



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

Executive Summary

Including summaries of the historical narrative, impacts and critical
interpretations

3 August, 2021



Introduction

In much of the public discourse about national and provincial parks, there has been a tendency to uncritically celebrate their existence as a significant element of Canadian national history and identity, and as important triumphs of 20th century environmentalism.¹ Yet celebratory narratives have often ignored the damage they inflict on Indigenous communities, who are usually displaced in the process of their creation. From the most famous National Parks like Banff and Jasper to provincial parks like Desolation Sound in B.C., the common story is that parks and their administrations have displaced, dispossessed, excluded and impoverished Indigenous peoples, with long-term, intergenerational impacts.² Indeed, protected nature areas such as parks have been experienced by Indigenous peoples globally as key elements of the history of colonization and genocide.

The history of relations between Wood Buffalo National Park (henceforth “the Park”) and the Dené community that became Athabasca Chipewyan First Nation (previously called the Chipewyan Band) reflects this history. The Park takes up a large portion of ACFN’s much wider traditional territory and also encompasses specific places of importance to ACFN, where Dené people resided, travelled, settled, built homes, and harvested for many centuries prior to 1922. 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. This history of displacements and Treaty violations committed by the Canadian government had significant, long-term, harmful impacts on the Denésuliné people whose territories WBNP took up.

¹ 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).

² 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: Healing 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; Jonathan Sandlos, *Hunters at the Margin: Native People and Wildlife Conservation in the Northwest Territories* (Vancouver: UBC Press, 2007); 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.

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; 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

The history of the Park has been widely interpreted by the community as a history of broken Treaty promises and violations of Dené Treaty and hereditary rights. As many Elders and community members have indicated, 23 years after the band adhered to Treaty 8, the promises to maintain Dené rights “as long as the sun walks and the rivers flow” were broken through the creation of the Park. WBNP’s 1922 creation, 1926 expansion and management throughout the 20th century, as well as a forced membership transfer from the Chipewyan Band to the Cree Band in 1944, displaced many ACFN members from their territories and homes within the Park, restricted their ability to continue harvesting and living on the land as they always had done, and divided families and the community.

“They broke their promise long ago.”

Victoria Mercredi, 1998

The history and impacts of Wood Buffalo National Park cannot be understood without reference to a wider historical context of genocide and colonization. Drastic transformations were already taking place across Denésuliné territories as the Park was created and expanded, due to epidemics, residential schools, displacements by incoming settlers and white trappers, industrial activity, drastic economic and environmental changes, and the W.A.C. Bennett Dam. The Park’s impacts were amplified within this wider historical context of genocide and colonial elimination. It was therefore a major player in a history in which, as ACFN Elders wrote in 2003, “an originally healthy and relatively affluent society... has been colonized and disenfranchised and has been losing traditional lands” over the past 250 years.³

Numerous individuals interviewed for this 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 reparations. The following report aims to support this goal. It 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.

In Spring 2019 the Band contracted Willow Springs Strategic Solutions (WSSS) to conduct the research. In collaboration with a community steering committee, the researchers employed a mixed methodology guided centrally by community-engaged research approaches. The research occurred 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. The report critically engages with hundreds of historical documents from Library and Archives Canada in Ottawa, the Provincial Archives of Alberta in Edmonton, and the community archives of ACFN in Fort Chipewyan and Fort McMurray. Phase II focused on community engagement through extensive original interviews with Elders, knowledge holders and community members. The report draws on 44 historical interviews previously conducted with ACFN members from the 1970s onward⁴ and 29 new interviews with 30 ACFN members, MCFN members and Métis residents, conducted from November 2020-May 2021. The current iteration of the full report was completed in July 2021.

³ ACFN, *Footprints on the Land: Tracing the Path of the Athabasca Chipewyan First Nation*, (Fort Chipewyan: ACFN, 2003), p. 9.

⁴ 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.

Due to public health restrictions resulting from the global COVID-19 pandemic, all interviews conducted for this report took place remotely. It is possible that, despite best efforts to mitigate the communication disconnect resulting from the pandemic, the researchers have not spoken to everyone who might be interested in participating, and therefore some 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.

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 the land and water

“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).⁵

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 ACFN 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 Lake Mamawi, Lake Claire, 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.

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

ACFN Elder Jimmy Deranger, 2021

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. 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.

⁵ 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.

Section 2: Historical Narrative

*“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.”*⁶ (Alec Bruno, 2009).

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. Maxwell Graham (Parks Branch – Animal Division) claimed in 1912 that “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”.⁷ He stated: “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.”⁸

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 were common across the British empire at the time.⁹ Indigenous harvesters 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.” Racist rhetoric about Indigenous land-use was of course unfounded; in Denésuliné territories, deeply embedded caretaking practices have always guided Dené land-use.¹⁰ Still, administrators in these early years were “willing to exaggerate the dangers facing the bison population” by applying sweeping accusations to further their goal.¹¹ This helped justify the creation of the Park.

A lack of direct and meaningful consultation

From the earliest days of the Park’s existence, Denésuliné rights, needs and concerns were dismissed, and local residents and land-users were not meaningfully or directly consulted. 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. One Elder, who requested to remain anonymous in this report, suggests that this was common practice at the time: “there was no consultation then.”¹² 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 is evident from the archives.

The late Elder Alec Bruno stated, “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

⁶ Alec Bruno, Focus Group PA-1, ACFN Land Use Plan, Old Fort Elders, Ft. Chipewyan: ACFN, October 15, 2009. (ACFN online archives, CKK).

⁷ Letter from M. Graham to J. Harkin, 30 June 1912, LAC RG 85, vol. 665, file 3911, pt. 1.

⁸ Ibid.

⁹ See, for example, 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.

¹⁰ 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.

¹¹ Sandlos, *Hunters at the Margin*, p. 53.

¹² WBNP2021-Keltie Paul and anonymous Elder-11-25-21.

with our people. Trappers and hunters weren't given any say in the formation of WBNP.”¹³ 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 WBNP creation.”¹⁴

A promise to return the land

Many members 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. 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.

“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

No written record of this loan has been discovered in the archives to date. Whether the promise was made orally in good faith by government officials and then broken, or the document was destroyed, is unclear. Extant written document or no, the oral record contains extensive evidence of this promise. Jimmy Deranger recalls Elders telling him in interviews in the 1970s that Parks officials had told their families they would only use the land “for a number of years.” They also told land-users that they would be able to “go on doing what they want to do” while the land was on loan.¹⁵ Elder Billy Simpson confirmed, “apparently it was just loaned to [them]”¹⁶ 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.”¹⁷

Conflict with Indian Affairs

Park planners' goal of creating a sanctuary devoid of all human activity faced pushback from the Indian Affairs Branch. This delayed the process and resulted, initially, in a more moderate arrangement. Several Indian Affairs officials vehemently opposed the bison sanctuary when it was first proposed, arguing that unlike with southern parks such as Banff or Jasper, displaced Indigenous residents in the Wood Buffalo Park area would not have alternative options to make a living and therefore would have to rely on social assistance to survive after being removed from

¹³ Alec Bruno, Written questionnaire, “ACFN Elders on Wood Buffalo National Park,” (Fort Chipewyan: ACFN Community Archives, n.d.).

¹⁴ Frank Marcel, Written Questionnaire, “ACFN Elders on Wood Buffalo National Park,” (Fort Chipewyan: ACFN Community Archives, n.d.).

¹⁵ WBNP2021-Jimmy Deranger-03-25-21.

¹⁶ Interview with Billy Simpson, Treaty and Aboriginal Rights Research.

¹⁷ Alec Bruno, Written questionnaire.

the Park¹⁸ Because of this tension, plans for the sanctuary were put on hold from 1916-1920.¹⁹ When Park planning resumed, the Advisory Board on Wildlife Protection passed a resolution calling for the creation of a park in June 1920.²⁰

Wood Buffalo Park was created in December 1922 by Order-in-Council P.C. 2498. 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 (see Appendix I). Opposition from Indian Affairs ensured that Treaty harvesters could maintain their rights to reside and harvest in the Park, as long as they abided by game laws and did not kill bison. All other non-Treaty harvesters (i.e. Métis and white harvesters) were excluded. Parks administrators did not consider this arrangement to be upholding

“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

a treaty obligation, however. 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 as *privileges*, granted by the government on grounds of compassion. 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.”²¹ As O.S. Finnie stated, “the only 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.”²²

Furthermore, this arrangement changed in 1926 when the Park was expanded, and Dené leaders, residents and land-users watched as their sovereignty, livelihoods and rights were trivialized and eroded over time. The creation of the Park in 1922 thus initiated a history of broken treaty promises producing severe challenges for the ancestors of ACFN.

Wainwright Bison Importation and Park Expansion – 1926

Although the Parks Branch had achieved their victory in 1922, they continued their attempts to eliminate Dené and Cree people entirely from the Park. In a 1925 letter, O.S. Finnie claimed, “[a]s long as they are permitted to enter it will never be a sanctuary.”²³ These administrators were unsuccessful until the importation of plains bison from the south in 1925.

Discussions about importing several thousand young bison from the Buffalo Park in Wainwright, Alberta began in 1923, as the Wainwright herd had grown significantly and was escaping and

¹⁸ 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.

¹⁹ M. Graham to O.S. Finnie, Memo, “STATEMENT AS TO THE CAUSES THAT LED UP TO THE CREATION OF THE WOOD BUFFALO PARK,” 4 June, 1924, p. 6. NAC RG85, Vol. 1213, File 400-2-3, v.1

²⁰ Minutes, Advisory Board in Wildlife Protection, 18 June 1920, LAC RG10, Vol. 4085, file 496,658-1A.

²¹ Ibid.

²² Finnie to McDougal, 20 July, 1925, LAC RG85, Vol. 1213, File 400-2-3, vol. 1. Emphasis added.

²³ O.S. Finnie to Gibson, 9 December 1925, LAC RG85, Vol. 1213, File 400-2-3, v. 1.

destroying pasture for livestock. Despite widespread concerns that the tuberculosis-infected herd would mix and infect the Northern Alberta wood bison, officials pursued the scheme with vigour. Between 1925-1928, 6,673 bison were shipped to the Park and released on the west side of the Slave River.²⁴ As predicted, the plains bison mixed with the wood bison and introduced tuberculosis, a problem Parks Canada 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.”²⁵

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 Dené families lived, harvested and moved since time immemorial. WBP was expanded 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.²⁶ This enlarged the Park to a total of 17,300 sq. mi. (See Appendix I).

Permits, Harvesting Laws, and Wardens

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. The Park was split into three zones with varying levels of access restrictions and each with a different set of game laws. Treaty harvesters could continue to access Zone A & B if they procured permits. In Zone C, those who already resided there at the time the annex occurred could apply for permits to stay.²⁷ White and Métis hunters could only apply for permits in Zone C.²⁸

The new Orders-in-Council gave park administrators a great deal of latitude to distribute or withhold harvesting and visiting permits.²⁹ People had to make a strong case 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.”³⁰ But many were refused. The reasons for declining permit applications were inconsistent, and could legally include a wide range of justifications, such as 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.³¹

Visiting rights (i.e. 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

²⁴ 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).

²⁵ McCormack, “How the (North) West Was Won,” p. 140.

²⁶ Order in Council PC 1444, 18 September 1926 RG 85 vol. 1391, file 406-13.

²⁷ O.S. Finnie to R.A. Gibson, 23 April, 1926, NAC RG85, Vol. 1213, File 400-2-3, pt. 1.

²⁸ 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.

²⁹ Sandlos, *Hunters at the Margin*, p. 62.

³⁰ Memorandum from ? to Gibson, Department of Interior, 29 February, 1936, PAC RG85, v. 1213 File 400-2-3, pt. 2A, p. 2.

³¹ Report from M.J. Dempsey to M. Meikle (Agent and Superintendent), 20 February 1937, LAC RG85, vol. 845, file 7744, pt. 1.

to see his band members.³² Thus, regulations intended to restrict harvesting also restricted Dené people's freedom of movement and separated communities and families.

People could also lose their permits. Those who had received permits in 1926 but at a later date harvested outside the Park, often had their permits revoked.³³ Breaking game laws could also result in permanent expulsion.³⁴ 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.³⁵

The oral record relates numerous instances of forcible removals from the Park of those Dené people 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. As one Elder stated, people who were expelled lost everything: "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."³⁶ Chief Allan Adam recalls his Granny, who was evicted after 1944, telling him, "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."³⁷

"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.

In addition to the new permitting system, conservation laws governing land-use activity across the Park and province became more severe after 1926. 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.³⁸ 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.

³² M.J. Dempsey to J. Milner (acting District Agent), 1 March, 1933, PAC RG85, v. 852, File 7870.

³³ Meikle to Gibson, 15 April, 1937, PAC RG85, v. 1213 file 400-2-3, pt. 2A.

³⁴ See "Regulations governing hunting and trapping in Wood Buffalo Park Established under authority of the Order-in-Council of the 14th December, 1933, P.C. 2589," PAC 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, PAC RG10 Vol. 8409, File 191/20-14-1, pt. 2.

³⁵ See, for example, Royal Canadian Mounted Police, Reports on Conclusions of Case, Form 264B, 19 March 1942, PAC 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, PAC RG10 Vol. 8409, File 191/20-14-1, pt. 2.

³⁶ Phone interview with anonymous Elder, 25 November, 2020.

³⁷ Zoom interview with Chief Allan Adam, 2 February 2021.

³⁸ 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.

Some of the specific new harvesting regulations included bag limits and closed and limited seasons for fur-bearing animals and other large game.³⁹ 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.⁴⁰ The Migratory Birds Convention Act in 1916 banned egg collecting, imposed game seasons on some migratory birds and closed hunting of some birds altogether.⁴¹ Within the Park, big game and non-migratory bird hunting was restricted by seasons (and occasionally prohibited for some species).⁴² 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 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. In 1942 muskrat season was shortened so much that Headman Benjamin Marcel (Elder Pat Marcel's father) complained to authorities that people could barely survive.⁴³

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.”⁴⁴ 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.”⁴⁵

An expanding warden system, initially established in 1911, ensured strict surveillance and enforcement of the rules, and punishment if they were broken. Wardens often worked alongside the RCMP. 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.”⁴⁶ Wardens 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 enforced the permit system and game laws with varying levels of severity: issuing warnings and fines, arresting people, and suspending or permanently

³⁹ See “Regulations governing hunting and trapping in Wood Buffalo Park Established under authority of the Order-in-Council of the 14th 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.

⁴⁰ O.S. Finnie to J.A. McDougal, 6 March, 1925, LAC RG85, Vol. 1213, File 400-2-3, v. 1.

⁴¹ 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>

⁴² 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.

⁴³ 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.

⁴⁴ 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.

⁴⁵ *Ibid.*, p.3.

⁴⁶ J.A. McDougal to Director, 2 March 1926, v. 1213, file 400-2-3, pt. 1, as cited in McCormack “How the (North)West was Won,” p. 149.

revoking permits and expelling people from the Park. In this way, they became a major part of a system that criminalized Dené Treaty-enshrined rights to harvest in their territories.

Extensive evidence from the oral record suggests wardens have abused their power and employed violence and intimidation tactics to control Dené land-use and keep people out of the Park. Many participants explained that these behaviours were products 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. 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.”⁴⁷

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.”⁴⁸ Permit restrictions, coupled with threats of violence and intimidation, meant people were cut off from their families and territories, and lost their main source of income and homes; with few other options, many could not feed their families and were forced to rely on government relief.⁴⁹

Membership Transfer

One of the most profound changes following the annex and permitting system was a membership transfer from the Chipewyan Band to the Cree Band in 1944. Through this transfer, 36 Dené families who had been living in the Park, with a total of 123 individuals, were transferred from the Chipewyan Band treaty payroll list to the Cree Band (now MCFN) list “through the stroke of a pen,” as Leslie Wiltzen describes it. Most of these families had resided and harvested at House Lake, near the Birch Mountains, and at Peace Point: areas that had been “their traditional land where they’ve homesteaded for many years,” according to Frank Marcel.⁵⁰

There is little documentary evidence to be gleaned from the archives to reconstruct the story of why or how the transfer occurred. The few 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 leaders: “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.”⁵¹ No Band referendum was considered. Stewart updated the 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 1949.⁵²

⁴⁷ WBNP2021-Keltie Paul-11-25-2020.

⁴⁸ 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).

⁴⁹ See for example Neil Walker to C.B. Carignan, 11 May 1953, PAC RG10 Vol. 8409, File 191/20-14-1, pt. 2.

⁵⁰ Frank Marcel, Written questionnaire, “ACFN Elders on Wood Buffalo National Park,” n.d. (Fort Chipewyan: ACFN Office).

⁵¹ 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.

⁵² See Jacques Whitford, “Treaty Entitlements Research – Update Report,” Tables 1-4 (Fort Chipewyan: ACFN, 2006).

The oral record, however, tells a different story. A number of interviewees shared specific family stories about the transfer, including Chief Allan Adam and his late father Elder Alec Bruno, Elder Alice Rigney, Elder Big John Marcel, the late Elder Pat Marcel, Elder Joe Ratfat, and many members of the Simpson and Flett families. Elders hold that the transfer was forced by the government, and may have been a deliberate effort to further limit who could access the Park. “There’s no documentation that shows that our chiefs negotiated and allowed for that to happen, because they would never have done that,” Leslie states.⁵³ Some believe the decision was in part intended to reduce Indian Affairs’ administrative work by collapsing the different groups into a more simplified structure.⁵⁴ Others believe the intention was to remove Dené people altogether from their rights and territory in the Park.

Whatever the reasoning, oral testimony suggests the transfer was forced and has had strong impacts on Dené people in the region since. Those who refused to transfer bands were forced to leave the Park. Some families even saw their cabins burned down. 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. Many Dené families were separated, and kinship connections fundamentally altered; numerous members were disconnected from the wider Denésuliné territory and land-based knowledge; and the overall population of the Band was cut in half. This has had profound impacts on sovereignty, land-use, family and community dynamics, kinship relations, and the overall health and well-being of individuals, families and communities. These impacts are described in detail below.

After the annex: Hardship and Dené Activism

Moreover, as a result of these profound changes, starvation and hardship became a reality that Denésuliné people in the Delta, especially those who were evicted from the Park, faced throughout the 20th century. It was a vicious cycle: hunger, competition for furs, and a lack of alternative 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 Laviolette’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 Laviolette 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.”⁵⁵

Faced with these great 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 not only interfered with their livelihood, but also were violations of their rights. Extensive letter-writing campaigns were a significant part of this activism. At Treaty Days, leaders repeated their concerns to Indian Agents on a yearly

⁵³ Zoom interview with Leslie Wiltzen, 21 January, 2021.

⁵⁴ Ibid.

⁵⁵ Chief Laviolette to Indian Affairs, 20 February, 1927.

basis.⁵⁶ Some refused treaty payments to protest the Park.⁵⁷ Another common form of resistance was ignoring or breaking state-imposed game laws. Garry Flett confirmed that “people did it to survive... for sustenance. They had to feed their families.”⁵⁸ Poaching, however, may also have been a political act, “an attempt to return to the time before an arbitrary and largely impersonal

“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.

state bureaucracy” dispossessed them of their lands and restricted their land-use.⁵⁹

These assertions of Dené rights and concerns were usually ignored, dismissed or punished by provincial and federal authorities. Those who resisted and protested by breaking the laws were punished if caught, and their defenses ignored.

Chief Jonas Laviolette described the typical response of authorities to Dené requests for help: “I have been waiting long to hear from you that I think you have forgotten all about me and my people from Fort Chipewyan.”⁶⁰ When missionaries and Indian Agents petitioned on behalf of those facing starvation, 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.”⁶¹ Some administrators outright dismissed complaints of starvation. For example, 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.⁶² When residents suggested reasonable solutions or compromises, they were often denied. For example, in 1937 leaders in the Northwest Territories requested permission for a head of family to kill a bison if their families were starving, they were refused since “the privilege would be abused...the Government was preserving the buffalo for the Indians’ own good.”⁶³

Reserves and harvesting preserves

It also took decades to officially secure reserves where those Dené people evicted from the Park could safely reside and safeguard their harvesting rights. Park restrictions were a central reason why Dené leaders fought for decades to secure reserves: leaders saw reserves as a key way to survive physical displacements and erosions of their rights.

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. 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 reserves in the Athabasca Delta. The province retained control over waterways,

⁵⁶ See for example, Melling, *Diary of Treaty Trip*, Athabaska Agency, 4 July, 1942.

⁵⁷ Extract from Act. Sgt. G.T. Makinson’s Report” – 3 July, 1937, Resolution, NWT, NAC RG85, Vol. 1213, File 400-2-3, v. 1.

⁵⁸ Zoom interview with Garry Flett, 6 December, 2020.

⁵⁹ Sandlos, *Hunters at the Margin*, p. 75.

⁶⁰ Chief Laviolette to Indian Affairs, 20 February, 1927, p. 1.

⁶¹ A.L. Cumming to Gibson, 29 November 1940, PAC RG85, v. 1214, file 400-2-3, pt. 3, as cited in McCormack, “How the (North)West was won,” p. 232.

⁶² Extract from report of Act. Sgt. G.T. Makinson, “Re- Treaty Indians – Resolution, N.W.T. Refusal to accept Treaty Payment,” 3 July 1937, NAC RG85, v. 1213 file 400-2-3, v. 1.

⁶³ “Extract from Act. Sgt. G.T. Makinson’s Report” – 3 July, 1937, Resolution, NWT, NAC RG85, Vol. 1213, File 400-2-3, v. 1.

mines and minerals and fishing in the Band's IR 201A-G reserves. Surface rights were not officially transferred to the federal government until 1954.⁶⁴

Elder Pat Marcel related the oral history of another attempt by Dené leaders to mitigate the impacts of the Park. 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.”⁶⁵ As a result of their tireless lobbying, a 1935 Order-in-Council set aside a protected area *in addition to* the IR201 reserves. This land was exclusively intended for Indigenous residents. This was a key strategy to protect Dené people expelled from the Park from starvation and hardship.⁶⁶ However, it seems the province abandoned this agreement once the registered trapline system came into place in 1939-1942; since then, it has not been upheld.⁶⁷ In this way, another attempt by Dené people to protect themselves and their rights after being expelled from the Park was thwarted by government authorities.

These events suggest that after the 1926 annex, federal and provincial administrations were more concerned about protecting game and developing the northern economy than ensuring Indigenous people could survive the drastic changes they faced. Indeed, as historian Patricia McCormack has shown, a central component of the history of Wood Buffalo Park's relation to ACFN is that Dené lives and rights were “dismissed by those with power over them.”⁶⁸

The New Management Era, 1960s-Present

In the 1960s, the Park's administration structure changed. From 1964-1969, full administrative responsibility for the Park was transferred to the National and Historic Parks Branch. It was during this time the 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.

As Parks Canada moved toward co-management in 1980s and 1990s and more recently made commitments to reconciliation, they have invited ACFN representatives to the co-management table. However, Band members contend that this arrangement does not adequately address the troubled and violent history of displacements and exclusions of the past 100 years. The long history of the Park described above has been characterized by systemic exclusions and displacements of Dené people. Thus, while co-management and reconciliation are promising approaches to Parks management in theory, in practice, they have been challenging and often insufficient. Historical distrust and a structure that tends to relegate Indigenous leaders to consulting positions (rather than meaningful decision-making, co-governing positions) has limited the potential of these approaches and left ACFN participants feeling sidelined and dismissed, as has always been the case in the administration of WBNP.⁶⁹

⁶⁴ Through Orders-in-Council P.C. 1954-817 and P.C. 1954-900

⁶⁵ Pat Marcel, in Marcel and ?, “The Rights to Practice our Treaty Rights,” p. 15.

⁶⁶ Pat Marcel, in Marcel and ?, “The Rights to Practice our Treaty Rights,” p. 14.

⁶⁷ Ibid.

⁶⁸ McCormack, “*We like to be free in this country*” (Vancouver: UBC Press, 2010), p. 271-72.

⁶⁹ This is also detailed in the Interpretations section of this report. Leslie Wiltzen described this relationship in detail in his 21 January 2021 Zoom interview, and Pat Marcel also explains the limitations of co-management arrangements to date in his oral history, “The Rights to Practice our Treaty Rights & The Importance of Co-Management with the Province of Alberta.” Historians of Parks Canada have also demonstrated the challenges related to Parks Canada's co-management and Indigenous consultation in recent decades. See for example, Megan Youdelis, ““They could Take You out for Coffee and Call it

Conclusion

From the time of the Park's creation in 1922, through its 1926 expansion and management throughout the 20th century, relations between the Park and the Denésuliné people whose lands and waterways it takes up have been troubled. 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. In many ways WBNP 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.

Section 3: Understanding the Impacts

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. The Park creation, expansion and management throughout the 20th century gradually 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 relations, and relations to land. These harmful impacts are intergenerational and are experienced by Denésuliné people to this day. 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.

“And myself, I had no land base. It really hurt. It hurts me.”

Elder Joe Ratfat, 2021

All individuals interviewed for this report explain various direct and cumulative impacts of the Park's creation, expansion and management, past and present. This section of the report draws heavily on extensive engagement with existing oral histories previously recorded by the community and

interviews conducted for this report. As numerous participants stressed, impacts are direct and cumulative – compounded in a wider history of changes in Denésuliné territories after Treaty 8 – and both immediate and intergenerational, experienced by individuals, families and the community as a whole to this day. 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, 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.

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

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.

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 damage of this impact is multidimensional, involving several layers, including:

- Erosions of Dené sovereignty and land-based governance systems;
- Loss of homes and belongings;
- Periods of starvation, deprivation, and economic hardship;
- Restrictions on harvesting practices on which people relied for their sustenance and livelihood;
- Restrictions on access to Dené cultural and spiritual sites and resources, including medicines, spiritual sites and gravesites, within the Park;
- Restrictions of the intergenerational transmission of Denésuliné land-based knowledge;
- Limits on Denésuliné language transmission; and
- Effects of land-based identity.

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.

The damage of this impact is multidimensional, involving several layers, including:

- Separations of Denésuliné family members;
- Disconnections from Denésuliné identity and heritage, especially for those who were forced to transfer to the Cree Band; and
- Loss of Denésuliné language, especially for those who were forced to transfer to the Cree Band.

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."⁷⁰

This impact is multi-dimensional and has several layers:

- Reduced per capita government transfer payments;
- Weakened political base; and

⁷⁰ Marcel and Seegerts, "The Rights to Practice Our Treaty Rights," pp. 18-19.

- 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, a loss of home, sadness and deflation. Community members' testimony clearly demonstrates these long-term impacts.

Section 4: Critical Interpretations

Interpretation 1

The creation, expansion and management of Wood Buffalo National Park were violations of Denésuliné Treaty and Aboriginal rights enshrined in Treaty 8.

This interpretation has been clearly articulated by Denésuliné Elders, 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."⁷¹

"The meaningful practice of our treaty rights depends on having sufficient lands and resources to exercise those rights."

ACFN Elders, 2010

Especially after the Park expansion in 1926, the Band saw its Treaty rights summarily dismissed, eroded and violated. 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."⁷² Chief Allan Adam states, "Wood Buffalo National Park was created on infringement of treaty rights."⁷³ Leslie Wiltzen confirms: "when you look at Treaty 8, when it was signed... 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 tell me if that's breaking treaty... the treaty was broken."⁷⁴ As Victoria Mercredi succinctly said in 1998, "They broke their word long ago."⁷⁵

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.

⁷¹ Treaty No. 8. <https://www.rcaanc-cirnac.gc.ca/eng/1100100028813/1581293624572#chp4>.

⁷² WBNP2021-Horace Adam-03-19-21.

⁷³ WBNP2021-Chief Allan Adam-02-02-21.

⁷⁴ WBNP2021-Leslie Wiltzen-01-21-21.

⁷⁵ Transcript of interview with Victoria Mercredi, 20 Jan. 1998, tape 2, p. 45.

Oral and archival evidence demonstrate that 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 20th century. This lack of meaningful consultation was a key feature of the history of the Park. 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.”⁷⁶ Furthermore, 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. Although the administration did allow a limited amount of Indigenous use in the early history of the Park, it only did so due to pressure from Indian Affairs. The general lack of meaningful consultation continues to characterize the Park's interactions with ACFN members to this day.

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 Park and surrounding harvesting laws were causing extreme suffering. For the most part, Parks administration denied, dismissed or outright mocked Dené claims and protests.

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.

Especially with the new permitting system after 1926, parks administrators re-framed Dené rights in their own territories as privileges to be granted by the state.⁷⁷ This attitude was a driving characteristic of the history of the Park. For example, 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 treaty to hunt through that territory.”⁷⁸

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. 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.”⁷⁹

⁷⁶ WBNP2021-Fred Deranger-03-19-21.

⁷⁷ This view is also pointed out in Peterson, “Exploring the Egg Lake.”

⁷⁸ 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.

⁷⁹ WBNP2021-Anon05-03-16-21.

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.

Throughout the history of the Park the 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 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.

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.”⁸⁰

“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.

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. One Elder wonders: “the big question is, why? Why were the Crees given preferential [treatment]?”⁸¹ This policy position exacerbated tension between the Cree and Chipewyan Band and led to divisions within the Band and within families.

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 displacements perpetrated by Parks Canada, that 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.,

⁸⁰ Alec Bruno, Written Questionnaire.

⁸¹ WBNP2021-Keltie Paul and anonymous Elder-11-25-21.

development of hotels and restaurants in park boundaries).⁸² Furthermore, restrictions or exclusions on Indigenous lifeways have remained the norm within and around parks, while “nearly unbridled” extractive activity has continued on the lands immediately adjacent to Park boundaries.

These contradictory and seemingly arbitrary distinctions between Indigenous and non-Indigenous land-use, 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 20th 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. Meanwhile, subsistence harvesters were (and still are) prohibited from hunting a bison to feed their families and communities. Although industrial and commercial development sometimes afforded wage labour opportunities to displaced Dené residents, they favoured economic activity primarily undertaken by settler industrialists and business-owners over the subsistence needs and economic activities of local Denésuliné peoples. Furthermore, 20th 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.⁸³

Interpretation 7

The Park’s creation, expansion and management throughout the 20th century led directly to a number of multilayered, intergenerational impacts, with which the community is still dealing with today.

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 20th 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

⁸² See Youdelis et. al., “Wilderness’ revisited.”

⁸³ See, for example, Youdelis et. al., “‘Wilderness’ revisited: Is Canadian park management moving beyond the ‘wilderness’ ethic?” *The Canadian Geographer* (2019): 2.

traditional territory taken up by 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.

The Park's history and impacts must also be understood within a wider historical context. In addition to the direct impacts, 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.

The violation of treaty rights, the forcible removals, the 1944 transfer and the imposition of conservation law, were extensions of this wider history. 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.”⁸⁴

Park policies 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 allowed the state to “use” and “develop” the lands that they perceived to be wasted by Indigenous residents. 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. 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.”⁸⁵

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.

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.

⁸⁴ ACFN, *Footprints on the Land*, p. 9.

⁸⁵ Zoom interview with Chief Allan Adam. 2 February, 2021.

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.⁸⁶ 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.

Conclusion

“Before that, they were free. 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 traditional lands.” (Jimmy Deranger, 2021).⁸⁷

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.⁸⁸ This history had significant, damaging and intergenerational impacts on these families and the community as a whole, which are still experienced to this day.

Acknowledgement of and reparation for the history and its impacts are critical if Parks Canada intends to embark on a genuine path to 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 has endured. In their

“the Federal and Provincial Governments have never accommodated our rights or compensated us for infringements.”

ACFN Elders, 2010

oral testimony, community members have articulated the shape they believe this reparative action by Parks Canada must take. Interviewees repeatedly suggested that, 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.

⁸⁶ Pat Marcel and Arlene Seegerts, “The Rights to Practice our Treaty Rights.”

⁸⁷ WBNP2021-Jimmy Deranger-03-24-21.

⁸⁸ Sandlos, *Hunters at the Margin*, p. 108.