Dené families were excluded from the Park. Growing up in town, and going to residential school,

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<sup>450</sup> ACFN2021-Keltie Paul and Anonymous Elder-11-25-21.

<sup>451</sup> ACFN, *Footprints on the Land*, p. 89.

<sup>452</sup> Patricia McCormack, *An Ethnohistory of the Athabasca Chipewyan First Nation*, p. 170.

<sup>453</sup> ACFN, *Footprints on the Land*, p. 88

<sup>454</sup> Victor Mercredi, “Diary of Victor Mercredi,” p. 26.

this Elder explains that she and others never learned “the traditional ways”: she did not learn the land-based skills she would have if she grew up on the land. In her twenties, she gradually taught herself how to sew, make moccasins and clothing, tan hides, and do other traditional activities.<sup>455</sup> Another Elder explains that even more people were forced into town after the Delta dried up in the 1960s, due to the Bennett Dam. “Well, a lot of, more people moved into town, you know,” she said, “You can't really just go out there just hunting... Their traditional way of life, no. They had to come into town and there was no more like trapping and all that... So people just went different places to go look for work.”<sup>456</sup>

*“Fort Chipewyan was the northern Indian life played out. Nowadays Crees and Chipewyans keep more around the Fort and they give up the ways of their fathers.”*

*Victor Mercredi, 1962.*

Several interviewees indicated their regret at having been cut off from the land for several generations, suggesting that without the free access to their territories that had been promised under Treaty 8, they were disconnected from places of significance, leading to a loss of knowledge about the territory. As Leonard Flett explained, “I lost knowing the country that my mom was born in, Birch River and that area... I mean just go to Reserve 201, it's a whole different land that we have to get used to it. My dad wasn't there, just my mom when I was just, just an infant then. And she didn't have a right, she had right but she didn't have a right.”<sup>457</sup> Many feel that they and their families lost touch with the lands and waterways taken up by the Park.

In 1998 Elder Josephine Mercredi lamented the loss of the traditional ways of living off the land; her statement poignantly summarized the painful, intergenerational impact of this loss:

It would be better to live like old times, live off the lake – the land.  
The children use to listen to you. We use to all pray before bed. If things were the same, my children might have been still alive, better off.<sup>458</sup>

- **Loss of language transmission.**

The intergenerational transmission of land-based knowledge described above includes the intergenerational transmission of the Denésuliné language. Land-use is key to the transmission of language. Due to Park restrictions on Dené people's access to the wider territory including lands and waterways in the Park, the transmission of the Denésuliné language was interrupted in the 20<sup>th</sup> century. While the loss of the language was in large part a direct result of the residential schools, the loss of access to the land because of the Park evictions amplified

*“I lost knowing the country that my mom was born in, Birch River and that area.”*

*Leonard Flett, 2021*

<sup>455</sup> WBNP2021-Anon09-03-19-21.

<sup>456</sup> WBNP2021-Anon10-03-21-21.

<sup>457</sup> WBNP2021-Leonard Flett-04-30-21.

<sup>458</sup> Transcript of video interview with Josephine Mercredi, 22 Jan. 1998.

this. As one Elder notes, Park evictions/restrictions and residential schools went hand-in-hand to diminish Denésuliné language use.<sup>459</sup>

- **Effects on identity.**

As stated in *Footprints on the land*, “The identity of a people is ultimately defined by their relationship to the land... the core of their [the Dené people known as the Athabasca Chipewyan] identity and culture is still tied to their traditional use...and spiritual understanding of the land.”<sup>460</sup> Many participants express the view that, being cut off from their kinship relations, homes and territories within the Park, the community’s capacity to connect with the “core of their identity and culture” has been reduced.

As Keltie Paul emphasizes, displacements and disconnections from land and kin “messes up with everybody's identity...Identity is our core. And when you just pick up and steal somebody's identity and then forced them to live like somebody else, it’s going to cause all kinds of psychological problems, networking problems, problems within families.”<sup>461</sup>

*“If WBNP was not created many of these people would still have access to their traditional land; because of WBNP these people were denied access to their home land, this to me is not right, people should come first before the bison.”*

*Charlie Mercredi, n.d.*

Elder Joe (Ernie) Ratfat’s personal story of the impacts of landlessness on his identity powerfully summarizes this impact:

So, like I've lost a lot of things. As far as my pride and things like that, you know...I didn't know who I was, you know, like I couldn't speak Cree and I was supposed to be a Cree member, you know. And, I was too brown to be white. So, I didn't fit in anywheres, you know...I ended up on the street, you know, like, alcoholism. Through alcoholism, like I said, a lot of my family members, you know, passed away from alcoholism. I'm the only one left now, in my family. Everybody else has gone and they all had a really rough death of alcohol. So like I'd say, I looked at different areas to look after myself, to forget alcohol and drugs and other things. And, through sweat lodges and other ceremonies that I ran across when I was out...That's how I got a sense of pride...So, that's where I'm at right now...And that's all coming from being displaced. Yeah, going back and being displaced, and don't know who you are, you know, it's all from that. And those people should pay for it, you know, those people

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<sup>459</sup> WBNP2021-Anon07-03-18-21.

<sup>460</sup> ACFN, *Footprints on the Land*, p. 13.

<sup>461</sup> Phone interview with Keltie Paul, 25 November, 2020.



should you know, do something about it. Yeah. Because they really wrecked a lot of families.<sup>462</sup>

As Joe Ratfat’s story suggests, through displacements from the land and waterways taken up by the Park, combined with the 1944 forced membership transfer and the forced relocations of children through the residential school system, many Denésuliné people lost their land base and lost touch with their Denésuliné identities. This loss led directly to profound, intergenerational harm. ACFN social worker Lori Stevens explains that she sees this impacts on a daily basis in her work: “I do see it in my work...I’m trying to do programming and I’m trying to have our Dené ways, our Dené teachings.” She notes that disconnection from these teachings due to Park policy and boundaries has “huge implications” for the mental health of ACFN members to this day:

with respect to their identity, we see a lot of addictions, mental health, trauma from just identity, where do I belong? Right? So a lot of people will speak of it like with CFS, like these people don't know where they belong, that could be...for being pushed out of your homes and your traditional hunting areas, just the same. Like you're no longer who you are. You're no longer allowed to be what you know. So it definitely shows the...mental, spiritual, emotional impacts [of] uprooting somebody.<sup>463</sup>

## Impact 2

**As a direct result of the Park’s permitting system after 1926 combined with the forced band transfer event of 1944, Denésuliné families were separated, and their wider kinship connections were severed.**

Imposed systems of management had long-term impacts on Denésuliné connections to land and water, but also on the family and kinship connections on which the health of the community depended. As Sandlos writes, “assertion of state authority over wildlife...was not limited to restrictions on Native hunting and trapping...[It] also caused dramatic changes to community, kinship, and cultural relationships.”<sup>464</sup> The permit system divided families between those who were allowed to stay in the Park and those without access. Even immediate relations between parents and children, siblings and spouses were severed if one family member was denied a permit. The 1944 membership transfer of Denésuliné families residing in the Park to the Cree Band extended and reinforced these separations.<sup>465</sup>

The damage of this impact is multidimensional, involving several layers, including:

- **Separations of family members.**

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<sup>462</sup> WBNP2021-Joe (Ernie) Ratfat-03-19-21.

<sup>463</sup> WBNP2021-Lori Stevens-05-25-21.

<sup>464</sup> Sandlos, *Hunters at the Margin*, p. 75.

<sup>465</sup> WBNP2021-Garry Flett-12-06-21.

The permitting system after 1926 and the 1944 membership transfer controlled who had access to the Park, widely excluding Dené residents, but also separating some family members between those who did and those who did not have access to the Park. Thus, the Park's expansion and management did not only impact on Denésuliné rights and ability to access and use the land, but also profoundly affected family dynamics.

Elder Ray Ladouceur explains, "Oh, [the territory] was mostly was Dené, it was supposed to be all Dené...and the government when it came down here, most of them were people that was in Birch River."<sup>466</sup> Garry Flett, who is a member of the Simpson family (which transferred to MCFN in 1944) but remains an ACFN Band member, has been separated from his cousins, aunts and uncles, nieces and nephews. He explains the long-term impacts of these kinship

disconnections. "The main piece that really affected me," he says "all of my relatives that were in the Cree band and the Mikisew Band then becoming Mikisew Cree Band were able to hunt and trap on that line," but "culturally and historically that line had belonged to my grandfather." Garry's Simpson cousins could receive permits to enter and harvest in the Park, but despite kinship connections, he and his immediate family remain cut off from their family members and from the lands in the Park. "I wasn't allowed to because of what transpired there," he says, "But my first cousins were, it was easy for them. They just got a park license and describe who they were and who they belong to."<sup>467</sup>

*"they're born Dené, however, they were stripped of it just over their homestead. And they had to transfer bands to another band. Which they really didn't belong to in the first place."*

*Anonymous ACFN member, 2021.*

Another interviewee explains the complicated ways permitting systems severed Dené families and community while allowing access privileges to White outsiders: "Yeah, well they changed it and then, like I said, you had to have family members and proof that your family was in there before and it was carried down to the family and stuff, eh? ...And then next thing you know...say a white person came to stay with a native girl up here, then they'll get the hunting rights and they could go in the park. And then there's Dené that were there before but couldn't even get into the park. You know, it was really bad for a while there when they changed the rules and regulations."<sup>468</sup>

ACFN member Lori Stevens' family history provides a concrete example of the kinship and family severances resulting from the permitting system and forcible membership transfer. She has immediate family members (including both parents and step-parents) from both MCFN and ACFN. She explains that half of her family – those who are MCFN members – has had continued access to the Park while the other half – the ACFN members – "didn't go into the park" because of the permitting rules. Lori explains that through her late stepfather, Charlie Simpson, she was able to use the family trapline in the Park in her youth, but that the ACFN members of her family did not have the ability to practice this right. She explains that these disconnections were not unique to her family but experienced by most Dené families in the

<sup>466</sup> WBNP2021-Ray Ladouceur-03-18-21.

<sup>467</sup> WBNP2021-Garry Flett-12-06-21.

<sup>468</sup> WBNP2021-Anon06-03-17-21.

region: “[O]ur families are all connected,” she states, “but kind of like split up now because of the park, right?” Family disconnections like these were a direct result of Park permitting policy and the 1944 membership transfer.

These changes occurred without the consent or willingness of Denésuliné residents and land-users. As MCFN Elder Mary (Cookie) Simpson states, “if they refused to transfer then [to the Cree band]...their park license and hunting and trappers license would be taken away...And so they had no choice. People had no choice.” She continues, “[T]hey took their people away like us!...they just moved us without our knowledge or without letting us know.”<sup>469</sup>

- **Disconnection from Denésuliné identity.**

As one interviewee explains, those who were transferred to MCFN in 1944 “were stripped of their Dené [identity]...they’re born Dené, however, they were stripped of it just over their homestead. And they had to transfer bands to another band. Which they really didn’t belong to in the first place.”<sup>470</sup> ACFN social worker Lori Stevens confirms that this disconnection profoundly affects not only MCFN members of Dené heritage but also ACFN members; the impacts on identity she identifies filter into the transmission of Denésuliné culture, traditions, spirituality and family dynamics. She describes this impact as materializing daily in her interactions with Elders from the community:

Just how, you know, mixed up people are because like Cree and Dene are two completely different people with different values, different family systems, the way that one is very maternal and one is very paternal, like I may not like it, but men have a higher say in Dene culture than women do. And then you’re switching these families into, again, different family structures. So those roles are different.

So where do those leave those people? What does it look like for traditions and medicines, prayer, spirituality? ...we are not the same and a lot of the Elders they’ll tell me, you know, ribbon skirts, like everybody’s buying ribbon skirts and everybody wants it. And the first thing they tell us is, ‘you can get that, you can show it for your ceremony, but that’s not our way.’

...I’m constantly hearing, ‘that’s not our way.’ ‘That’s not our way.’ And then it’s like, well, jeepers, like what is our way? Because it feels like, this is our way...but in my opinion, it’s because of that transition of some of those Dene people going to Cree, because now they’re muddled, and they’re passing on those traditions. And saying, like, ‘this is our way,’ but in reality, you know, 100 to 150 years ago, it wasn’t our way. So, that’s what I hear the most about is, ‘that’s not our way. That’s not our way. That’s not our way.’<sup>471</sup>

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<sup>469</sup> WBNP2021-Mary (Cookie) Simpson-03-11-21.

<sup>470</sup> WBNP2021-Anon01-03-11-21.

<sup>471</sup> WBNP2021-Lori Stevens-05-25-21.

She continues by describing more traditions that are affected by the forcible transfer:

our drumming. Our prayers, when we're giving thanks to the land, we do it differently. Medicines. So a big one that an Elder told me is...skunk pee? I don't know if you've ever heard of skunk pee. She was like, 'we don't use that. Everybody's using it. But that's not our medicine.' And I'm like, oh, thank gosh, because I'd never want to drink it. But, little things...little things that are popping up and then it's like, well, jeeppers, well, what is our identity? Okay, we don't pow wow but we tea dance and what are the dances for the tea dance? Who knows these tea dances because all we're seeing is pow wow right? So the jingle and the fancy, and that's not us. So it's kind of like well, what is us? What is the Dené people of Fort Chip? Because it feels like we're just so muddled, for lack of a better word.<sup>472</sup>

Lori explains that the disconnection from Dené ways and identity has had long-lasting impacts on mental, spiritual and emotional health and well-being in the community, which she witnesses daily in her professional role: “we see a lot of addictions, mental health trauma from just identity, where do I belong?...Like you're no longer who you are...So it...shows the mental, spiritual, emotional impacts [of]...uprooting them and changing everything about them.” She continues, “they'd have, probably a lot of stress of...one minute I'm this, next minute I'm not. So, I've definitely seen it. And you can see it in the compounding issues of what we see today with mental health issues or addiction issues, people just don't know where they belong. And this definitely plays into it.”<sup>473</sup>

Many ACFN members and Elders are working to reclaim their Denésuliné identity and address this profound and intergenerational impact of the membership transfer. As Lori explains:

there's a lot of them that are saying, 'that's not our way.' And they're not reprimanding. Like, I never felt like I was in trouble or anything like that. But [they] would just be like, 'that's not us. That's them.'

A lot of times I've gone, personally, I've gone back into research and going from oral history that was reported to storytellers long ago. So, what did it look like, you know, before 1950, 1925, 1900...it does kind of give you a sense of what the people were like. Like one guy, I can't remember his name, but he was talking about Peace Point. And he was talking about the Dené drums, 'the nights are filled with the Dené drums.' So, he specifically said the Dené drums, not Cree. And our drums are very much different, right? We weren't hauling around these big drums like they had, especially in the cold tundra, our area. ...and then also hearing from the Elders, there's a lot of them reconnecting with other Dené individuals who don't share the history

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<sup>472</sup> Ibid.

<sup>473</sup> WBNP2021-Lori Stevens-05-25-21.

of having to switch over or being so close to territory with Crees that, we're just lumped in together as all Indigenous people instead of two separate peoples...you see them taking the youth out to go to...Fond Du Lac and all these places to learn from their Elders. Their Dené Elders. So, there's a lot of people definitely trying to reestablish themselves and what it is to be a Dené individual.

Lori's testimony suggests that disconnection from identity has also had profound and long-lasting impacts on people who on paper are members of MCFN but by heritage are Dené. As Keltie Paul explains:

I think identity is our core. I think that they sold their identity, and they made them assume another identity...and it messes up with everybody's identity. 'Who am I really? Who am I?' People spend their whole life trying to answer these questions that become...a psychological problem, because people who lose their identities lose their footing, their space, their reasoning sometimes. Identity is our core. And when you just pick up and steal somebody's identity and then force them to live like somebody else, it's going to cause all kinds of psychological problems, networking problems, problems within families... You become something you're not and then somebody says, 'Well, if you're not this, I'm going to disown you.' I mean, that's a horrible thing to happen.<sup>474</sup>

According to many interviewees, the forced identity change resulted in deep emotional trauma. Chief Allan Adam confirms that separations from Denésuliné identity have had impacts on mental and emotional health and on the overall well-being of the community on both sides of the Park divide: "how much of Mikisew members suffered the burden that I suffer when our people got ripped apart? My heart just got torn...the struggle of being Mikisew Cree First Nation when their heart belongs to Dené...Knowing they belong to the Mikisew Cree First Nation but their identity tells them who they are. Their DNA tells different story."<sup>475</sup>

*"That's what I hear the most about is, 'that's not our way. That's not our way. That's not our way.'"*

*Lori Stevens, 2021*

Elder Joe Ratfat agrees. "I'm with the Mikisew Cree," he explains, "But I am Dené. Yeah, that's one of the things that happened to us. Yeah. Kind of messed me up all my life...those people changed my life without even asking." Some time ago, he requested to transfer back to ACFN but was denied by his band leadership at the time. He explains, "I just gave up and you know, accepted the fact that you know, on paper I am Cree. But my soul is Dene, and it will always be that way."<sup>476</sup>

<sup>474</sup> WBNP2021- Keltie Paul and Anonymous Elder-11-25-21.

<sup>475</sup> WBNP2021-Chief Allan Adam-02-02-21.

<sup>476</sup> WBNP2021-Joe (Ernie) Ratfat-03-19-21.

- **Loss of Denésuliné language.**

Another direct, intergenerational impact of Park policy and the 1944 band transfer was that some Dené families for generations afterwards began to speak Cree rather than Denésuliné as their first language. Combined with a decreased capacity to transmit knowledge, language and cultural practices through land-use, as well as the violent prohibition on Indigenous language use in residential schools, this impact has been widely felt in ACFN. Lori Stevens explains that disconnection from identity resulting from the membership transfer and permitting systems coincided with language loss. She states:

now you have all these individuals who have to identify as Crees, so they're all speaking Cree. So they're not passing down Dené. They were passing down Cree. And like you said, like a lot of those Indian Agents, they all spoke Cree because Dené is a hard language to learn, right. So more people were going with Cree than to speak Cree than to actually our Dené language...So yeah, there's not many, I can only think of a handful of people who actually speak it...I don't have anybody in my family close to me...I have cousins who are relearning it, but I don't have any Elder who speaks it.

Few fluent Denésuliné speakers remain in 2021, and language revitalization efforts are being keenly pursued by some Elders.

### Impact 3

**As a direct result of the 1944 forced membership transfer, the Band lost roughly half its population.**

As Elder Pat Marcel related, “So, what you see here is the government being guilty for forcible removal from the Park, but also reducing our membership, by forcing our members to join the Cree band. The numbers of the Cree band, right now to the present day, I would assume that almost half are of Dené descent and are Dené members.”<sup>477</sup>

This impact is multi-dimensional and has several layers:

- **Reduced government transfer payments for ACFN.**

A loss of ACFN’s band membership directly translates to reduced transfer payments to the Band for government services and infrastructure. As one interviewee explains, “when they forced the Chipewyan to become Cree, all of a sudden, the Cree bands have all these numbers...The more members you have, the more money you get, the more population you have, the more transfer payments you get. And all of a sudden the Cree had a whole bunch of people and the Chipewyan had very few people. Well, guess who got the money?”<sup>478</sup> Lori Stevens explains that this has direct impacts on services, programming and infrastructure in the community:

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<sup>477</sup> Marcel and Seegerts, “The Rights to Practice Our Treaty Rights,” pp. 18-19.

<sup>478</sup> WBNP2021-Keltie Paul and Anonymous Elder-11-25-21.

we're losing out on not only the connection but also the financial aspect of it as well, right? Like, there could be more programming dollars that could be supporting reconnection, and, you know, relearning our culture. But we don't have the federal dollars, we don't have the federal monies, those dollars attached to those people, right? So that aspect too, we were always considered such a small Band, but really, we weren't. There was tons of people...they were Dené, they just had to become Cree... I think that we've lost out on a lot because of the amount of members that they took away from us, financially<sup>479</sup>

- **Weakened political base.**

The loss of membership also negatively affected the band's political weight and bargaining power. In part, this is because the loss of membership led to a loss of potential leaders. Several Elders interviewed for this report named MCFN members of Denésuliné heritage who became MCFN chiefs, including at least five individuals who might have become leaders of ACFN if they or their families had not been transferred in 1944: Ernie and Steve Corduroy, Archie

MacLachlan, Isidore Simpson and Lawrence Vermillion.

*“if we didn't lose that many people to MCFN...most of Birch River area would have been included in our reserve land.”*

*Elder Charlie Mercredi*

Elder Charlie Mercredi explained, “I don't know if this will happen but if we do take back our members who are now MCFN we the ACFN membership would be bigger and we would have stronger voices in all negotiations...due to the loss of our members to ACFN we are a much smaller band and for that

we tend to have a weaker voice and get fewer benefits from the feds.”<sup>480</sup> He and other Elders held that if they had not lost membership and political power, the government might not have been able to evict them from Birch River, or would have returned the settlement to ACFN in later years: “Elder William Laviolette used to say if we didn't lose that many people to MCFN he was sure that most of Birch River area would have been included in our reserve land.”<sup>481</sup>

- **Exacerbated tensions between ACFN and MCFN.**

The permitting system, membership transfer and other Park policies exacerbated tensions between Cree and Denésuliné residents of the area and between ACFN and MCFN. Many community members feel the government arbitrarily privileged MCFN's claims to the Park over ACFN's throughout the history of the Park, and that this was a violation of the government's obligations to ACFN that are enshrined in Treaty. As Chief Allan explains:

When you go back to 1899, in the contents of the Treaty, prior up to it, all you hear is...the Dene people, the Dene people of the north, Dene people of Lake Claire, the Dene people of the Peace River, the Dene

<sup>479</sup> WBNP2021-Lori Stevens-05-25-21.

<sup>480</sup> Charlie Mercredi, Written questionnaire.

<sup>481</sup> Ibid.

people of this,' not too much mention the Crees. But after the park was created, not too much mention of the Dene, more talk of Cree. See how the narrative changed?<sup>482</sup>

While members generally maintain respectful relationships, resentment remains. Lori Stevens describes some animosity that exists because of the Park policies that seem to have privileged Cree over Dené claims and rights throughout the 20<sup>th</sup> century. Chief Adam explains, “You know, we were forced out here. We were forced out here for your guys [MCFN’s] luxury. You guys benefit off the backs of our ancestors...But I will respect your trapping rights. I will not bother to trap the fur-bearing animals here because that belongs to you guys. But I just want to hunt in field that was taken away from me...And that's, you know, that's what I tell them. So, the resentment [is] still there today.” Some ACFN members maintain that MCFN residents in the Park police the movements of ACFN members in and out of the Park. Leslie Laviolette explains, for example, “we have to sneak in the park to get in. And then when we do run into Mikisew members, ‘oh, you guys don't belong in the park, you guys got to get out and right away’ they phone...park wardens come and look for us, but they're already we moved because we knew already what was gonna happen.”<sup>483</sup>

Several Elders have pointed to the unfairness of specific government policy that privileged Cree needs and claims, for example by distributing bison meat rations only to Cree families and not to Dené families. One Elder who requested to remain anonymous explains, “the Crees were eating buffalos and us Dené were not eating nothing. We were good shots too.”<sup>484</sup> Another

*“The question that always haunts me is, why? Why were ACFN the sole losers in the creation of Wood Buffalo National Park?”*

*Leslie Wiltzen, 2021.*

Elder questions, “Don’t you think that the Dené people also ate buffalo meat? You know, didn’t Indian Affairs see the Dené people eat buffalo meat, not just the Crees? It just baffles me, what they do.”<sup>485</sup> Leslie Wiltzen summarizes:

That question always, always haunts me is, why? Why were ACFN the sole losers in the creation of Wood Buffalo National Park? Why have we been the sole losers? The Nation that have been asked to take the brunt to create Wood Buffalo National Park for the last 100 years? That's a question that I always think about. Why have we taken the brunt? Was there favoritism amongst the Cree band members?<sup>486</sup>

#### Impact 4

**Being denied their rights to enter and use their lands in the Park, community members’ mental health has suffered. To this day, fear and stress about entering the Park or**

<sup>482</sup> WBNP2021-Chief Allan Adam-02-02-21.

<sup>483</sup> WBNP2021-Leslie Laviolette-03-22-21.

<sup>484</sup> WBNP2021-Anon05-03-16-21.

<sup>485</sup> WBNP2021-Keltie Paul and Anonymous Elder-11-25-20.

<sup>486</sup> WBNP2021-Leslie Wiltzen-01-21-21.



**harvesting persist, as well as feelings of landlessness, disconnection, a loss of home, sadness and deflation. Community members’ testimony clearly demonstrates these long-term impacts.**

Leslie Wiltzen explains:

when I think of the Park, and I go back to when I was younger, we were scared to enter the Park...a lot of ACFN members still don't have that confidence to go out and...do on the ground what they did for 1000s of years because the federal government for too many years has said to us, you don't belong here. You don't belong here. So again, you know, the damages are still there. They're still felt...and I think in modern day...they're just as hurtful and hard to swallow as they were when they first occurred.<sup>487</sup>

On the intergenerational trauma of being uprooted and forced to move from one’s home, Keltie Paul explains:

They really uprooted an entire culture and took them from everything...[W]hen people go through a tornado, they come out in the landscape is gone, they go into shock. They just wander around the community, just shocking. And that's what it means to all people, is the landscape matters...and if someone comes and steals that from us, then I mean...that’s going to shock us for generations and generations because they've stolen, really paradise. They've stolen Eden from those people who had been there.<sup>488</sup>

*“the wind was taken out of my sails at the time. And I just, even today, I just I had no time for that place.”*

*Garry Flett, 2020.*

Garry Flett describes the feelings of deflation and sadness due to the Park’s prior refusal to allow him to harvest:

“You know what... the wind was taken out of my sails at the time. And I just, even today, I just I had no time for that place.”<sup>489</sup> Lori Steven describes what she has experienced as an “unsung rule”: “there's just this unsung rule of, you don't pass that boundary. Don't really know why or there's not given much of a definition as to why you can't, it's just, ‘you’re Chip Band and so you don't get to go there.’ Basically, you don't get to hunt there. You don't get to have your traveling there.”<sup>490</sup> Elder Alec Bruno remembers the deep pain the eviction and loss of her home caused to his mother, Helen Piché: “I mean, mom used to cry sometimes, wanting to go back there, nothing but the things she lost. She wanted to go back and see the gravesites too, her two boys and she wasn’t allowed to do that. Till today I always think about it, you know.”<sup>491</sup>

<sup>487</sup> WBNP2021-Leslie Wiltzen-01-21-21.

<sup>488</sup> WBNP2021-Keltie Paul and Anonymous Elder-11-25-21.

<sup>489</sup> WBNP2021-Garry Flett-12-03-20.

<sup>490</sup> WBNP2021-Lori Stevens-05-25-21.

<sup>491</sup> Transcript of interview with Alec Bruno, Dené Laws Project.

Some members carry resentment and frustration: “when the parks kicked them out, they just said ‘to hell with you’ and they went. You know, never even bothered trying to come back in because I just don't know of anybody that tried.”<sup>492</sup> Elder Alec Bruno summarizes the feeling of dislocation and landlessness eloquently:

Our people (ACFN) members probably felt like they didn't exist in reality, not only did they lose their rights to their traditions way of life they were told to leave the area of Birch River. Trappers were the ones that had the bigger loss they refuse to change bands, so they had no choice but to move elsewhere. This was their home base; families were raised from one generation to another.<sup>493</sup>

Furthermore, other Elders explained that even though Dené people are allowed to go in the Park now that the laws recently changed, a sense of caution and trepidation persists. One Elder states that people are still afraid to enter the Park, and they are keenly aware of ongoing surveillance as Cree residents and Parks officials watch who enters and exits the Park.<sup>494</sup> Similarly, ACFN social worker Lori Stevens describes feelings of fear that have persisted: “there's fear of hunting in the park. They don't want to get caught. They don't want the fines, they don't want to lose their boats or their quads or whatever piece of equipment they have. Because if they lose that, then they lose their ability to provide for their families. So, there is that fear for sure.”<sup>495</sup> Several interviewees recall being chased out of the Park or followed around, and many other Elders recall feeling fear any time they enter the Park or see a warden. Elder Alice Rigney describes a general loss of trust in white newcomers and governments. “one thing that happened because of the dislocation...and being evicted is loss of trust, once again...they lost trust [in] the white people again.”<sup>496</sup>

*“[We] will not go to the Park. I wouldn't even think of going to the Park...I mean, all our family, nobody goes to the Parks. Nobody.”*

*Anonymous Elder, 2021.*

### Conclusion

The impacts of the history of the Park's creation, expansion and management throughout the 20<sup>th</sup> century on the Denésuliné are complex and multidimensional. As numerous participants stressed during interviews, these impacts are direct and cumulative – compounded in a wider history of changes in Denésuliné territories after Treaty 8 –

and intergenerational, experienced by individuals, families and the community as a whole to this day. They touch on land use and sovereignty, band and family dynamics and health and well-being. The permitting system controlling access and land-use in the Park after 1926, the suite of strict harvesting regulations and powerful warden system, as well as a series of evictions and the 1944 band membership transfer had direct, profound impacts on Denésuliné people on both sides of the Park boundary. While the community's determination, resistance and resilience have ensured their survival throughout this history, the impacts are still keenly felt. In light of this,

<sup>492</sup> WBNP2021-Anon03-03-12-21.

<sup>493</sup> Alec Bruno, Written Questionnaire.

<sup>494</sup> WBNP2021-Anon04-03-16-21.

<sup>495</sup> WBNP2021-Lori Stevens-05-25-21.

<sup>496</sup> WBNP2021-Alice Rigney-03-17-21.

significant reparative action will be required, and the relationship between ACFN and Parks Canada will need to be transformed, in order to enact genuine reconciliation.

## Section 4 - Critical interpretations

In compiling the details of this history and its impacts, the researchers have identified a number of interpretative themes from their extensive review of the oral and archival evidence. Specifically, nine key interpretations of the historical events are outlined here.

### Interpretation 1

**The creation, expansion and management of Wood Buffalo National Park were violations of Denésuliné Treaty and Aboriginal rights enshrined in Treaty 8.**

*“I would like my brother Indian on the outside to know how the Treaty is being cheated with us...I want everyone to know that the White man has gone back on us, with his bargain with us.”<sup>497</sup> (Chief Jonas Laviolette, 1928).*

This interpretation has been clearly articulated by Denésuliné leaders, residents and land-users since the beginning of the Park’s history. It has been upheld in the oral record through generations. The Treaty protected Denésuliné rights to use and occupy their territories, ensuring they could freely move and harvest throughout the land as they always had done. It states: “they shall have right to pursue their usual vocations of hunting, trapping and fishing throughout the tract surrendered as heretofore described.”<sup>498</sup> As one Elder indicates, “when they signed the Treaty...we...still had the right to hunt and trap, fish, you know. Do gathering and all that. But then the government stopped that.”<sup>499</sup>

Indeed, throughout the history of the Park, Dené people watched over and over as this Treaty promise was broken. Especially with the expansion of the Park in 1926 and the new permitting system, the Band saw its Treaty rights summarily dismissed, eroded and violated. Elder Ray Ladouceur explains,

“Government just went ahead and did whatever it wants, eh?”<sup>500</sup> Elder Horace Adam confirms, “at that time, after the treaty was signed, and the federal government took over the National Park, so the Indigenous people didn't get access, so the park was stolen.”<sup>501</sup> From his years working for the Indian

*“Our parents and grandparents have told us that Treaty 8, signed by our Chief Laviolette in 1899, is an intergovernmental agreement that, in return for sharing our Traditional Lands, upholds our inherent Dené rights to land use and livelihood. ... We have never been properly consulted and the Federal and Provincial Governments have never accommodated our rights or compensated us for infringements.”*

*ACFN Elders’ Declaration, 2010.*

Association of Alberta’s Treaty and Aboriginal Rights Research team in the 1970s, Elder Jimmy

<sup>497</sup> Jonas Laviolette to Cornwall, February 1928, as cited in René Fumoleau, *As Long as this Land Shall Last: A History of Treaty 8 and Treaty 11, 1870-1939* (Calgary: University of Calgary Press, 2004), pp. 339-40, FN. 104.

<sup>498</sup> Treaty No. 8. <https://www.rcaanc-cimac.gc.ca/eng/1100100028813/1581293624572#chp4>.

<sup>499</sup> WBNP2021-Anon10-03-21-21.

<sup>500</sup> WBNP2021-Ray Ladouceur-03-18-21.

<sup>501</sup> WBNP2021-Horace Adam-03-19-21.

Deranger recalls many Elders taking this position on the Park. Throughout the TARR interviews, Elders reiterated:

the parks and the government they had no business to displace any First Nations that had used the park as their homeland long before anybody that came. They shouldn't have told us to leave just because they wanted to build a park for buffalos.<sup>502</sup>

Treaty historian René Fumoleau writes that the precedent for these violations actually occurred immediately upon signing. Pierre Mercredi, an interpreter for Treaty 8 who was present at Fort Chipewyan in 1899, recalled that there were actually two versions of the Treaty. The original version, which he witnessed and interpreted in Fort Chipewyan in 1899 for Denésuliné leaders, contained the provision that Dené people would maintain their rights to reside, harvest and move across the land forever. He maintains that a second version of the Treaty was sent to leaders later on; it contained the additional terms stating that the Denésuliné rights to “pursue their usual vocation” was restricted:

that they shall have right to pursue their usual vocations of hunting, trapping and fishing throughout the tract surrendered as heretofore described, *subject to such regulations as may from time to time be made by the Government of the country, acting under the authority of Her Majesty, and saving and excepting such tracts as may be required or taken up from time to time for settlement, mining, lumbering, trading or other purposes.*<sup>503</sup>

Mercredi maintained that this clause had been added after the fact: “When the copy came back, that second clause (that they shall promise to obey whatever hunting regulations the dominion government shall set) was in it. It was not there before.” He continued, “I have no doubt the new regulation breaks that old treaty. It makes me feel bad altogether because it makes lies of the words I spoke then for Queen Victoria.” Mercredi concluded, “The old Chief came to me and told me that I had spoken the words for Queen Victoria and they were lies. He said that if she had come and said those words herself, then, and broken them, she would have been an awful liar.”<sup>504</sup>

This added clause was used to justify Park and provincial policies that displaced, restricted and harmed Dené peoples long after the Treaty was signed. The late Elder Alec Bruno’s testimony clearly explains:

In 1899 treaty eight was signed between the Federal Government and the First Nation People. Our people were promised that as long as the sun raised, river flows and the grass grows the people will never be interfered with as to where they lived and maintained their way of life, traditionally their land will never be taken away from them, yet twenty

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<sup>502</sup> WBNP2021-Jimmy Deranger-03-22-21.

<sup>503</sup> Treaty No. 8. <https://www.rcaanc-cirnac.gc.ca/eng/1100100028813/1581293624572#chp4>.

<sup>504</sup> As cited in Fumoleau, *As Long as this Land Shall Last*, pp. 79-80.

some years later our people were told to leave their respected area and relocated elsewhere. As I see it the government had eradicated our people from their homeland just to be replaced by bison.<sup>505</sup>

Chief Allan Adam states, “Wood Buffalo National Park was created on infringement of treaty rights.”<sup>506</sup> Leslie Wiltzen confirms:

when you look at Treaty 8, when it was signed... our document that was signed in 1899 by Chief Laviolette, it clearly states that the Chipewyan Indians of the Athabasca River, Chipewyan of the Birch River, the Chipewyan Indians of the Peace River, the Chipewyan Indians of the Slave River and the Chipewyan Indians of Gull River...in 1899, we were told we’d be able to, to hunt, carry our traditional activities... So, when the treaty was signed, that was all assigned there saying that, that was ACFN traditional territory.

...Then all of a sudden...speed it up to 1926, we were told to leave...now we’re going to be excluded of all those areas that we signed treaty to in 1899. Now tell me if that’s breaking treaty... the treaty was broken. And that’s been clearly...stated in time and time again in oral history...Finally, we have a century of hardship that has occurred because of broken treaty, because of a broken treaty.<sup>507</sup>

Similarly, the ACFN Elders’ Declaration on rights to land use indicates: “Our parents and grandparents have told us that Treaty 8, signed by our Chief Laviolette in 1899, is an intergovernmental agreement that, in return for sharing our Traditional Lands, upholds our inherent Dené rights to land use and livelihood. ...We have never been properly consulted and the Federal and Provincial Governments have never accommodated our rights or compensated us for infringements.”<sup>508</sup>

The Park creation, expansion and management thus directly violated the terms of the Treaty. According to Francis Bruno:

Then the chiefs took the treaty money under the conditions that our way of life will not be curtailed by any regulations, that may prevent us from living our lifestyle. The commissioner had clearly stated that no curtailment of any regulations to prevent you from the natural way of life that you now lived...It doesn’t seem to be so now. There are regulations preventing us from living off the land.<sup>509</sup>

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<sup>505</sup> Alec Bruno, Written Questionnaire.

<sup>506</sup> WBNP2021-Chief Allan Adam-02-02-21.

<sup>507</sup> WBNP2021-Leslie Wiltzen-01-21-21.

<sup>508</sup> “Elders Declaration on Rights to Land Use,” 2010.

<sup>509</sup> Transcript of interview with Francis Bruno, interviewed by Jimmy Deranger, 7 February 1974, Treaty and Aboriginal Rights Research, Indian Association of Alberta.

Since the creation of the Park, Denésuliné leaders and land-users have repeatedly pointed out to the authorities these violations of Treaty, which were causing harm to individuals, families, and the entire community. The late Elder Pat Marcel's oral history shows the longstanding efforts of Dené chiefs to mitigate these harms.<sup>510</sup> Many argued that their Treaty rights should have been accounted for throughout the history of the Park, whenever decisions were being made about it or policy was being generated or revised. Some express the view that the creation of treaty-guaranteed reserves should have preceded the establishment of the Park, in order to protect Denésuliné rights, lives and land-use before traditional lands were annexed for bison preservation. Two interviewees confirm, "We believe that Treaty 8 supersedes the creation of the Park. Just so you know where we're coming from."<sup>511</sup>

*"We believe that Treaty 8  
supersedes the creation of the  
Park."*

*Keltie Paul, 2021.*

Because of the ongoing infringements and violations of Treaty that have characterized the history of the Park, some community members have concluded that the Treaty was in fact *not* proposed by Crown commissioners in good faith, but rather was an intentional means of cheating the local people out of their lands and resources. Elder Fred Deranger explains, "England, France, Netherlands...all

those people were already eyeing the land from Europe, so. I guess the treaty was used to further their insight into our territory."<sup>512</sup> But because Dené residents and leaders believed the Treaty promises were made in good faith, "Wood Buffalo is not what we expected from the newcomers."<sup>513</sup> Elder Alice Rigney confirms:

We survived 1000s of years before they came. And, my brother [Pat Marcel] used to say that, you know, they signed the treaty and saying...we'll take care of you...when all they wanted to do was exploit all our resources. When you think about it, that's what the treaty was. I mean, it was a real cruel way to trick the people...and trying to assimilate them into the white society...our say was not worth anything.<sup>514</sup>

Whether the Crown commissioners signed Treaty 8 in good faith or not, the consensus is clear across the oral history: the terms and promises of Treaty 8, especially the promise to protect Dené people's rights to move, live and harvest throughout their territories as they had always done, were violated through the creation, expansion and management of Wood Buffalo National Park. As Victoria Mercredi succinctly said in 1998, "They broke their word long ago."<sup>515</sup>

## Interpretation 2

**The Band did not consent to, and indeed actively protested against, the Park's creation, expansion and management in their territories. The Park administration largely overlooked or ignored their claims, protests and concerns.**

<sup>510</sup> See Marcel and Seegerts, "The Rights to Practice our Treaty Rights."

<sup>511</sup> WBNP2021-Keltie Paul and Anonymous Elder-11-25-21.

<sup>512</sup> WBNP2021-Fred Deranger-03-19-21.

<sup>513</sup> Ibid.

<sup>514</sup> WBNP2021-Alice Rigney-03-16-21.

<sup>515</sup> Transcript of interview with Victoria Mercredi, 20 Jan. 1998, tape 2, p. 45.

The Denésuliné residents, land-users and leaders were not meaningfully consulted or informed about the Park’s creation and expansion, the 1944 membership transfer, or changes to the permitting systems and harvesting laws that occurred throughout the 20<sup>th</sup> century. This lack of meaningful consultation was a key feature of the history of the Park. As the late Elder Alec Bruno summarized, “The Elders said they weren’t aware of WBNP being created...no government officials ever came to them for consultation or input from the trappers and hunters of the region. So this proves that they, the government didn’t intend to share this with our people. Trappers and hunters weren’t given any say in the formation of WBNP.”<sup>516</sup> Similarly, Elder Fred Deranger explains, “[T]hey came out of the blue...there was never direct dialogue between the [Park] people coming in and Denésuliné from Lake Athabasca... For 200 years we supplied them. We did everything for them. And they never consulted us.”<sup>517</sup> The oral historical records suggest that, if there was any consultation, Dené leaders were led to believe that lands taken up for the Park in 1922 and then again in 1926 were only being loaned temporarily to the government, and that the people would be able to carry on practicing their Treaty rights throughout the loaned Parklands without impediment.

*“The Elders said they weren’t aware of WBNP being created.”*

*ACFN Elder Alec Bruno, n.d.*

Furthermore, Dené leaders and land-users regularly protested against the Park, indicating that they had not consented, that their Treaty rights were being violated, and that the permitting system, evictions and harvesting laws were causing extreme suffering. They engaged in letter-writing campaigns, delegations, protests and petitions to protest the Park and express their needs and concerns. One protest letter, co-written by Dené and Cree chiefs in 1927, clearly articulates the concerns of leaders and land-users:

When we think of all these happenings it makes us look back upon the promises made to us when the Treaty was signed, and we feel that we are not complaining without just cause. If we live up to these laws, starvation stares us in the face; for the yearly payment of 5.00 to each of one [sic] us, and the small ration...are but as nothing when our hunting rights are interfered with as they have been in the past.<sup>518</sup>

Elder Pat Marcel’s oral history confirms that Dené chiefs worked tirelessly to draw government attention to, and mitigate, the harmful impacts of Park evictions and policy.<sup>519</sup>

For the most part, Parks administration denied, dismissed or outright mocked Dené claims and protests. For example, officials flippantly argued that “Every Indian who is not entitled to trap in this area is always ready to give advise [sic] and criticize Wood Buffalo Park management.”<sup>520</sup>

<sup>516</sup> Alec Bruno, Written Questionnaire.

<sup>517</sup> WBNP2021-Fred Deranger-03-19-21.

<sup>518</sup> Letter from Eustane Martin and William Whitehead, Cree Chiefs, to D.C. Scott, 5 July 1927, p. 2. LAC RG10, Vol. 6732, File 420-2B, Reel 8094.

<sup>519</sup> Marcel and Seegerts, “The Right to Practice our Treaty Rights.”

<sup>520</sup> A.L. Cumming to Gibson, 29 November 1940, LAC RG85, v. 1214, file 400-2-3, pt. 3, as cited in McCormack, “How the (North)West was won,” p. 232.



Others accused protestors of lying about their needs and faking hunger. One Parks official claimed that “With regard to an Indian starving, the word ‘starving’ with the Indians here, does not necessarily mean total hunger.”<sup>521</sup> They ignored treaty rights and claimed that the administration had given local Indigenous harvesters a special “monopoly” that white harvesters did not enjoy. O.S. Finnie claimed in 1926 that the laws governing access to the Park annex south of the Peace River “will practically make a monopoly for them. They may continue to hunt and trap, but no new-comers will be allowed to do so.”<sup>522</sup>

Evidently, the Parks administration saw no need to consult directly when making decisions or to respond to the challenges and concerns of Denésuliné peoples. Although the administration did allow a limited amount of Indigenous use in the early history of the Park, it only did so due to

*“When we think of all these happenings it makes us look back upon the promises made to us when the Treaty was signed, and we feel that we are not complaining without just cause.”*

*Letter from local chiefs to Indian Affairs officials, 1927.*

pressure from Indian Affairs, who feared that Northern harvesters, with little suitable arable land to transition to an agricultural lifestyle, would have no alternatives and would become dependent on state support. Thus, most changes to Park policy that appeared to be in favour of Indigenous needs and concerns were more likely implemented with federal cost-savings in view. The general lack of meaningful consultation continues to characterize the Park’s interactions

with ACFN members to this day. One Elder, who requested anonymity, complains that even though Parks administration are in close proximity to the community and Band leadership, they still do not discuss their plans or actions adequately with community members: “they never say nothing about the parks. They’ve got a big brown building here in Chip...and they don't approach us and say anything. You know what I mean?”<sup>523</sup>

### Interpretation 3

**The Parks administration re-framed Denésuliné rights as “privileges” and, through active enforcement of the permit system and regulations, criminalized Denésuliné rights in the land and waterways overtaken by the Park.**

*“the Federal and Provincial Governments have never accommodated our rights or compensated us for infringements.” (ACFN Elders, 2010).<sup>524</sup>*

Especially once the new permitting system was established after 1926, parks administrators re-framed Dené rights in their own territories as privileges to be granted by the state.<sup>525</sup> This attitude was a driving characteristic of the history of the Park. When proposing the Park in the 1910s and 1920s, Maxwell Graham contended that only “a few” Indigenous locals regularly hunted in the area, and that the majority did “not possess any special rights entitling them by

<sup>521</sup> Secretary MacInnes to Deputy Commissioner Northwest Territories, 7 June, 1938, LAC RG85, v. 1213 File 400-2-3, p. 1.

<sup>522</sup> O.S. Finnie to R.A. Gibson, 18 June 1926, p. 1. Archival source unknown. Copy of memo available at ACFN community archives, Fort Chipewyan, Alberta.

<sup>523</sup> WBNP2021-Anon05-03-16-21.

<sup>524</sup> “Elders Declaration on Rights to Land Use,” 2010.

<sup>525</sup> This view is also pointed out in Peterson, “Exploring the Egg Lake.”

treaty to hunt through that territory.”<sup>526</sup> Similarly, fur supervisor R.I. Eklund stated in 1955, since “Wood Buffalo Park is a National Park as is Elk Island, Banff and Jasper, it is my humble opinion that hunting, trapping or fishing by any person, whether Treaty Indian or not, is a privilege and not a right.”<sup>527</sup>

By re-framing rights as privileges granted by the state, the administration ultimately criminalized the practice of Denésuliné treaty rights within the Park. Over time, park wardens and administrators enforced access and harvesting rules with varying levels of severity, which excluded those Denésuliné harvesters who were not granted “privileges” by the administration.

Most interviewees confirmed that Dené people were often forced to break the rules because they and their families were starving and they had no choice. As Leslie Wiltzen states, “you risk being...criminally charged from the federal government...through the warden services for doing activities like that.”<sup>528</sup> If they were caught

practicing their rights in the Park, they faced serious penalties, including fines, arrest, hard labour or – perhaps worst of all – permit revocations. By re-framing rights as privileges, the Park entrenched the historical trend of refusing to “uphold [the government’s] end of the Treaty” or to accommodate Dené rights.<sup>529</sup>

In the end, this granted a great deal of power to the Park administration to control Denésuliné lives and land use in a portion of their territories. As one Elder questioned: “Like now, I’m baffled, who’s the park? And how come they got to own Dené Nation land? And this control?...And they’re in control, I’ll tell you that much.”<sup>530</sup>

*“the Federal and Provincial Governments have never accommodated our rights or compensated us for infringements.”*

*ACFN Elders, 2010*

#### Interpretation 4

**The park administration prioritized preserving and conserving animals over human lives. Its preservation and conservation policies were steeped in the racialized rhetoric about Indigenous land use common to the time.**

*“There are lots of men here looking after the buffalo, no one looking after us...No one seems to care if we starve or not.” (Chief Jonas Laviolette, 1927).<sup>531</sup>*

Throughout the history of the Park the administration’s mission to protect bison and to conserve fur-bearing animals usually trumped Denésuliné rights (which had been re-framed by government officials as privileges), and often took precedence over the dire need of those experiencing economic hardship and starvation after being removed from the Park. Administrators believed Indigenous harvesters were irresponsible and reckless and would

<sup>526</sup> Maxwell Graham to O.S. Finnie, Memorandum, “Statement as to the Causes that Led Up to the Creation of the Wood Buffalo Park,” LAC RG85 Vol 1213, File 400-2-3, v. 1, p. 3.

<sup>527</sup> R.I. Eklund to R.F. Battle, 4 January, 1955, R.I. Eklund to Regional Supervisor of Indian Agencies, 4 August, 1954, LAC RG10 Vol. 8409, File 191/20-14-1, pt. 2.

<sup>528</sup> WBNP2021-Leslie Wiltzen-01-21-21.

<sup>529</sup> “Elders Declaration on Rights to Land Use,” 2010.

<sup>530</sup> WBNP2021-Anon05-03-16-21.

<sup>531</sup> Chief Jonas Laviolette to Indian Affairs, 20 February, 1927.

contribute to the extinction of endangered species. Thus, Indigenous presence in the Park was seen as incongruous with its intention to preserve and conserve animals. Park planner O.S. Finnie's words in 1925 clearly summarized this view: "[a]s long as they are permitted to enter it will never be a sanctuary...we will be in constant suspense regarding fires and the killing of buffalo, and the wild life of course will seriously suffer."<sup>532</sup>

Thus, as the late Elder Alec Bruno stated, "As I see it the government had eradicated our people from their homeland just to be replaced by bison. This is unacceptable at any given time – the government had more concern for the animals than they did for our people."<sup>533</sup> Chief Allan Adam states, "they brought in the buffalo and they gave all the rights to the buffalo. The buffalo were protected more than anything else and we were pretty much...save the buffalo, shoot the Dene."<sup>534</sup> Similarly, Keltie Paul confirms, "In a lot of ways, they sort of put the bison very much ahead of the people, their livelihoods, their belief system, and ways of knowing, the ways of knowing that was passed on to their children, their culture, everything."<sup>535</sup>

*"An animal is not worth more than a human. Everybody knows that."*

*Louis Boucher, 1974.*

## Interpretation 5

### **Park policy privileged Cree over Dené rights, needs and concerns.**

ACFN members have questioned why the government appears to have privileged Cree claims to the lands in the Park over Denésuliné claims, even though the Treaty clearly states that the lands and waterways within the Park had belonged to the Denésuliné. They question why most of the Cree band was successful in retaining residency and harvesting rights in the Park after 1926, while more than half of the Chipewyan band was denied and evicted, and the other half eventually transferred to the Cree band in 1944. Chief Allan explains:

When you go back to 1899, in the contents of the Treaty, prior up to it, all you hear is...'the Dene people, the Dene people of the north, Dene people of Lake Claire, the Dene people of the Peace River, the Dene people of this,' not too much mention the Crees. But after the park was created, not too much mention of the Dene, more talk of Cree. See how the narrative changed?<sup>536</sup>

One Elder wonders: "the big question is, why? Why were the Crees given preferential [treatment]?"<sup>537</sup> This policy position exacerbated tension between the Cree and Chipewyan Band and led to divisions within the Band and within families. As Leslie Wiltzen states: "we go back to that expansion of Wood Buffalo National Park and for some reason...the Chipewyan people took the brunt. It's our traditional territory... you know, we've got documentation that...verifies that Dené people have been in that area for tens of thousands of years ... but still Mikisew was

<sup>532</sup> O.S. Finnie to Gibson, 9 December 1925, LAC RG85, Vol. 1213, File 400-2-3, v. 1.

<sup>533</sup> Alec Bruno, Written Questionnaire.

<sup>534</sup> WBNP-2021-Chief Allan Adam-02-02-21.

<sup>535</sup> WBNP2021-Keltie Paul and anonymous Elder-11-25-21.

<sup>536</sup> WBNP2021-Chief Allan Adam-02-02-21.

<sup>537</sup> WBNP2021-Keltie Paul and anonymous Elder-11-25-21.

allowed to stay...like I said, Mikisew greatly benefited ...when ACFN was removed from the Park because it became solely their territory.”<sup>538</sup>

## Interpretation 6

**The allowance of some industry/commercial activity within the Park while Dené people were denied the ability to practice their harvesting rights and stewarding responsibilities was arbitrary and contradictory.**

National Parks scholars Youdelis et. al. note in their sweeping summary of parks displacements in Canada, that this is a common theme across national park history. Indigenous land-use activities and economic pursuits were often severely restricted by Parks Canada while other forms of economic activity, primarily undertaken by non-Indigenous people and businesses, were deemed acceptable (e.g., development of hotels and restaurants in park boundaries).<sup>539</sup> Furthermore, restrictions or exclusions on Indigenous lifeways have remained the norm within Parks, while “nearly unbridled” extractive activity continued throughout the 20<sup>th</sup> century in lands immediately adjacent to Park boundaries.

These contradictory and seemingly arbitrary distinctions between Indigenous and non-Indigenous economic activities, and between extractive activities on either side of Park boundaries, were key features of the history of WBNP. For example, commercial fishing by several large Canadian fisheries was permitted in some of WBNP’s lakes for much of the 20<sup>th</sup> century, and a bison slaughter program that commercialized bison meat in the 1950s and 1960s allowed sports hunters to slaughter bison each year for export to the south for provincial revenues. Meanwhile, subsistence harvesters were (and still are) prohibited from hunting a bison to feed their families and communities. Additionally, one Elder explains that largescale timber extraction was permitted in some parts of the Park, with lumber mills operating in the 1960s and 1970s, but Denésuliné families evicted from the Park were not allowed to harvest small amounts of timber to heat their homes.<sup>540</sup>

Although industrial and commercial development sometimes afforded wage labour opportunities to displaced Dené residents, they ultimately appear incongruous with the preservation and conservation policies on which the Park was founded. They also arbitrarily favoured economic activity primarily undertaken by settler industrialists and business-owners over the subsistence needs and economic activities of local Denésuliné peoples. Furthermore, 20<sup>th</sup> century commercial and industrial activity often placed more pressure on Indigenous lands, waters and people (e.g., by depleting fish stocks or extractive industries polluting waterways), and put Indigenous harvesters and economic practices at a significant disadvantage.<sup>541</sup> Thus, the impacts of these activities compounded the difficulties

*“How come a white man can shoot a buffalo and the Dené can never really shoot one?”*

*Anonymous ACFN Elder, 2021.*

<sup>538</sup> WBNP2021-Leslie Wiltzen-01-21-21.

<sup>539</sup> See Youdelis et. al., “Wilderness’ revisited.”

<sup>540</sup> WBNP2021-Keltie Paul and Anonymous Elder-11-25-21.

<sup>541</sup> See, for example, Youdelis et. al., “Wilderness’ revisited: Is Canadian park management, moving beyond the ‘wilderness’ ethic?” *The Canadian Geographer* (2019): 2.

Dené people were already facing after being evicted from the Park, even while governments claimed their actions were being undertaken for the people's "own good."

### Interpretation 7

**The Park's creation, expansion and management throughout the 20<sup>th</sup> century led directly to a number of multilayered, intergenerational impacts, with which the community is still dealing with today.**

The wide-ranging and intergenerational impacts of the Park on Denésuliné individuals, families and community as a whole have been outlined in detail in Section 3. The archival and oral evidence suggests direct correlations between Park policy and the deprivation, starvation, family separations and loss of land that Dené people suffered in the 20<sup>th</sup> century. As Chief Lavolette stated, "If this country had been left to us here there would still be fur today and we would not be so poor and miserable today. Thirty years ago it was a fine country because just the Indians lived in it."<sup>542</sup>

Evictions from the Park after 1926, the restrictive permitting system, and the powerful warden system that enforced them, as well as a suite of restrictive game regulations throughout the 20<sup>th</sup> century, led directly to an erosion of Denésuliné sovereignty over the land and water, as well as to hunger and economic hardship. Dené residents and land-users lost access to their land-based ways of living and were removed from their homes, harvesting areas and belongings. Park policy, especially the permitting system that was largely exclusive of Dené people, led directly to separations within the community and even within immediate families. The forced transfer from the Chipewyan Band to the Cree Band in 1944 further divided the community and strengthened existing divisions that had resulted from the permitting system that excluded many Denésuliné families and harvesters from the Park. Several Elders and community members shared their personal testimony about the harmful effects of this transfer: families were "ripped apart," Dené people were stripped of their language and identity, and many were unable to live off the land and water after some time. They struggled for generations thereafter with these losses.

Furthermore, the gradual movement from land-use to town-life was a direct impact of the Park with intergenerational implications. It led to a loss of Denésuliné language speakers and land users, and an interruption of the transmission of land-based knowledge and practices. These intergenerational impacts are directly linked to Park policy. Ultimately, with free access to their traditional territory in the Park, and increased capacity to practice land use, rights and sovereignty and kinship connections, Denésuliné people who were forced outside of the Park might not have faced such severe loss, deprivation and trauma.

### Interpretation 8

**The direct impacts of the Park were also compounded and intensified in the context of Canadian colonization, elimination and cultural genocide. The Park was one major source of transformation among others that worked to remove Denésuliné peoples from the land, sought to eliminate local languages and cultural practices, and separated Indigenous families throughout Northern Alberta.**

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<sup>542</sup> Chief Jonas Lavolette to Indian Affairs, 20 February, 1927, p. 3.

The Park’s history and impacts must be understood within a wider historical context. In addition to the direct impacts mentioned in Section 3 of the report, indirect and cumulative impacts of Park policy resulted from a wider history of colonization of Denésuliné lands through settlement and industry, environmental changes (e.g., the destruction of the fur economy in the Athabasca Delta after the construction of the W.A.C. Bennett Dam in 1967) and cultural genocide (e.g., at Holy Angels Residential School) taking place in Indigenous lands in Northern Alberta.

As noted in *Footprints on the Land*, “The history of the ACFN describes an originally healthy and relatively affluent society that over the last 250 years – since the arrival of the European fur trade – has been colonized and disenfranchised and has been losing traditional lands.”<sup>543</sup> By “eliminating” Indigenous peoples from the land, as Patrick Wolfe explains, colonial displacements and forced assimilation made room for the growth of the settler state in

Denésuliné territory in what became Northern Alberta.

*“They're trying to take them all and put them someplace else so that they can do whatever they want to with the land... they look west and you know what they see? Empty land. They see empty land because they don't consider the First Nations' ...claim to it all.”*

*Keltie Paul, 2020*

The violation of treaty rights, the forcible removals, the 1944 transfer and the imposition of conservation law, were extensions of this wider history. In many cases, colonial policies and processes were supported by racist ideologies that positioned Euro-Canadian ways of living and land-use as the ideal, and Indigenous people’s land-use as “backwards.” These policies went hand-in-hand with

residential schools, which were intended to “assimilate” people into the idealized colonial culture. Displacing Indigenous people from their territories through residential schools and Park policy allowed the state to “use” and “develop” the lands that they perceived to be wasted by Indigenous residents. As Keltie Paul explains:

They're trying to take them all and put them someplace else so that they can do whatever they want to with the land... they look west and you know what they see? Empty land. They see empty land because they don't consider the First Nations' ...claim to it all. They see empty land in which they can put in industry, put in brick making companies. They can run a railway across. They can bring in settlers...I think they just didn't, they thought 'empty land.' Which is based again on very faulty belief system. And racism.<sup>544</sup>

Elder Jimmy Deranger indicates the damage of residential schools and of the wider belief system Keltie describes:

Yeah, there was pain at that time...the young generation never got to understand it because they were in a residential school...all the land

<sup>543</sup> ACFN, *Footprints on the Land*, p. 9.

<sup>544</sup> WBNP2021-Keltie Paul and Anonymous Elder-11-25-21.

knowledge was never given to them, traditional land-use knowledge of the resources, the living resources were never given to them. Only in pieces. But not the full.<sup>545</sup>

In these ways, Park policy, the discourses that supported it, and the wider context of racism, colonialism and cultural genocide all worked together to displace, harm and disempower Denésuliné peoples in their own lands. Chief Allan Adam states: “It was all part of it. Everything, everything played into it...residential [school] was created there to take the people off the land and everything because the government knew that land was full of resources...the Dené people were very healthy at the time.”<sup>546</sup>

### Interpretation 9

**The new co-management strategies of Parks Canada and WBNP are not doing enough to fix the problem. A public, formal apology, and specific retributive action will be required to move forward in a true spirit of reconciliation.**

Much secondary literature discusses the limitations of cooperative/co-management or reconciliation efforts in other Parks Canada contexts.<sup>547</sup> Community members and Elders interviewed for this research have indicated that the Park’s current co-management strategies are not adequate to meaningfully address the Park’s violent, fraught history and its direct and cumulative intergenerational impacts on Denésuliné peoples.

Denésuliné people living outside the Park continue to be on the periphery of discussions and co-management schemes. By the time the new management era of the 1970s began, they had already suffered significant, irreparable damage. Attempts to increase Indigenous representation on management boards were notable, but insufficient in light of this long-term, intergenerational damage. To many ACFN participants, reconciliation efforts also appear disingenuous, reflecting conciliatory talk more than transformative action.<sup>548</sup> Chief Allan Adam’s words summarize this view well:

Now...they're coming up to 100-year anniversary, they want ACFN to participate...And yet, all the years prior they did not want ACFN to participate in anything...and it's hard, you know, it's hard to look at all these things and now Wood Buffalo National Park they want to open up the park... They want to welcome the world they said to come to Wood Buffalo National Park to see how beautiful it is. But not knowing the history...what they've done to our people...

[W]hy would we agree, as ACFN? Wood Buffalo National Park for gaming and hunting rights that you've taken away from us in 1922, why would we agree to open the park to all tourism and let the people

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<sup>545</sup> WBNP2021-Jimmy Deranger-03-24-21.

<sup>546</sup> Zoom interview with Chief Allan Adam. 2 February, 2021.

<sup>547</sup> See for example: Youdelis, et. al. “‘Wilderness’ revisited,” and Megan Youdelis, “They could Take You out for Coffee and Call it Consultation!”: The Colonial Antipolitics of Indigenous Consultation in Jasper National Park,” *Environment and Planning: Economy and Space* 48, no. 7: 1374-92

<sup>548</sup> Pat Marcel and Arlene Seegerts, “The Rights to Practice our Treaty Rights.”

flood the park when you do not want ACFN back into Wood buffalo National Park? Why would we agree to anything when there was no formal, formal apology in regards to how they handled ACFN back in the day?<sup>549</sup>

Extensive oral testimony contains perspectives that extensive, reparative action and justice will be required to transform the situation before reconciliation with Parks Canada is ever possible. Elders and community members interviewed for this report repeatedly stated that Parks Canada must move past its current co-management system to truthfully and publicly acknowledge the history of harm it perpetrated against Denésuliné people since 1926. The government must apologize publicly upon this acknowledgement, and then agree to compensatory and reparative action as defined by ACFN Elders, members and leadership.

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<sup>549</sup> WBNP2021-Chief Allan Adam-02-02-21.



## Conclusion

*“Why do you need that park anyway? I just don’t think they need it. All it does is, just been a burden to people that used the park as their homes or traditional territories...They just put barriers in places. I don’t think they’re required anymore...”*

*I’m not a big fan of Wood Buffalo Park because...it hasn’t done me any good. And matter of fact it still bothers me that they did this to people.” (Garry Flett, 2020).<sup>550</sup>*

*“Before that, they were free. We just want to be free. That’s what the motto was at the time, you could say motto but, it’s a principle, eh? We just want to be free. It’s right in Treaty 8, we just want to be left alone. We just want to be free. We just want to be free on our lands. We just want to be free on our traditional lands.” (Jimmy Deranger, 2021).<sup>551</sup>*

The history of relations between WBNP and the Denésuliné of the region since the Park’s creation is fraught and complex. In 1983, the Park gained international notoriety after it achieved UNESCO status as a World Heritage Site, because of its significant bison range and its population of endangered whooping cranes. Yet, historian Jonathan Sandlos writes that the designation celebrates the Park’s “unique natural history” but ignores its “more ambiguous human heritage: the litany of injustice inflicted” on Indigenous locals. This is particularly the case for those Denésuliné families who were expelled from the Park and separated from their families after 1926 – this litany of injustice against the Denésuliné throughout the history of the Park has gone unrecognized and unacknowledged by Parks Canada and the wider Canadian public.<sup>552</sup> This history had significant, damaging and intergenerational impacts on these families and the community as a whole, which are still experienced to this day.

This report has detailed the complex history of Wood Buffalo National Park’s relation to the Denésuliné peoples whose lands and waterways it takes up, also outlining the extensive, intergenerational impacts of this history and the community’s interpretations of events and policies throughout the 20<sup>th</sup> century. The Park’s “ambiguous human heritage,” especially its treatment of Denésuliné residents, land-users and community, is clearly evident across the extensive archival and oral evidence reviewed in preparation for this report.

*“an apology without making things right, I mean, you got to make something right...you think an apology is going to change the past, if there’s no action associated with it?”*

*Leslie Wiltzen, 2021.*

Acknowledgement of the history, impacts and interpretations are necessary if Parks Canada intends to embark on the journey of reconciliation with ACFN. Indeed, substantive, specific and meaningful action will be required to amend the relationship between ACFN and WBNP in the spirit of reconciliation, and to ensure adequate compensation for the loss and trauma the community faced throughout the 20<sup>th</sup> century and into the present. In their oral testimony,

<sup>550</sup> WBNP2021-Garry Flett-12-06-21.

<sup>551</sup> WBNP2021-Jimmy Deranger-03-24-21.

<sup>552</sup> Sandlos, *Hunters at the Margin*, p. 108.

community members have articulated the shape they believe this reparative action by Parks Canada must take. Their recommendations are appended to this report in a list of direct quotations from interviews, in Appendix 4. This testimony repeatedly suggests that Parks must first address the “litany of injustice”, and then attend, humbly and in good faith, to the Band’s recommendations for reparation. If reconciliation between Denésuliné and Parks Canada is ever to be a possibility, acknowledgement of and compensation for the long history of irreparable damage detailed above is the first, critical step.

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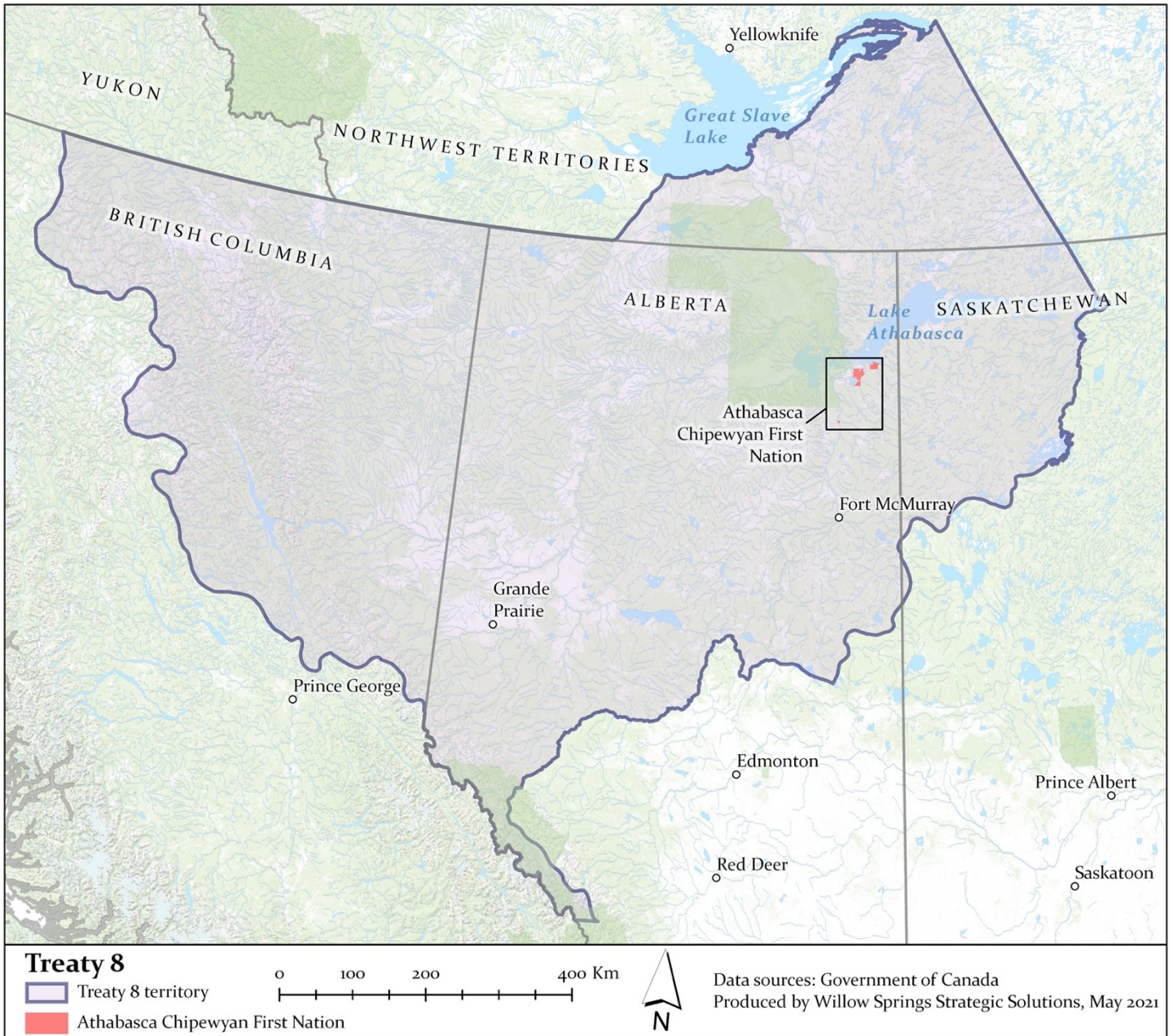
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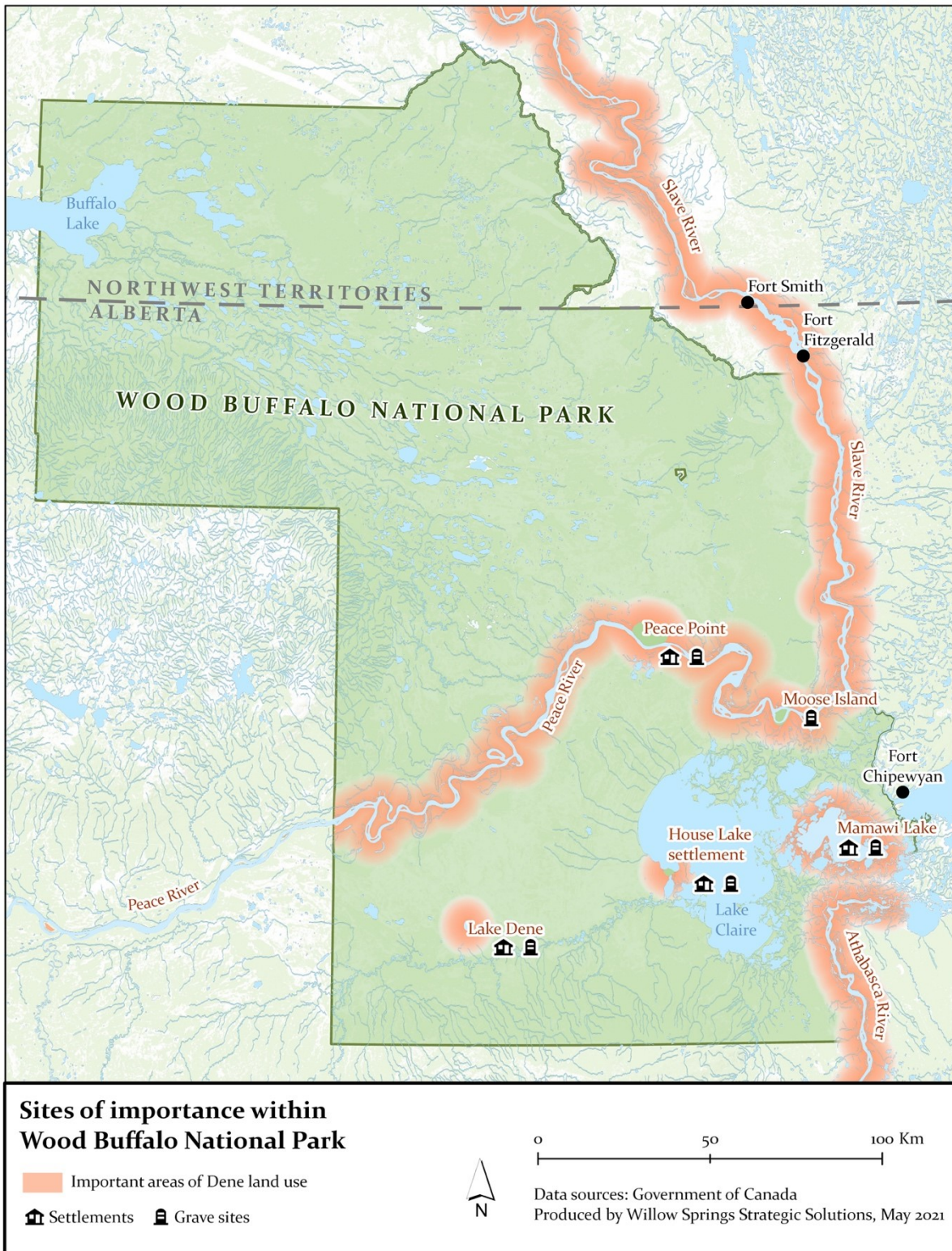


# Appendix I: Maps

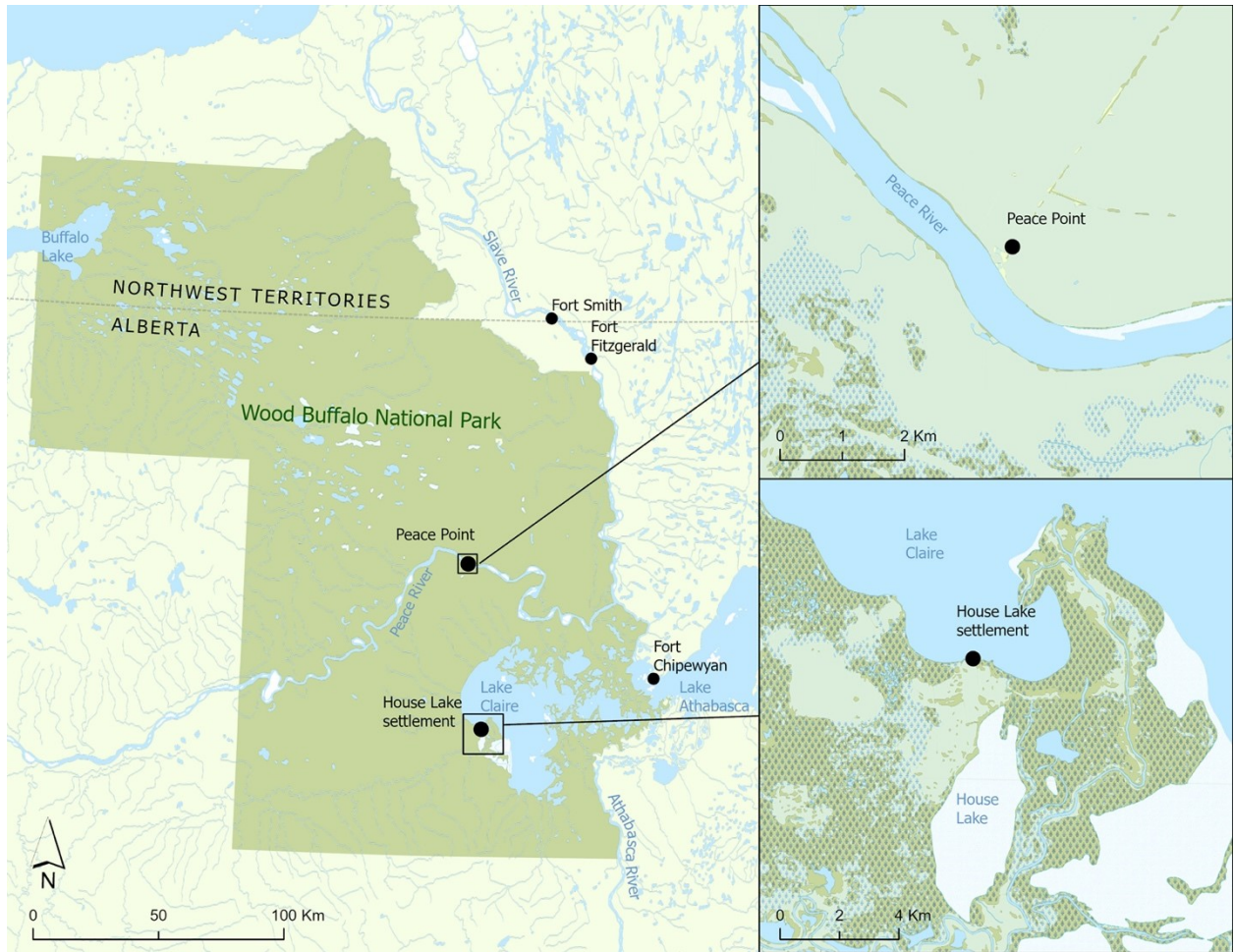
## Map 1: Map of Treaty 8 Territory



Map 2: Map of sites and areas of importance within Wood Buffalo National Park, as identified in member interviews and archaeological research



Map 4: Denésuliné settlements at House Lake and Peace Point



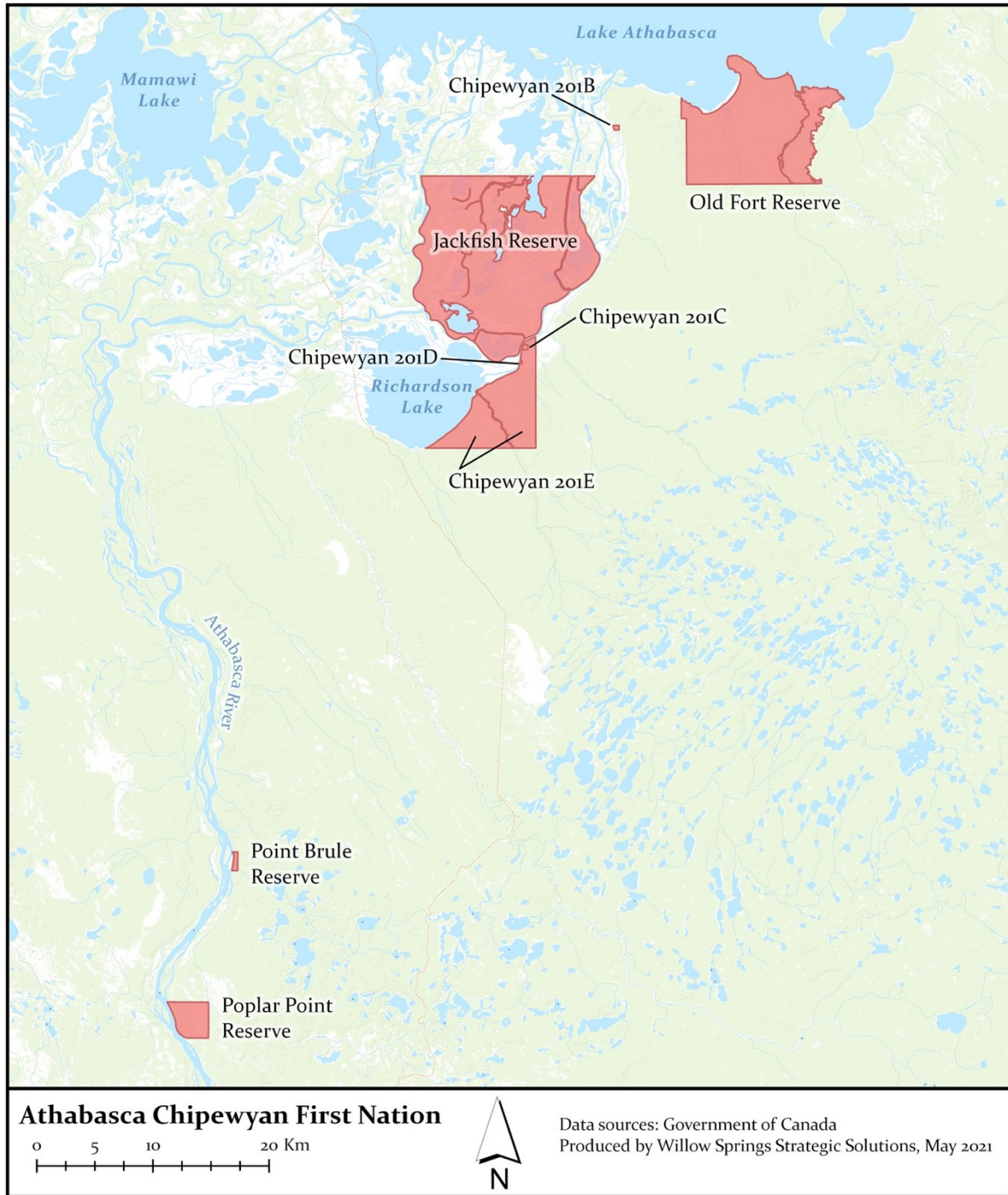
Map 5: Park Boundaries, 1922 & 1926



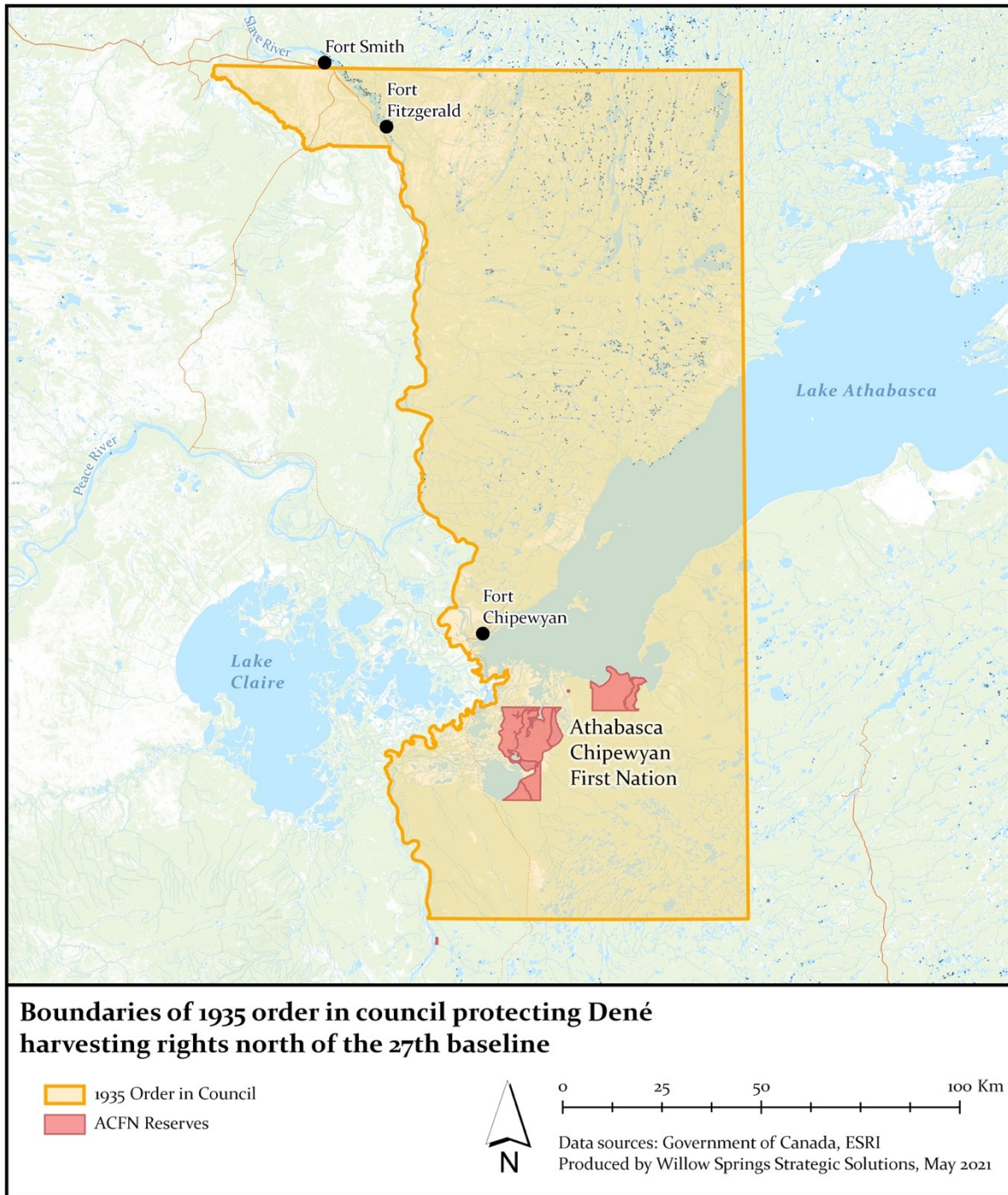
Map 6: 3 Permitting zones in Wood Buffalo Park, 1926+



Map 7: ACFN 201 Reserves



Map 8: Boundaries of the harvesting preserve established in 1935 (O.C. 298-35).



## Appendix II: Elder René Bruno's Oral History of Treaty 8 - Extract

ACFN Elder Rene Bruno, whose grandfather Alexandre Laviolette was a Dené Chief and original signatory of Treaty 8, shared his oral history of the Treaty in February 2010 with Nicole Nicholls (ACFN Industry Relations Corporation). This was related to him by his mother, who was present at the signing of Treaty 8. He spoke in Denésuliné, and Elder Arsene Bernaille translated it to English. The oral history is quoted at length here:

*At the time they signed the Treaty, the missionaries were already here for 50 years. Lots of people already knew how to read and write. When the missionaries came, they taught everyone how to read and write in syllabics – they (the Old People) were pretty good [at it]. They knew that the Treaty was coming way before the Treaty was signed. All the people gathered here at Ft. Chip when it was time to sign it...there was a nice gathering place, high ground, a beautiful place. That's where they signed the Treaty. When they signed the Treaty, the water was really high, all the way up to here. It was 1899 in June.*

*The commissioner was here. It took them four days before they signed the Treaty because it took them a long time. Scared they would go to jail or something like that. The Commissioner said Queen Victoria sent him to sign the Treaty with the Native people. When his Grandfather was going to sign the Treaty, he said everything had to be written down – not just talked about before it was signed. The Commissioner's name was Conroy. His Grandfather knew how to write in syllabics – that's how he signed his name...*

*When they signed the Treaty, the Government made a lot of promises to the Native people but nothing has been done. A lot has been broken – like paying tax, paying for medicine. It should not have happened like that. His grandfather told the Government "I don't want you to take away the land. As long as the sun is rising here, the river flowing, the lake is here and the grass is growing, nothing will change." That's the kind of Treaty they made.*

*The Commissioner said: "Queen Victoria has sent me, I didn't come by myself." When they signed the Treaty, the Commissioner told them, "you live off this land – the fish, the fur-bearing animal, the timber. You don't have to pay anything in that because this is your land. Plus, you don't have to pay land tax because this is your land." The Commissioner told them, "we'll share this land between you and me. We'll never take away the land, we'll share. We could share the land". The Commissioner gave them uniform – "as long as you use this uniform you'll have power, just like government. As long as you have the uniform, you'll be just like the government of this land."*

*...It took them four days before they signed it. The Chief gave the Commissioner a rough time. You see the land as far as you can see, you live on that land, it's your land. That's why we say this is Denésuliné territory, why we say we own this land. Because the Commissioner said we would share the land because that's the deal that was made. Treaty is a powerful thing and oil*



*companies don't know nothing about it...The Commissioner pointed to the east, the north and south and said you control all that land.*

*...But where's ours? Where's our land? They were going to share it, that's what they told them. That's the kind of agreement that was made. As long as the sun shining, river flowing and grass growing.*

*They are breaking it now. That is what's happening...*

*When they signed the Treaty, the way the Government made the promise, they government told them, "I'll promise you cows and plow, we'll give you a ration for food and all the tools for garden" but they've never seen that yet today. Over 200 years now. That's what those Native people are fighting for now.*

## Appendix III: Historical timeline

Year	Detail/Event
Time immemorial	Denésuliné people are occupying, residing and using their traditional territories, including the lands eventually taken up by WBNP, since time immemorial. This includes establishing settlements every year for subsistence and social purposes, including at House Lake and Peace Point.
Late 1700s	House Lake and Peace Point settlements become more permanent and grow as a result of the Northern Alberta fur trade.
1867	<i>British North America Act</i> – the Dominion provides provinces the right to manage game.
1894	<i>Game Preservation Act</i> – Bans all bison hunting between Slave and Peace Rivers south of Great Slave Lake. Lasts till 1912.
1898	Dené hunter Francois Byskie arrested and charged with killing two bison near Lying Wood Mountain because he and his family were starving.
1899	Signing of Treaty 8 – Promises to create reserves, and contains a clause that Treaty Bands would be “free to hunt and fish after the treaty as they would be if they never entered into it.”
1905	Alberta becomes a province.
1911	Dialogue begins between Maxwell Graham, O.S. Finnie and James Harkin about creating a bison sanctuary, as the provisions of the bison ban (1894) no longer apply.  Game warden program begins.
1911-1916	Park planning, and severe opposition from Chiefs, Indian Affairs and missionaries.
1913-1922	Periods of famine in Dené territory.
1916- 1920	Bison sanctuary planning halted due to pushback from Indian Affairs.
1916	Migratory Birds Convention Act – imposes game season (March-September) and bans egg collecting. Closed season on some birds altogether, from 1916-1926.
1919-1922	Influenza and smallpox epidemics. Chief Alexandre Laviolette dies of the flu in an Edmonton hospital. Jonas LaViolette takes over as Chief.
1920	Advisory Board on Wildlife Protection passes a resolution calling for the creation of a national park on the northern bison range.
1922	Formation of Wood Buffalo Park by Order-in-Council P.C. 2498. Only Treaty hunters permitted to remain in the Park.
1922	Dené leaders (led by Chief Alexandre Laviolette) begin their campaign for the reserves promised by Treaty.
1924	Holy Angels residential school opens.
1925-1928	6,673 plains bison shipped to WBP from Wainwright, AB.
Winter 1925-1926	Some of the imported plains bison herd crossed the Peace River, and left the Park

1926	<p>Despite opposition, Parks administration annex lands south of Peace River to protect the migrated plains bison herd through Order-in-Council P.C. 634 on 26 April, 1926 and Order-in-Council P.C. 1444 on 26 September, 1926. Changes access laws: all residents and harvesters must obtain permits. Non-First Nations harvesters who were within the annex in 1926 were permitted to remain. Many Dené families were not in the new annex at the time the Park was expanded and could not obtain permits.</p> <p>Continued efforts by Dené leaders to establish reserves.</p>
1926-1960s	Growth of the conservation management regime in the Park and northern Alberta. Increasingly strict, and constantly changing game laws imposed over Dené lands and land-use.
1928	Chief Jonas Laviolette denied a permit to trap in the park, twice.
Summer 1928	Another influenza epidemic devastates the community.
1929-1948	Smallscale bison slaughter permitted to distribute relief meat to local Indigenous people who are starving. Bison meat is distributed through the hospital, mission and residential school.
1930s	Wood bison population appears to be recovering within the Park.
1935	Order-in-Council negotiated with government of Alberta sets aside lands north of the 27 <sup>th</sup> baseline strictly for resident harvesters but is later abandoned by the government of Alberta.
1935	Firm policy introduced related to permits and access on October 30, 1935.
1937	<p>Permit policy changed so that sons of permit-holders can obtain permits after turning 18.</p> <p>Order-in-Council 1399/27 grants certificates of title for the surface rights to 49,600 acres of land for the Chipewyan Band reserves, after 6 years of negotiations between federal and provincial governments.</p>
1939-1942	<p>Beginning of registered trapline system outside of Park boundaries.</p> <p>Devastating drought decimates muskrat population in summer of 1939. Severe impacts on the fur trade and people's health and well-being.</p>
1939	Ft. Chip HBC trading post dismantled (Potyandi, p. 117).
1944 (June to Dec.)	<p>Membership transfer from Chipewyan to Cree Band, takes place between June and December 1944.</p> <p>Those who continue to hunt and trap in the park – including 36 Chipewyan families with a total of 116 people – transferred their membership to the Mikisew Cree Band in 1944.</p> <p>Anyone who refuses to transfer is forced to leave.</p>
November 1949	<p>Group Trapping Areas introduced in the Park in November.</p> <p>A new set of regulations respecting preservation of game within the Park is established at the same time.</p>
1944-late 1960s	Bison slaughter program to commercialize bison meat.

1954	Chipewyan reserves finally made official under Order in council PC 1954-817 (IR 201) and PC 1954-900 (IR 201A-G). 49,600 acres total.
1962-1969	Structural reorganization of the Park administration. In 1969, full administrative responsibility is transferred from the NWT Branch to the Parks. Branch. WBP becomes WBNP.
1967	W.A.C. Bennett Dam destroys the Athabasca Delta and the fur trade economy of the region.
1983	WBNP is declared a UNESCO World Heritage Site.
1984	WBNP Management Plan.
1986	Fort Chipewyan Cree becomes Mikisew Cree First Nation and wins a land entitlement settlement guaranteeing perpetual hunting, trapping, and fishing rights on three million acres, 2/3 of which lies within the Park.
1991	Northern Buffalo Management Board established.
1992/1993	WBNP Management Plan reviewed.
2004	“Renewing the Relationship” process begins.
2011	WBNP New Management Plan.

## Appendix IV: Recommendations and comments on government response: Direct quotations from participant interviews

### Quotations from interviewees permitting disclosure of their names

Chief Allan Adam (2 February, 2021)

AA [0:27:22]

I think [we need] a formal apology from Canada and from Wood Buffalo National Park officials. And that they open the door, tell us to come back and say we're sorry for what they've done to us and everything...you know, the ultimate goal, is recognition of the true rightful land users of the area. It was our own. I still could go up there and dig up some ancestral graveyards and connect the dots through DNA and prove to everybody that my bloodline was buried there. And if you want the Chief to prove that, I will do it. But if you want to accept it and do good by it, just give us the formal apology. And we'll continue to live on in harmony but always recognize our people as the true original land users, stewards of that land from time immemorial.

AA [0:51:50]

We just want them to know that, you know, sure Wood Buffalo National Park wants to open up Wood Buffalo National Park to the world, when they want to open it up with Canada and brag about the beauty and the richness and the scenery of everything but before they do that, we just want everybody to know the story that what was happened to us, in order for them to gain all that richness in the beauty that they've created. And the propaganda of lies that were told to take that.

AA [0:55:51]

When I look at species at risk, okay, species at risk say that Canada has to protect a species that's going to be gone, like it's going to, you know, whatever. So they'll protect caribou anything under 36,000. The Dene people I think, are only less than 36,000. Aren't we an endangered species? So why are they not protecting us? Is not a human race a species, considered a species if you want to look at it that way.

I'll be blunt with you. I recognize that after 100 years of separation, going on 100 years of separation, that it would be hard for us to live together. Because they had 100 years of studying the mindframe of being a Cree. And I see the internal fighting that the Mikisew Cree members are having and the Cree members are having an internal fight because they're fighting amongst themselves, half are Cree and half are Dené. But the upside of the whole thing, over 51% of the Mikisew First Nation are Dené descent. And I feel that the stronger Cree in the Mikisew side are holding our people down under membership, certain families, and I want them all to be treated equally. And if they can't achieve that, then I want Canada to do what's right and create another Dené band for the Mikisew Cree First Nation members who were Dené people in the past and have a right to form a new First Nation and to govern themselves away from Mikisew Cree First Nation and away from the Athabasca Chipewyan First Nation and that the government will support them on this.<sup>553</sup> (Chief Adam, 2021).

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<sup>553</sup> Zoom interview with Chief Adam.

“I think that they failed to cover up their tracks. And it's time now to admit what happened.”<sup>554</sup> (Chief Allan Adam, 2021).

“Sure Wood Buffalo National Park wants to open up...to the world, when they want to open it up with Canada and brag about the beauty and the richness and the scenery of everything but before they do that, we just want everybody to know the story that what was happened to us, in order for them to gain all that richness in the beautyness that they've created. And the propaganda of lies that were told to take that.”<sup>555</sup> (Chief Allan Adam, 2021).

Horace Adam (19 March, 2021)

HA [41:13]

Well I think the government should just let it go. Like let the whole park go, cause there's no money-making. In Fort Smith the territories, I don't think they have tourists there as much as they did before. And, we just get the whole park right out...the parks should be leave – just leave the buffalo there, and leave the park alone...[to] go back to the First Nations.

Jimmy Deranger (24 March, 2021).

JD [0:42:43]

Well they said they were going to give it back. That's what those Elders said. They were going to give it back after they use it for a certain period of time. So they should just give it back, we don't need, we shouldn't have to negotiate that land that's ours in the first place, to negotiate it back. If we're going to negotiate, we should negotiate for compensation. But the premise of negotiate something that's already yours is pointless. They knew it was our land to begin with, the Treaty said it was our lands. The Elders said it was our lands. The Creator said it was our lands. And now they're wanting, they want us to negotiate back because of something legally. What makes sense to all of us, I think that they should compensate us for using the land for those number of years.

JD [0:56:03]

Just give it back to us. It was ours to begin with. They used it for a number of years. And then give us all the park houses at Fort Chip that are there right now, all the park houses? They're all empty, give those houses to us, as they are. They don't have to take it apart or burn it down or dismantle it or, you know? Just give it, give it to us. And let us use the land the way we used it before, before the park was ever developed before they boundaried that land as a park. Why should we negotiate it back?

JD [0:58:46]

It's got to, it's got to start with the preamble. That there was five First Nations, five Denesuline people, principles, you know? The principles of the preamble that the land was given to us by the Creator for our use, for generation, for generation, for generation. Number two, there are five

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<sup>554</sup> Ibid.

<sup>555</sup> Ibid.

Denesuline groups. Barrenland Denesuline, Great Lake Denesuline, Great River Denesuline, Bush Denesuline and Birch Mountain Denesuline. Three, all over Denesuline land, has first, as the Denesuline died, they buried them. And the blood went back into the land and they recognized [1:00:00] that through the blood, after they were buried, that it was made by Denesuline blood. And that's how our relationship, shaped relationship to the land. Four, Treaty 8, where it says that when the land is going to open up, that they need to consent, with the said Indians. And we're the said Indians... Is it one sided? Or is it supposed to be together? Understood together. And then, and there's still in treaty when, when they regulate from time to time, the regulations had to be the consent of the said Indians. It's those principles, it applied then, it applies now and it ties into the future. It's Denesuline land. It's our homeland.

Before that, they were free. We just want to be free. That's what the motto was at the time, you could say motto but not, it's a principle, eh? We just want to be free. It's right in Treaty 8, we just want to be, we just want to be left alone. We just want to be free. We just want to be free on our lands. We just want to be free on our traditional lands.

JD [1:14:42]

They should tell the people the real reason why they told them to leave when they told them to leave. And apologize [1:15:00] to the families.

... Why they didn't come when they were making policies and regulations regarding Wood Buffalo, why they didn't come to us and tell us they were going to do it and be part of that, a participant on the table. If all that had happened, everybody would be happy on both sides.

JD [1:16:07]

Give us back our land. Like they said they were going to. It's our land, give it back to us.

JD [1:16:21]

Yeah, compensate us per square foot, or per square mile, or per square hectare, for the lands that was boundaried or all those years. And the royalties that they took. And the resources that they took from it, like the timber. And the permits or whatever they used for outsiders to be on Wood Buffalo, in Wood Buffalo. And compensated for all the roads that they built. I mean it's our land. Whose land is it? Nobody's. Ours, ours, it's always been ours. Now the grass still, the natural grass is still growing, the water at Lake Athabasca and the rivers are still flowing. And the sun is still shining. And that's our land. And the Denesuline people and Mikisew people, the Métis people are still using the land as they did before contact and during contact, and to this very day. And will continue to use it, they had used it for 15,000 years, and they will continue to use it for another 15,000 years.

Garry Flett (6 December, 2020)

GF [0:53:46]

it affects everybody uniquely I suppose... I would love an apology from them to say, I'm sorry, that we denied you access to exercise your rights in the park... more specifically in mind, my mother. My mother went to her grave being denied access to the park and without an apology. Without doing anything wrong... I'm not saying that was front and center of her thinking, but I

know it was, I think what really, she hated the park because of it. I think it was just the alienation of the parks to members of the ACFN and where she grew up she was unentitled to be, to have any further affiliation with that area. For that, I think that the parks missed the boat in apologizing to my mother.

Leonard Flett (30 April, 2021)

LF [37:26]

[They should] open up. Or else, take the issue to United Nations. I mean, if the Mikisew can go United Nations and speak on behalf of their rights in National Park, I think we are entitled, if not more.

LF [38:27]

Actually give us back our land...I'd like to see it in my lifetime. I mean, I'm 64 right now...give us back our land. I thought the National Park actually signed an agreement for ninety-nine years. That's my understanding.

Leslie Laviolette (22 March, 2021)

LL [0:52:45]

You know, that's, these are all these obstacles that we put up with every day when we get up. But I'm hoping one day that they'll all sit down and say, well, you guys are right. And we've been hiding. If they admitted that part, it will be a bonus and everybody will probably want to work together.

LL [0:59:52]

And we still have to learn today. But one day, they might respect other people other than themselves [1:00:00]. Cause that word respect is a powerful word, once you gain that respect of your Elders man, you'll never lose it. But when you come in like you know it all and you figure the Elders don't know much when you call them down, that's it you got no respect. You're, you're gonna have to learn the hard way.

LL [1:19:51]

You know, the best thing will be if the park will say, 'yeah, you could build your house here now. You can build a cabin here.' That'll be the best thing [1:20:00]

LL[1:50:49]

That's the way the park is. They'd rather see you begging them while they're having a nice meal. You know, that recognition and that knowledge hopefully it comes sooner than later... You know, they just got to go in their archives and they'll see that reserve there and they will say, well that belongs to them we got to give them back. We went through enough red tape to keep it away from them and we kicked them out, now we got to get them back.

Keltie Paul (25 November, 2020)



“I want the park returned to the people who were there. That's not Canada's land, that was a takeover... That should never have been done. They should apologize for that and give it back. And somehow, you know, if you're talking about reconciliation, well, something has to be worked out with the Chipewyan involved, included, Cree included, the Métis included, those people who were in the park, who were using the parking who got kicked out of the park.”

“And the next reparation I want to see is those things that they, the stuff they used to give... transfer money has to be fixed from 1922 or from whenever, whenever they did it to present day. That's reparation. That's how you... put your money where your mouth is.”

Joe (Ernie) Ratfat (19 March, 2021)

ER [35:43]

Yeah, for our relatives to be remembered, you know. All the people, all the Dené people that was in the park, that stayed in the park, you know. The Elders that was from there, they're the ones that wanted to move you know. And there's a lot of them, a lot of big families you know that, somehow they will be remembered, you know? Yeah, there, there should be something put aside there for, for those families that stayed there and endured, you know.

Alice Rigney (17 March, 2021)

when Stephen Harper apologized to us for what happened to us in the residential era, when I listened to that... I could see between the lines that he was not truthful about it. You know, it was just words. And when we get an apology from the park I want a sincere apology. I want them to apologize for the times they went in search into homes and... intimidated them by putting them in jail for shooting a duck out of season. I mean those things... That's the kind of apology I want. I want a sincere apology. You know? And name names... I mean, people need to... hear that, you know.

AR [24:15]

Compensation for sure is something that needs to be done... whether it's financial to the families or for the community... do something for the nation... I think of long term, maybe a building to talk about what happened.

Mary (Cookie) Simpson (11 March, 2021)

CS [34:14]

They would have to apologize. You can't just make anything better. You have to apologize for all the wrongdoings and say what your wrongdoings are. And they should get compensated for their land. Because the government just took their land away from them. Like even at Peace Point that's where my grandparents trap, we were, we belong ... to the Dene band. And so, all the Peace Point area should be all Dene. It should be all Chipewyan. Because that's was their stroke of the pen that made it Cree and we were not Cree. But we had to live Cree. We had no choice.

CS [35:09]

[T]hey could give some of the park back but I doubt if they will. They should give them more land and they took the people away, like the Athabasca Chipewyan First Nation now. And I'm glad they're doing this. Because they were robbed. They were robbed of their land, they were robbed there, robbed of their traditional land. And for many years, they couldn't even come to the park because only Cree, only Cree Band hunters and trappers were allowed to hunt in the park, right? Allowed to have their trapline in the park. And so, the Chipewyan lost out on that, they lost out in going into the park.

Lori Stevens (25 May, 2021)

LS [1:12:38]

But if the Mikisew Cree can have traplines, we should be able to too. Like, that's our traditional area as well, we should be able to hunt and trap there. I know that there's a lot of people who would love to do like ecotourism and bring people into the back country back there. Like, I know, that's not what Parks would want. But at the same time, it would definitely open it up economically for some individuals to not only be reconnected to where their family's from, but also to make a living, and definitely would be able to do so eco-friendly, make sure there's no damage or anything like that. Like, it's not to say people are going to come in and just ravage the place there. They want their lands back. They want to be able to reconnect. They want to be able to have those traplines, or like I would love to be at the Ambra. It's just right there. Right? Like, especially for what I've been told about my family... give us what Mikisew is allotted, if you're saying they can do it, we should be able to too.

LS [1:14:11]

I definitely think the government of Canada should financially compensate us, especially for the amount of members we've lost. We are talking about these individuals and like we said, their kids and their grandkids and their great grandkids, those are all members that could have been or should have been ACFN members that we should have been getting per capita dollars for not Mikisew, yeah. There's, I think that we've lost out on a lot because of the amount of members that they took away from us, financially.

Leslie Wiltzen (21 January, 2021)

LW [1:20:29]

“an apology without making things right, I mean, you got to make something right. And who's gonna, you think an apology is going to change the past? If there's no action associated with it? I mean, an apology in the Parliament of Canada towards the Athabasca Chipewyan First Nation for removal of park, you think that's gonna go a long ways in Parliament? When you see it on a national TV and there's no feet on the ground, there's no action on the ground, there's no reconciliation from that point on, to make things better. To me, it's just words, there has to be something, something tangible with that we can grab on and something that we can say, this is ours now and once, but we'll never let it go again. And until we have something that we can say is ours, I'm always going to feel that I'm, somebody is always going to point to me and say, no, that's your area over there. Even though there's been apology, as long as there's nothing that we

can stand on the ground and say that this is ours again, and the federal government says so, marked off as ACFN we'll always be told that, go back to where you belong.”

LW [1:44:11]

“Well, I mean, you know that's a good question. And it's not an easy question to ask because at this point, at this particular point in time in history, in order to make one wrong right, there's going to be people that are going to be offended. Right? And, you know, I know, through people that have, that are still Métis and that are one of the original recipient families of the RTAs that were established when the park was, the boundaries were relocated. So we know those Métis families that had the RTAs still have the RTAs and in their mind it's their land. It's not a park created for Canada, it's that little area that they have is theirs. And some people are probably willing to die for it, right? They're probably willing to die for seeing that they're gonna fight and say, no, I don't want anybody on this little piece of land. So that's talking about Métis. And then you're gonna have the same response by some people that are Cree band. They're going to be very possessive and very defined in making a wrong, right, because they're going to have to sacrifice something. They're going to have to sacrifice something. Everybody is going to have to sacrifice something.

People might say, well, what is ACFN going to give up, but what do we have to give up? We gave up 100 years we have been out of the park. We've sacrificed enough. But again, now, to determine what is going to be, what will have to be done, what will the park have to do? That's a good question. But in my mind, besides an apology, instilling today what we signed in treaty in 1899, that indicates the Chipewyan people of the Athabasca, of the Birch, of the Peace, of the Sleeve, of Gull River, for the federal government to make sure that we can practice our treaty right without compromise and without consequences. And all people that utilize the park, to agree on that. That's what I want. Now to go even further, to establish RTAs in there would be excellent. Maybe we get it, maybe we don't.

Now to implement down the road some type of educational component that, where we teach, where this becomes a lesson for future generations, not only for the people for Chipewyan but for the rest of Canada and for the rest of the world. To learn that this is not the way that it should have happened. But how do we make it right? Now an educational component that shares that experience with the rest of the world, I'd like to see something like that as well.

And then, you know, for sure there, the park regulations are going to have to be rethought about. Now again, there's going to be processes in place that again, like I said, people are going to have to let go of group trapping areas in order for us to be able to, I want to be able to go trap just as much as any Mikisew member. But now I'm not included, and that's going to be a big battle, that's going to be a big battle, because that's not going, people are not going to give up their names on lists, regardless if they trapped in 20 years or not. Most situations, like I said, where I've been a park warden in Wood Buffalo National Park, I know what areas people have been actively trapping since the 1970s. And I know exactly which members trap today and which members don't. So even though they don't trap, they still got that, “I own it, it's mine,” mentality. People have that mentality and it'll be hard getting through those people. But again, I want to see ACFN members be able to give the, given the opportunity to really set traps in Wood Buffalo National Park in our traditional area where our treaty indicated we once were. That's what I want

to see. And then again, I don't know what if there's compensation in the way of economic, nominal figures involved with the negotiations, I don't know exactly what that would look like, again I don't know. But there's a big wheel and a lot of spokes that are in motion in order to make that turn nice and smooth. So until we figure out what all those spokes, right now we're just, we have a wheel that does work for us.”

## Quotations from interviewees requesting anonymity

WBNP2021-Anon01-03-11-21

[0:21:33]

they should give the people back what is rightfully theirs.

[0:22:31]

Well, that's what they should do is tell the story and let the people at Parks Canada actually know what happened. Not just listen...listen to Parks Canada, they should be listening to the – well, they can't listen to what happened because all the people that it happened to are now gone...My grandmother lived there. But she's gone. Like, it should be told. It should be out there in the open. People should know. The story should be told. But then again, how is it going to be told because it happened, what happened to the people back then like they're all gone? Our storytellers are gone?

[0:23:38]

And...not allowing the government to turn it all around, like, because that's what they'll do. They'll just end up turning everything around like they always do.

WBNP2021-Anon06-03-17-21

[56:07]

Something they can do... give that area back and all south of Birch River, you know the Gull River and all that areas.

WBNP2021-Anon10-03-21-21

[39:50]

Like, how are we going to be able to reclaim our land and all that, you know, to have it back to what it used to be before? Like we can't even eat fish from our lake here. You know? ...Yeah, you can't even, like some of the moose closer to McMurray, well we can't eat that moose because of the sulfur and everything, so. How they gonna make it better? Like money is not going to make it better, you know? That's just the way I see it. How, you know, like an apology...if they say they're sorry, well it's just empty words, you know? Show us you're sorry, do something, you know?

[41:01]

It's just like in the residential school. Well, they said they're sorry, they sent out a letter and whatever? Well, so what? You know? They didn't really do too much about reconciliation after that. It's like, okay, we gave you money now go away, you know? But the healing and the language and all that. Well, it's all lost. So, I don't know how the government could make it better. I guess, the chief and council will have to decide. Yeah. But they have to come to us before they make a final decisions.